

# *Moral and Non-moral Testimony – Revisiting an Alleged Asymmetry\**



MAXIMILIAN KIENER

## ***Abstract***

In this essay, I oppose the ‘Asymmetry Thesis’ according to which moral matters are simply different in kind from non-moral matters when it comes to testimony because moral matters require understanding in a way in which non-moral matters do not. I argue that the requirement of understanding is not unique to morality and also deny that there is a genuine requirement of understanding after all. Instead, cases of moral and non-moral testimony are often troubling for the same reason, namely the violation of the requirement of using one’s own cognitive faculties when it is both possible and feasible. I will argue for this account in two stages: Firstly, I will present particular examples of testimony which aim to render this proposal initially plausible via inductive reasoning. Secondly, I will present a transcendental argument from the social function of testimony and explain *why* such a requirement in fact holds.

**Keywords:** *testimony, moral, asymmetry, understanding, epistemic autonomy*

## ***Introduction***

A great deal of what we think we know depends on what other people tell us. Not only do we lack the resources to examine directly the correctness of our date of birth, certain geographical data or historical facts, we also live in a very socially and technologically advanced society that makes relying on other people’s words indispensable if we are to lead a normal life. However, whilst testimony on empirical or more generally non-moral matters is mostly considered legitimate, testimony on moral matters is seen as very problematic. According to what is called the

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Asymmetry Thesis, moral matters are simply different in *kind* from non-moral matters when it comes to testimony.

In what follows, I do not dispute that testimony on moral matters is often problematic in a way in which testimony on other matters is not. However, I want to argue that the fundamental reason as to why moral testimony is often problematic is not that we are dealing with *moral* matters but rather because accepting moral testimony more often leads to a clash with a much broader epistemic requirement. I proceed as follows: Firstly (1), I will lay out what I understand by *moral testimony*. Secondly (2), I present accounts which argue that testimony on moral matters is different in kind from testimony on other matters. Thirdly (3), I will challenge the Asymmetry Thesis as it is presented by its proponents. By arguing against the Asymmetry Thesis, however, I do not aim to portray a promising situation for the legitimacy of moral testimony. I still argue for a moderate but not rigorous pessimism on moral testimony. Finally (4), I will summarize the results.

## 1 What Is Moral Testimony?

Let us start with a picture of testimony in general. I will follow Audi and others by assuming a broad notion of testimony which comprises “virtually any instance of someone’s telling somebody something”<sup>1</sup>, independently from the use of a spoken, written, or other medium. Nevertheless, testimony is restricted to those ‘instances of someone’s reports which actually (or at least purport to) convey information as opposed to uttering merely expressive or emotive statements. More precisely, testimony concerns the question as to whether one can come to *know* that p on the basis of someone else’s saying that p. ‘Knowing *that* p’ indicates that the focus is on propositional statements. By saying “on the basis of” I mean relying on the epistemic authority of another person as the grounds for adopting one’s belief.

As such, receiving testimony is different from *being taught*. A maths teacher may certainly transmit information when providing assistance and explanations for students. Ultimately, however, students are supposed to *grasp* the mathematical arguments themselves and not merely believe something on the basis of their *teacher’s say-so*.

Therefore, testimony also differs from *advice*. If one is given advice, one is not asked to believe something without evaluating the grounds for the advised recommendation in question either. However, the difference between testimony and advice (respectively being taught) is not sim-

ply that advice allows for one's own judgment on the particular matter whereas testimony does not. The difference rather consists in the extent to which one applies one's judgment to the issue in question. One would certainly not accept the testimony that cyanide is a good remedy against a headache, even if one entered the testimonial setting with the belief that the speaker is a medical expert and perfectly trustworthy.<sup>2</sup> Our already settled background beliefs trigger critical reasoning which concerns the very issue in question and not only second-order evidence, such as the competence of the speaker, his position to the hearer, his alleged sincerity, and so forth. What is important, however, is that such a critical reasoning can only have a *negative* function. It can only *prevent us from adopting* a belief. It can never *positively* reveal sufficient grounds of why a certain belief is correct. In contrast, advice at least aims to make transparent these grounds, which can provide sufficient support for adopting a belief on their own. One might not be able to distinguish neatly cases of testimony and advice in practice. Nevertheless, this does not abandon a conceptual difference, which might indeed be necessary in order to discuss properly the legitimacy of accepting both testimony and advice.<sup>3</sup>

Now let us turn to what *moral* testimony is. I take moral testimony to be applicable when it comes to propositions stating 'thin' moral properties, such as 'morally right' or 'morally wrong'. Thin moral properties are 'thin' insofar as they are purely evaluative and do not aim to give any description apart from indicating the overall moral valence of something. Saying that the Vietnam War was 'morally wrong' is a good example for a propositional statement employing a thin moral property.<sup>4</sup>

