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EXPERIENCE AND TESTIMONY IN HUME'S PHILOSOPHY

ABSTRACT

The standard interpretation of Hume on testimony takes him to be a reductionist; justification of beliefs from testimony ultimately depends on one's own first-person experience. Yet Hume's main discussions of testimony in the *Treatise* and first *Enquiry* suggest a social account. Hume appeals to shared experience and develops norms of belief from testimony that are not reductionist. It is argued that the reductionist interpretation rests on an overly narrow view of Hume's theory of ideas. By attending to such mechanisms of the imagination as abstraction and fictions, it is shown that Hume's theory of ideas does not forestall a non-reductionist social epistemology.

The empiricism of David Hume has seemed to many philosophers an unlikely source of insight into the social dimension of thought and knowledge. Hume famously begins *A Treatise of Human Nature* with his theory of impressions and ideas.[1] All ideas are traced to impressions of sensation and reflection. Our ideas derive from our individual sensations and passions. There are no ideas that cannot be traced back to individual experience. All complex ideas are combinations of simple ideas, and for any simple idea, there is an antecedent simple impression from which it is derived. The unstated but obvious assumption is that the simple impressions and simple ideas are located in the same mind. One's ideas and beliefs trace back to one's own antecedent impressions.

Beliefs are those ideas that have acquired a high degree of liveliness or vivacity through custom and habit, the repeated conjunctions of certain pairs of perceptions, together with what Hume calls a "present impression." When I've had multiple instances of an impression of heat following on an impression of a flame, a subsequent present sense impression of flame will be followed by a lively idea of heat. This account of causal inference also seems squarely individualistic and non-social. The solitary Humean epistemic agent senses the regularities in the world as constantly conjoined internal perceptions and forms expectations on the basis of them.

Hume's account of the external world also appears to be described just in terms of the internal imaginative states of an individual. Each of us forms an idea of the continued existence of external objects when they are not perceived. That idea

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is derived neither from the senses nor from reason; rather, it is the product of the individual imagination. The perceptions of sense are not effects of a shared physical world. The idea that there is a shared physical world, or more basically, a world of objects that continue during breaks in our perception, is a construction of the imagination. Hume's rejection of what he calls the "doctrine of double existence," the view that our perceptions represent external objects by resemblance, suggests to many that Hume's own position is some form of phenomenalism (see Passmore 1980, 84–104).

The Humean self is a bundle of causally associated perceptions. Since perceptions are independent existences that can separated in thought from all others, Hume rejects the view that perceptions inhere in a substance, either material or immaterial. What we are aware of when we think of ourselves is accounted in terms of the smooth progress of our causally related perceptions. Although he takes his account of the self to apply to all selves, Hume does not include an account of how we form ideas of other persons.

When Hume concludes his account of the nature of the understanding at the end of Book 1 of the *Treatise*, he reports that he has discovered the radical weakness of the faculty of the understanding, "the wretched condition, weakness, and disorder of the faculties, I must employ in my enquiries…" (T 1.4.7.1). The philosophical despair leads to skepticism about the existence of other persons:

> Where am I, or what? From what causes do I derive my existence, and to what condition shall I return? Whose favour shall I court, and whose anger must I dread? What beings surround me? and on whom have I any influence, or who have any influence on me? I am confounded with all these questions, and begin to fancy myself in the most deplorable condition imaginable, inviron'd with the deepest darkness, and utterly depriv'd of the use of every member and faculty. (T 1.4.7.8)

On the general line of interpretation suggested so far, it is not surprising to find Hume in this lamentable state of isolation as he sums up his metaphysical and epistemological results.

Yet this same David Hume devotes much of the first book of the *Treatise* to what we now call social epistemology. Hume discusses the transmission of superstitious belief (T 1.3.8.6 ff.), the formation of beliefs about matters and places beyond our immediate experience (T 1.3.9.4 ff.), belief in miracles through the testimony of others (T 1.3.9.9 ff.), the phenomenon of credulity (T 1.3.9.12), the influence of education on belief (T 1.3.9.16 ff.), the mechanism of poetical influence through belief (T 1.3.10.7 ff.), and the role of technology in the transmission of testimony (T 1.3.13.6). In these passages, Hume freely writes of the beliefs, passions, and reasons of others and their role in the formation and justification of belief. How can we reconcile the individualistic theories of ideas and causation, the apparent phenomenalism about the external world, and the bundle theory of the self with the social epistemology that's peppered throughout Part 3 of Book 1 of the *Treatise* as well as in the first *Enquiry*?[2]