I also take moral testimony to include utterances of propositions employing 'thick' moral properties. 'Thick' moral properties share an evaluative part with 'thin' moral properties but they are more specific and richer, viz. 'thicker', in terms of their descriptive content. Paradigmatic examples are being courageous, just, brave, honest, and so forth. For instance, saying that a soldier's action was courageous conveys moral information but also in some vague sense descriptive content. 'Thick' properties are in between purely evaluative and purely descriptive properties.<sup>5</sup>

Propositions which do not employ either thin or thick moral properties shall not be considered possible cases of moral testimony. In addition to very clear cases of mere descriptions and non-moral utterances, however, I also want to exclude three types of borderline cases from the realm of moral testimony:

Firstly, some statements which can plausibly be seen as non-moral descriptions often ground moral judgments. For instance reports on the Vietnam War with respect to the number of people killed, the kinds of weapons used, the behaviour of combatants and so forth can be purely descriptive but will nevertheless have an impact on one's moral judgment. However, in contrast to statements employing thin and thick moral properties, the person given this information is set in a position to judge the *moral* matter in question on their own. This is not a situation in which a person is invited to believe a *moral* claim on the basis of another person's say-so.

Secondly, descriptions often select facts from a broader assemblage of things or from a greater narrative. Therefore, a person presenting these facts to another person may implicitly suggest their moral relevance, via a Gricean Implicature for instance. However, such statements do not *explicitly* convey moral information. It is again up to the person receiving the information to evaluate whether or not to agree with the facts and their being selected as the relevant aspects.

Thirdly, sometimes people talk about what *counts* as something morally significant (for instance what counts as courageous) in a certain culture.<sup>6</sup> This is not a moral statement per se but rather something which may lead to making a moral judgment.

Before I now proceed to discussing the Asymmetry Thesis, I would like to comment briefly on metaethical presuppositions. Moral testimony – as I discuss it here – does not presuppose the existence of *moral knowledge* and *moral facts* in the way metaethical realism assumes it. What testimony requires is only a certain standard of correctness or the possibility of making better and worse judgments. Even antirealist theories can and do accommodate this aspect. Constructivism (either in its anti-realist Humean style<sup>7</sup> or at least in its non-realist Kantian style<sup>8</sup>) claims that there are correct moral claims which are the outcomes of a certain procedure of construction. Blackburn's Quasi-realism introduces a notion of truth based on requirements of consistency and coherence.<sup>9</sup> Gibbard's non-cognitivist picture of rationality allows that there are better and worse judgements about morality.<sup>10</sup> Different as these accounts may be, they all allow for levels of justification in moral matters and thereby facilitate critiquing moral judgments. Therefore, testimony on moral matters can convey information whose validity can be evaluated on such epistemic grounds even if antirealism is true.

## 2 *Moral Testimony and The Asymmetry Thesis*

The first section laid out a wide notion of testimony stressing the aspect of knowing something *on the basis* of another person's say-so. The first section also aimed to clarify what *moral* testimony is and attempted to be as neutral as possible toward *metaethical presuppositions*. In this second section I wish to present the general structure on which different accounts advocating the Asymmetry Thesis converge. I take the Asymmetry Thesis to be the following:

(ASYM) There is a difference in *kind* not merely in degree between moral matters and non-moral matters when it comes to testimony.

In order to reveal the general structure of an argument for (ASYM), I will draw on the works of Hopkins, Nickel, and Hills.

1.) Hopkins, Nickel, and Hills start with a concession to those who are sympathetic to the idea of moral testimony. They admit that moral testimony may transmit "moral knowledge"<sup>11</sup> or at least "correct moral belief."<sup>12</sup> However, Hopkins, Nickel, and Hills deny that the availability of moral knowledge/correct moral belief through testimony entails entitlement to its use. In other words: one may gain moral knowledge, respectively correct moral belief, from another person's saying but – to quote Hopkins – "one *should not* exploit that resource."<sup>13</sup> Whereas Hopkins and Nickel endorse a rather strong opposition against embracing testimony, Hills is slightly less hostile toward moral testimony and only argues that there is *something to be said against* moral testimony. According to Hills, a person accepting moral testimony is "less than fully admirable."<sup>14</sup>

2.) The reason why Hopkins, Nickel, and Hills think resorting to moral testimony is objectionable is because it would frustrate a requirement of *understanding*. According to them, once one enters the realm of moral matters, one is required to grasp the grounds for the beliefs one holds. While Hopkins has a rather wide notion of understanding, Nickel and Hills present a more specific account of understanding, which I want to focus on henceforth. According to Nickel and Hills, 'understanding' amounts to having certain abilities, such as being able to *evaluate* the grounds of a claim, which connects to being able to *follow an explanation* of a claim and being able to *justify* it to other people in one's own words. Moreover, one has to be able to *transfer* these grounds to sufficiently similar cases and not be constrained only to a particular case. These

abilities demarcate ‘understanding’ something from (merely) ‘knowing’ something because ‘knowing something’ is not necessarily connected to these abilities.<sup>15</sup>