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Most commentators resolve the tension in these two directions by denying the latter direction. Although it can't be denied that much of Hume's epistemology is couched in social terms, what is often denied is that social aspects of belief and justification are fundamental or even admissible in Hume's epistemology. Hume is typically classified as a reductionist about testimony, and is contrasted with his fellow eighteenth century Scot, Thomas Reid, who is seen as a non-reductionist. Alvin Goldman is a typical representative of this reading. He claims that Hume requires that the veracity of testimony must be established by "the receiver's own observational evidence of the testifier's reliability" (Goldman 2002, 173). On Goldman's interpretation of Hume, the receiver of testimony must verify the claim of the testifier by the exclusive use of testimony-free first-person observation, since relying on testimony of the reliability of the testifier just pushes the problem back. If someone tells me that there is a blue Ford in front of my house, I need to check for myself by looking for a blue Ford in front of my house. After some number of such confirmations, I may form a justified belief about the testifier's reliability. Reid, in contrast, holds that we each have an innate principle of credulity by means of which we rely on testimony without confirming it by independent experience. Interestingly, although Reid holds that this principle is implanted by the deity, God doesn't give us the wisdom to employ it correctly from the start.[3] That aside, Goldman's point is that Reid's starting point is the acceptance of the testimony of others, with the refinement of principles of testimony and other principles of evidence following upon such acceptance. Hume, in contrast, can only accept testimony when the testifier has been shown to be reliable by appeal to testimony-free evidence.

The widespread attribution of reductionism about testimony to Hume is coupled with a repudiation of the view. There are many beliefs we receive through testimony that can't be checked through first-person experience. For example, each of us has beliefs about the date of our birth. Certainly we don't take note of the date when it takes place, and like other historical beliefs, it is inaccessible as a matter of direct observation. Even a form of reductionism that doesn't demand that each belief receive independent first-person justification, but rather requires only that the belief about the general reliability of the testifier be established through first-person observation, faces difficulties. A layperson may believe that nuclear power plants supply electricity on the basis of the testimony of scientists, policy experts, and government officials. But the reliability of those experts on nuclear energy is not subject to testimony-free individual observation.[4]

In what follows I will challenge the attribution of reductionism about testimony to Hume. The challenge has three parts. First, I will show that when we look at what Hume actually wrote, he is quite clearly an *anti*-reductionist. Second, I will diagnose the source of the attribution of reductionism to Hume. The source is a misreading of Hume's texts, specifically a limited and individualistic interpretation of Hume's theory of ideas. The third and main task will be a challenge to the purported individualism of Hume's theory of ideas. By examining Hume's accounts

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of abstraction and of our ideas of external objects, a careful study of the basic elements of Hume's philosophy will show that it is not individualistic, but rather quite compatible with the social epistemology he develops in the *Treatise* and first *Enquiry*.

Challenges to the interpretation of Hume as a reductionist about testimony have been presented by myself and others (Traiger 1993, 1994; Welbourne 2001, 76–92). Here I'll just review some of the main points, because the main work of this paper is to challenge the individualistic interpretation of Hume's theory of ideas. There are a few key passages that interpreters have taken as expressing Hume's reductionism. These are passages in which Hume notes that beliefs based on testimony are based on our impressions and our experience. A basis in observation, impressions, and experience, however, is only reductionistic if the basis is an evidential or justificatory basis. However, in the text usually cited in support of the reductionist reading, the relation to one's own experience is a matter of belief *formation* rather than justification. Where Hume elaborates about the justificatory basis of beliefs from testimony, there is no trace of a commitment to reductionism.

One such passage occurs in the famous section "Of Miracles" in the *Enquiry concerning Human Understanding* (E 10.4). There Hume takes note of the necessity of testimony for human life. He insists that the kind of reasoning that takes place when we appeal to the testimony of others is the same causal reasoning used when we form judgments that do not involve testimony. That Hume holds this should not be surprising, since Hume's theory of belief formation is itself causal. A belief is a lively idea related to a present impression. We form beliefs when we experience constantly conjoined impressions of causes and effects, and we form the idea of the effect, corresponding to the second impression in the constant conjunction pair, on the experience of the present impression of the cause, the first member of the pair. Our judgments from testimony are also beliefs, and hence are causally formed. The perceptions which form the basis for causal inference and resultant beliefs are all perceptions of the individual. However, this tells us nothing about the evidential status of our beliefs, or about the content of the experiences that contribute to the formation of those beliefs.

Hume does hold that testimony involves a presumptive causal relationship. He writes: "all the inferences, which we can draw from one to another, are founded merely on our experience of their constant and regular conjunction; it is evident, that we ought not to make an exception to this maxim in favour of human testimony, whose connexion with any event seems, in itself, as little necessary as any other." (E 10.5) Although any belief I have is *my* lively idea related to *my* present impression of the cause and *my* mental history of constant conjunctions of the cause and effect, the *content* of the perceptions can go beyond my personal experience and can refer to persons, places, and events I have not experienced. Hume is explicit about this in the *Treatise*. There he distinguishes between the inferences from our own experiences, which he calls "a reality," and those which go beyond our experiences, to "realities."

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> 'Tis this latter principle which peoples the world, and brings us acquainted with such existences, as by their removal in time and place, lie beyond the reach of the senses and memory. By means of it I paint the universe in my imagination, and fix my attention on any part of it I please. I form an idea of ROME, which I neither see nor remember; but which is connected with such impressions as I remember to have received from the conversation and books of travellers and historians. This idea of *Rome* I place in a certain situation on the idea of an object, which I call the globe. I join to it the conception of a particular government, and religion, and manners. I look backward and consider its first foundation; its several revolutions, successes, and misfortunes. All this, and every thing else, which I believe, are nothing but ideas; tho' by their force and settled order, arising from custom and the relation of cause and effect, they distinguish themselves from the other ideas, which are merely the offspring of the imagination. (T 1.3.9.4)

So there are beliefs that make reference only to my own experience, and those that go beyond it. The impressions of words and utterances from books and travelers are among the perceptions from which I make inferences. The fact that all beliefs are "nothing but ideas" doesn't require a justificatory reduction of one "principle" to the other. The constant conjunctions of perceptions that are in the system of "realities" will include matters of testimony, since those necessarily make reference to other persons and places. Of course, Hume will need to explain the nature of our impressions of testimony, and I'll explain how he does this later in the paper.

Another passage used to support the reading of Hume as a reductionist about testimony comes from an early section of *Treatise* Book 1, Part 3. In Section 4, "Of the component parts of our reasonings concerning cause and effect," Hume asserts that all causal inferences, the inferences that produce beliefs, are inferences from present impressions. His example of this is our belief that Caesar was killed on the ides of March. The impressions involved in such a belief are impressions of the words and utterances of historians, that is, impressions of testimony. He says that this belief abut Caesar is "founded on those characters or letters, which are remember'd…" (T 1.3.4.2). The beliefs of those who provide the testimony are also derived in the same way through a chain of testimony, "till we arrive at those who were eye-witnesses and spectators of the event." Elizabeth Anscombe interprets Hume as providing a theory of the justification of beliefs from testimony, and requiring that beliefs from testimony be justified by beliefs about the chain of testimony leading back to original eye-witness reports. Combined with reductionism, or even without the reductionist's requirement that the belief in the existence of a chain of testimony terminating in an eye-witness be justified by first-person experience, such an account of the justification of testimony is unworkable. Anscombe makes the broadly Wittgensteinian point that our beliefs about the existence of such chains of testimony are less secure than our beliefs about Caesar.

Here Anscombe shares the interpretative error committed by Goldman and, as we shall see shortly, by C. A. J. Coady. She attributes an account of the justification of beliefs based on what Hume presents only as an account of the formation of

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belief. In this early section of Part 3, Hume is merely formulating his theory of belief. He is not telling us how such beliefs are justified. By using a belief from testimony in his explanation of belief formation, Hume acknowledges both the centrality of these beliefs and emphasizes that his theory can account for them.[5]

Let's return to the passage from the first *Enquiry* cited as evidence of Hume's reductionism about testimony. After claiming that beliefs from testimony are based on experience, that is, our experience of the words and utterances of others, Hume then moves to the question of the justification of such beliefs. He notes that general maxims of belief management apply to testimony just as they do to other beliefs.[6] For example, one should hesitate to accept beliefs that are logically inconsistent with beliefs already held. One must weigh evidence, including testimony, on "both sides." We should also consider such factors as the character and dispositions of testifiers, as well as their interests in the truth of the matter attested to. These are not items exclusively of first-person experience, but rather include anything, social or otherwise, relevant to the analysis of the testimony under consideration as evidence. The experience that we may appeal to when we justify our beliefs draws on both the system of reality and the system of realities. There are causal regularities, the discovery of which are used in the analysis of testimony, both in the physical world under our direct observation, and the social world of other believers accessed both by observation and further testimony.

Now of course there is a possible position about the justification of testimony where the appeal to evidence such as that supplied by understanding the demeanor of the testifier is only justified if there is first-person non-testimonial evidence supporting that belief, or if whatever beliefs support it are themselves ultimately supported only by beliefs that do not depend on testimony. But once we are clear about where Hume is discussing belief formation and where he discusses evidence or justification, there is no evidence that the possible position is Hume's position.

If Hume is not a reductionist about testimony, why is the view that he is so widespread? One obvious reason is that readers fail to distinguish Hume's account of belief formation from his treatment of matters of justification. Many readers of Hume still hold onto the view that he is a skeptic, and follow Kant in holding that he does no more than explain our habit and custom of belief formation in response to constant conjunctions (Kant 1783/2004, 7–12). But this interpretation is difficult to sustain when one is interested in Hume's views on testimony, particularly in the first *Enquiry*, where Hume's main purpose is to critique, as evidentially inadequate, beliefs in the occurrence of miracles.

Hume's accounts of belief formation and justification are in fact closely related, but not by a collapse of the latter into the former. Belief formation is a natural phenomenon, and not all of our natural, uncorrected beliefs are true. Our beliefs respond to the observed regularities in our experience. If Hume's skeptical arguments concerning causal reasoning are correct, we can't correct our beliefs by using the faculty of reason, because there are no necessary connections between causes and effects. The only correction available comes through reflection on

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our natural belief-forming processes. For example, if my only experiences with water have been with its liquid and gaseous states, I might believe that water cannot be a solid. The correction of this belief comes by way of reflection on the scope of experience, and by an appreciation of the limited range of my constant conjunctions of changes of state of water at different temperatures. That is, I reflect on what caused me to form the errant belief. I recognize how the limited constant conjunctions available to me led to the incorrect belief about the possible states of water. The correction of my belief, the refinement of my expectations, makes use of experiences, constant conjunctions, other than the ones I used to reach the original belief. Of course, if I rely on the experience of others, I need to be justified in doing so, but that's just the point that our beliefs require justification, and this recognition does not restrict the source of the justification in any way. So for Hume, the justification of belief is connected to belief formation, but in a way that does not require Hume to be a reductionist about testimony.

In his influential book *Testimony*, Coady attributes reductionism about testimony to Hume, but acknowledges that Hume invokes an apparently non-reductionist notion of experience in some passages, such as the ones we've just discussed, in which Hume's topic is the justification of belief (1992, 81ff.). Hume clearly states that we rely on the experience of other people, and so the evidence we use in order to evaluate testimony cannot be reduced to one's own experience. Coady cites a passage in which Hume describes receiving a letter from an absent friend. The recipient of the letter has not personally experienced the causes and effects that originate with the authorship of the letter and end with its receipt. The crucial point is that Coady thinks Hume isn't entitled to appeal to the experience of others and to beliefs about such causal chains. If Hume were a reductionist about testimony, as Coady holds, then he would not be entitled to appeal to experience that itself derives from testimony. But these very passages should make us suspicious of the claim that Hume thinks testimony must be justified only by testimony-free personal experience.

The only grounds for excluding the non-reductionist position from Hume is that it is incompatible with his theory of ideas and his account of causal inference. If the only way one can form beliefs is by consulting one's own stock of impressions and ideas, then the wider use of the experience of others cannot be directly appealed to in the justification of our beliefs, and Hume would be saddled with an untenable view. The central task, then, is to work back from the justification of belief to belief formation and then to the underlying account of idea formation in Hume's theory of ideas. When we do, I argue, we find a framework that is fully compatible with a non-reductionist approach to justification through testimony.

As already noted, both the *Treatise* and the first *Enquiry* begin with Hume's theory of ideas. All ideas are derived from impressions. Impressions are lively and original. Ideas are faint copies of them. Impressions typically appear in complexes. An impression of a red apple may combine the impressions of the apple's color, shape, and odor, for example. A memory of the apple retains the "form and order"

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of the impressions in the fainter complex idea. The imagination is free to reorder, augment, or diminish the ideas it has, with the important restriction that its stock of simple ideas is derived from simple impressions. There are no ideas in the imagination for which there is no simple, antecedent resembling impression. There are impressions of sense and impressions of reflection. The former are "original," and the latter follow on ideas.

The theory of ideas is itself introduced through the common-sense framework that appeals to abstraction, external objects, and shared experience. Hume describes the features of perceptions by describing the qualities of an apple. An apple is an enduring physical object, and a member of a natural kind, one which he assumes can be recognized, tracked, described, and shared with other observers. The basic theory of ideas, however, doesn't initially account for this wider framework. We have impressions and ideas of the color of an apple. We don't have apple impressions and ideas. The complex perception of the various qualities of an apple doesn't include the abstract idea of apples as a natural kind, and it doesn't include the idea of an apple as an enduring external object.

Hume's theory of belief also helps itself to the common-sense framework of physical objects, kinds, and persons. We believe that Caesar, a person, endured through a period of time in the distant past, in a country populated with other persons, and with objects, many of which endured while not being perceived. The belief that bread nourishes is a belief about the causal relationship of nourishing between one external object and another. And, as we've already noted, the normative dimension of belief is accounted for in the context of our common-sense framework, in which we have truck with both objects and persons.

How does Hume account for abstraction and our ideas of enduring objects in his normative epistemology? One view is that he doesn't account for these things; he dismisses them. There is no simple idea of the self, since there's no simple impression from which it is derived. The self is a fiction, a "bundle of perceptions," and thus references to selves must reduce to references to groups of perceptions. To the extent that Hume can't effect such reductions, his view is deeply flawed.

The interpretation I will argue for takes Hume to allow for ideas of abstract objects, of external objects, and of persons, even though such ideas cannot be derived from antecedent impressions. Hume's accounts of abstract objects, external objects, and persons each make use of notions of fictions and unjust or inadequate ideas. A careful look at that use will reveal that there are ideas of abstract objects, enduring objects, and persons. Further, although Hume's explanations of these ideas involve what he calls fictions and other imaginative mechanisms, the ideas themselves are not fictions in the sense of false ideas, but rather ideas which arise "with a fiction," a process of feigning, or some other mechanism of the imagination. Such processes, which take place in our individual imaginations, are described by Hume in social terms. His account of abstraction appeals to the use of language, and his notion of fiction is analogous to a process of feigning in a full-fledged social context, namely the context of legal practice. A full account of

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Hume on abstraction and fictions and their social dimension is beyond the scope of this paper. I will, however, sketch the main outlines of the interpretation and then explain how it allows us to make sense of Hume's social, non-reductive account of justification through testimony.

We've already noted that Hume appreciates and embraces the fact that our beliefs are typically couched in the language of external objects, persons, and even substances and attributes. We'll look briefly at the social dimension of Hume's account of abstraction, and then in some detail at how Hume accounts for our reference to external objects, with particular attention to the social component of his explanations. Similar moves are made with respect to persons, substances, and other ideas.

Many of our beliefs include abstract ideas, such as the idea of green in the belief that green apples are often sour. Hume thinks that all ideas are particular, but that particular ideas of a quality can serve to represent all instances of that quality. His account of this makes explicit reference to our shared linguistic practices. Hume says that we gather together resembling ideas, such as the ideas of various shades of green, and we apply the word "green" to them. When someone uses the term "green," we recall one of the members of the group of resembling ideas. In this passage, it is quite clear that Hume is describing a basic function of the imagination in social terms. To have an abstract idea is to possess the disposition to apply a socially learned linguistic expression in an appropriate manner (see Wilson 2008, ch. 1). If belief formation depends on our ability to form abstract ideas, and the ability to form abstract ideas depends on socially inculcated linguistic norms, belief itself is a social phenomenon.

That Hume takes linguistic norms to be social is not universally held. Some interpreters take Hume to be committed to a private language, where terms refer to perceptions in one's own mind (cf. Flew 1961, 22ff.). Of course such a view is famously problematic, but it still could be Hume's. Hume says precious little about the phenomenon of language in his writings, but in *Treatise* 1.1.7 Hume's description of the dispositions associated with abstraction make reference to fundamentally social aspects of language use. Particular ideas associated with a term are revived by "the hearing of that name." Clearly the context here is the verbal production of speech by another, which we hear. An abstract idea doesn't revive all the ideas associated with it, but just a subset of them. Yet we "find but few inconveniences to arise in our reasoning from that abridgment." Such reasoning involves responding appropriately to the discourse we encounter in science, literature, and history (T 1.1.7.7–8). Hume thinks that a virtue of his account is that it explains how the imagination can respond to the diverse and complex linguistic input we get from discourse with others. While any particular use of an abstract idea will make use of a particular idea in the imagination of the individual, the phenomenon of abstraction is a complex mechanism of the imagination that functions to enable appropriate reasoning in the context of social discourse.

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Although the section in which Hume discusses the external world is called "Of skepticism with regard to the senses," Hume announces at the very start of the section that the existence of an external world is not at issue, but rather is something "we must take for granted in all our reasonings." (T 1.4.2.1) Hume's announced concern is the origin and nature of our idea of and belief in external objects, or what he calls "continued existence," the existence of the unperceived. There is an important sense in which the announced project is social: The subject matter is the shared conceptual underpinnings of the engagement with experience in human nature. To put it in more Humean terms, the project is to understand the belief in the external world by "the vulgar," the ordinary person.[7] Hume is studying a shared social phenomenon. But we will see that there is a deeper sense in which Hume's subject is social.

Hume considers and rejects reason and the senses as the source of our belief in continued existence. That leaves the faculty of the imagination as the only possible faculty that can produce the idea, and Hume examines the kind of data the imagination works on in forming it. In the simplest case, we form the idea of continued existence when we experience an interruption in otherwise unchanging perceptual input. Hume refers to this as the phenomenon of "constancy." I glance at the table and briefly close my eyes or turn my head. I return my gaze to the table. There is clearly a sequence of perceptions. At least two impressions of the table are separated by one or more intervening perceptions. Yet when my glance returns to the table, I attribute a continued existence; that is, I take there to be something, the table, that endured through the interruption. How does the mind produce the idea of the continued existence of the table when the data with which it is presented is a sequence of perceptions? To answer this, Hume takes the reader on a long and somewhat tortuous path. For our purposes, we'll concentrate on how Hume uses a key device, the notion of a fiction, to provide the account.

The idea of the continued existence of the table, or of any external object, is produced by a process of feigning in the imagination. When we believe in the continued existence of the desk in spite of an interruption in our perception of it, we treat our experience like an experience in which there isn't an interruption, that is, like the case where we have a constant, unvarying perception of the desk. Such an experience occurs when I stare at the desk over an interval of time, say thirty seconds. Here we have a smooth, uninterrupted flow of resembling perceptions, which the imagination tends to run together into the idea of a single thing. Hume says that the resemblance among the perceptions, combined with a lack of interruption, leads us to attribute identity to the invariable object.[8] The imagination has a tendency to conflate the experience of constancy where there is an interruption with the case of constancy without an interruption. And that involves imagining that there was no interruption and that the perception of the table continued through the period in which it did not exist. This is the fiction of the imagination that produces the idea of continued existence (T 1.4.2.35).

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The fiction of continued existence is not the idea of continued existence, but rather the process of the imagination that gives rise to the idea. The process is a particular kind of feigning. It isn't just making an idea up. Imaginative concatenation, the forming of complex ideas willy-nilly produces what Hume calls *mere* fictions of the imagination. Our ideas of continued existences are not mere concatenations. The process that leads to ideas of continued existence is one of ignoring the difference between two sequences of perceptions, a sequence of constant and invariable perceptions and a sequence of constant but interrupted perceptions. We treat the latter like the former and form the idea of the continued existence of the object that fills the gap in the latter sequence.

How should we make sense of this fiction, the process of ignoring differences in imaginative sequences of perceptions, a process that takes place when we deal with external objects and persons? Fortunately, an established notion of fiction that provides the basic element of his account, namely the notion of legal fiction, was available to Hume. In the law, there are often situations where strict application of the legal code would fail to apply to situations where a legal decision is needed. For example, where the law codifies responsibilities and rights of parents and their offspring, the law may fail to apply to adopted children, since they are not, strictly speaking, the offspring of their adoptive parents. One remedy is to amend the law to cover such cases. Another is to employ a legal fiction, an agreement to ignore the difference between a natural offspring and an adopted one, thereby agreeing to treat the adopted child as if it were a natural child for the purposes of the law. With the introduction of a legal fiction, the law can change while the written code remains unchanged (see Maine 1884, 26ff).

Hume formally studied law and was well versed in legal fictions.[9] He explicitly refers to and describes legal fictions in *The History of England*. He describes the circumstances in which, under Edward I, the office of chief justiciary was abolished and replaced by four independent courts. Some legal matters could not be resolved without being brought to more than one court, but there was no provision in the law for such a procedure. "… and as the lawyers afterwards invented a method, by means of their fictions, of carrying business from one court to another, the several courts became rivals and checks to each other; a circumstance which tended much to improve the practice of the law in England." (HENG 2.13.142) Hume doesn't tell us what the particular fictions were, but it's important that legal business was carried on by means of them. How would this improve the practice of law? What I think Hume may be suggesting is that the courts had to develop ways of dealing with cases that couldn't be decided on the narrow basis of a written legal code, because there was no single code to cover the several courts. Since there was interaction among the courts, the legal fictions developed in particular cases could be cited and referenced in legal argument.

In describing feudal government, Hume says that barons represented the land belonging to their vassals as their own land, since "according to the fictions of the feudal law," they were "to possess the direct property of it; and it would have been

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deemed incongruous to give it any other representation." (HENG 1. Appendix 2.467) The legal fiction enables a representation that is initially in conflict with the legal code and remains so. But the legal fiction in this case is so entrenched that any other representation "is incongruous."

Continued existence makes use of a vulgar fiction. We treat the view where our perception is interrupted as the same as the view in which there is no interruption. Just as we ignore the difference between an adopted and a natural child when employing the legal fiction of adoption, the fiction of continued existence allows a conflation between a straightforward or canonical origin of an idea with one that doesn't follow the canon. In this case the canon is the theory of impressions and ideas. We trivially derive the idea of the table's phenomenological properties in the case of the constant unchanging view. When our view is interrupted, we fill the gap by treating the view as being the same as the uninterrupted view. This is not a copied derivation from prior resembling impressions. Hume says, "Ideas always represent the objects or impressions from which they are derived, and can never, without a fiction, represent or be applied to any other." (T 1.2.3.11) The fiction is the mechanism of absorbing the non-canonical case into the canonical one.

While Hume does not present an official account of fictions, the similarity of the mechanisms described as fictions in the philosophical and legal contexts is striking. The notion of legal fiction in Hume's time was, and remains today, a fundamental concept in the law. Its application to Hume's metaphysics and epistemology is natural and fitting, and the former can be further applied to making sense of the latter. For example, legal fictions become so well entrenched in law and society that their origins as legal fictions dissolve. What begins as a legal fiction can become a matter of the legal canon. I've already noted that the fiction of continued existence relies on another fiction, namely that of duration without change. The philosophical fiction of "double existence," the strictly philosophical view that perceptions and external objects are separate existences, can only be generated by philosophers who already possess the vulgar fiction of continued existence. It is this point about the nesting of fictions that provides Hume with the basis of his critique of the doctrine of double existence (T 1.4.2.46–57).

The conceptual support structure for beliefs about ordinary physical objects such as billiard balls includes processes of the imagination that Hume models on the well entrenched social practice known as the legal fiction. The imagination adopts a strategy of reconciliation to make sense of our experience. Without such vulgar fictions we would not experience the constant conjunctions on which our beliefs are founded. The idea of continued existence, a "vulgar" idea possessed by all of us, is explained as an imaginative coping strategy modeled on a social coping strategy. I'm suggesting that legal fictions provide a model for the mechanism of the imagination. Hume appropriates a well understood social mechanism and posits an analogous process in the imagination. Of course the vulgar fictions of the imagination are not literally legal fictions, but are *like* legal fictions. As science, in this case our cognitive science, matures, and our ordinary beliefs increasingly

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incorporate science, we can expect further refinements, better models, and further progress of our understanding of these regular features of the imagination (see Sellars 1997).

Whether or not an advanced naturalistic account of the fictions of the imagination makes essential reference to the social, what is clear is that Hume's own account of many of the ideas that figure centrally in our ordinary beliefs, our ideas about objects, persons, and even perfect standards, substances, and attributes, are explained in terms of fictions, which are mechanisms of imaginative negotiation. Such ideas, which belong to a broader class of ideas that include our abstract ideas, are not merely copied from antecedent impressions.

The attribution of reductionism about testimony to Hume relied on the mistaken view that Hume was committed to explaining the experience on which our beliefs are based with the narrowest resources of the theory of ideas. The resources of that theory are inadequate to the purpose, and as a scientist of human nature, Hume appropriately draws from the social domain to theorize about the processes of the imagination that make belief possible. If my interpretation of the general outlines of Hume's use of abstraction and fictions is correct, then Hume isn't required to treat experience as individual sense-experience purified of reference to other persons. We are then free to see how Hume actually describes the experiences on which our beliefs rest, and we can dismiss charges that Hume can't consistently hold that experience that makes reference to other persons can justify our beliefs.

With many contemporary social epistemologists Hume shares an appreciation of the fact that that many of our beliefs are the result of testimony and that their evidential support can't be reduced to testimony-free experience. Once we appreciate that Hume *can* hold this position, even a cursory glance at his normative epistemology reveals that he *does* hold this position, that it is social through and through, with close affinities to contemporary work on bias in reasoning. Hume is particularly interested in the social dynamics of misguided belief, the sources of error in causal reasoning. Many of these principles are couched in terms of our epistemic position relative to other people. We are unduly attentive to matters that are new to our social circle, and we derive pleasure from reporting them to friends and colleagues. Our epistemic as well as our moral concern is enlivened by proximity and diminished by distance, where both proximity and distance are informed by testimony. We are indoctrinated by both education and religion, which, in Hume's own experience, were closely intertwined. Our experience of these general features of human nature is what Hume thinks must ultimately guide us in the correction of our opinions. The description of such experience takes place in the shared conceptual space of the vulgar, a space Hume accounts for through his explanations of the fictions of the imagination.

One might try to insist that the only ideas Hume recognizes as legitimate are those that can be derived from antecedent impressions. Hume shows that the ideas of substance, of external existence, and of persons, to name a few, are not derived

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from antecedent impressions. Therefore Hume has no right to employ such "ideas" in his philosophy, and thus no right to refer to experience involving the supposition that there are such ideas.

The objection is really a restatement of the presupposition of the reductionist reading described at the start of the paper. It should now be clear that Hume allows for ideas that are not derived from antecedent resembling impressions, and that such ideas are generated by fictions. Such ideas include the idea of continued existence and the idea of the self. Hume carefully separates such fiction-generated ideas from the ordinary ideas that are derived from antecedent resembling impressions. The distinction enables Hume to distinguish the ordinary or vulgar use of such ideas from their use in philosophical inquiry. As employed in ordinary life, such ideas are unavoidable and necessary. When extended to philosophical use, such ideas are rejected as illegitimate.

I've argued that the social dimension of Hume's epistemology is evident in his account of cognitive organization as well as in his treatment of justification. The evidence I cite for this is that many of the basic concepts in terms of which beliefs are couched are abstract ideas and the idea of external object, which can only be accounted for in terms of the mechanisms of language and fiction generation. The latter mechanism, I've pointed out, was well understood in social and legal contexts and then appropriated for use in Hume's cognitive psychology. The case for the social nature of Hume's account of abstraction is easily made by examining the texts. However, Hume never says that he is appropriating the notion of legal fictions for philosophical use, and the case I'm making would be strengthened by such a statement. The case instead must be made by careful comparison of the legal and cognitive fictions and by the appreciation of the widespread use, by Hume and others, of legal and other social fictions in history, economics, and legal theory. I submit that the mechanism in the social and cognitive fictions is the same, and that Hume's pioneering steps in cognitive psychology draw on the familiar social domain of the legal fictions.

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NOTES

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1 Hume (1739–40/2000). All references to the *Treatise* ("T") are to the Oxford Edition, and references are by book, part, section, and paragraph, e.g. T 1.1.1–6. References to Hume's first *Enquiry* are to the Oxford Edition, indicated by "E" followed by section and paragraph. References to *The History of England* (HENG) are to the Liberty Classics edition, by volume, chapter, and page.

2 For the social epistemology in the *Enquiry*, see Section 10, "Of Miracles."

3 Reid (1970, 416). It isn't obvious that the correction of credulity is provided by other testimony. It's quite compatible with what Reid says here that he is a reductionist.

4 For a helpful discussion of the varieties of reductionism and its difficulties, as well as the considerations against the view, see Lackey (2006).

5 For my full critique of Anscombe's interpretation, see Traiger (1993).

6 Hume is explicit about the fact that he has only been considering the question of belief formation up to this point, and not the question of justification, or "evidence" as he calls it when introducing it in the next paragraph.

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7 Some interpreters take Hume to be advocating scepticism about the external world in this section of the *Treatise*. My reading, like that of Schmitt (1992), takes Hume to be explicating the ordinary or vulgar notion of external object, while also criticizing philosophical accounts of that notion.

8 In the interest of space, I am oversimplifying Hume's account. Even the attribution of identity in the case of constant and invariable perceptions is a complex process of the imagination. It yields an idea of an enduring object by the employment of a more basic fiction, the fiction of duration without change.

9 Baier (1991) describes Hume as a "well-read drop-out law and business student."

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