3.) Having this account in place, Nickel and Hills highlight that testimony can never give understanding in this sense if one still assumes testimony in the aforementioned sense, viz. believing something *on the basis of another person’s say-so*. Therefore, they argue, one should not accept other people’s word in moral cases. For instance, one should not simply accept testimony on whether the strike of one’s union is morally right (Hopkins’ example), or whether is correct that one is under a moral obligation to lend money to one’s drug addicted friend (Nickel’s example), or on whether eating meat is morally wrong (Hills’ example). (Note that these cases are clear examples of propositions employing ‘thin’ moral properties (Hopkins, Hills) or have at least a very ‘thick’ notion of obligation (Nickel).)

4.) However, Hopkins, Nickel, and Hills diverge as to *why* such a requirement of understanding holds.

a) Unfortunately, Hopkins does not really answer this question. Admitting that there is “nothing *epistemically* wrong”<sup>16</sup> with moral testimony, Hopkins still claims that there is “*something* wrong with it.”<sup>17</sup> In doing so, he explicitly leaves open what this “something” is. Hopkins’ argumentative goal consists only of investigating into what is the most plausible way to support an intuitively appealing asymmetry between moral and non-moral testimony. He does not attempt to give an answer as to why a requirement of understanding holds. Although I do not want to comment here on whether not providing such an answer is a flaw of Hopkins’ account *from within* the perspective of his essay, it certainly proves to be an omission once one begins to evaluate the overall prospect of the Asymmetry Thesis, as I do in this essay. Therefore, I need to look beyond Hopkins’ account and discuss Nickel and Hills who, unlike Hopkins, offer explicit explanations as to why moral matters require understanding.

b) According to what Nickel calls the “Recognition Requirement”, “*morality* requires one to *act* from an understanding of moral claims.”<sup>18</sup> This is because ‘understanding’ is part of the “psychological and motivational makeup”<sup>19</sup> of the agent, which morality is concerned with because it (at least partly) determines the moral worth of an action as well as the virtue of the person acting. Focusing on mere outcomes is not sufficient for moral evaluation, Nickel argues. Actions which are done in mere conformity with what is morally correct but without understanding on

the part of the person acting are less morally worthy than actions which are done with understanding. A person acting without understanding is also less virtuous than a person acting with understanding. Nickel's "Recognition Requirement" is a straightforward *moral* norm. I take this to be a meta-norm, however, as it only obtains *on top of* first order moral norms such as 'Do not murder' and requires the agents who abide by these norms to also understand them

c) Hills claims that there are "*practical reasons*."<sup>20</sup> One should aim for understanding because of its instrumental importance for a) reliably doing the right things, for b) justifying oneself to others, for c) virtue, and for d) performing actions of moral worth. Without understanding one would not (a) be a very reliable navigator through the moral world, so to speak, and therefore be likely to fail to do what is right. Without understanding one would also (b) lack the means to justify oneself to others for what one did as opposed to regurgitating what one was told by someone else. Also (c) can a virtuous person only be someone who is "an authority into what is right"<sup>21</sup>, viz. someone whose motivation and moral judgment is responsive to moral reasons as opposed to being entirely dependent on other people. The lack of understanding can finally (d) deprive actions of their moral worth by revealing an insufficient grasp of the reasons for them. Hills' account differs from Nickel's insofar as those "practical reasons" are instrumental reasons *conditional* on us already being committed to a) through d) while Nickel thinks there is an *unconditional* ought not to exploit moral testimony. Although c) and d) look identical to what Nickel said, Hills does not present any reasons for why we must strive for virtue and morally worthy actions. Her argument presupposes an already existing adherence to a) through d).

The points 1) through 4) build up a requirement of understanding.

- (1) determines the starting point for the requirement of understanding to follow: one does not have to deny that moral testimony can instill moral knowledge or correct moral belief, and can therefore share common ground with those sympathetic to moral testimony.
- (2) states that there is a requirement of understanding in moral matters and explains 'understanding' beyond 'knowing' / 'knowledge', which featured in (1).
- (3) claims that testimony cannot transfer understanding and that testimony is therefore problematic.
- (4) enumerates several different reasons for why a requirement of understanding holds in moral matters.

In summary, Hopkins, Nickel, and Hills all centre on a requirement

of understanding when arguing for (ASYM) – despite some disparities between their respective accounts. The general structure of an argument for the Asymmetry Thesis which I aim to lay out in this section consists then in the connection of two claims.

(RU) There is a requirement of understanding in moral matters. (Points 1 through 4)

(ASYM) There is an asymmetry, viz. a difference in *kind* not merely in degree, between moral matters and non-moral matters when it comes to testimony.

At least in Hopkins and Nickel, the relation between (RU) und (ASYM) is supposed to have a clear argumentative order: (ASYM) shall be *based on* (RU).

### 3 Critique of The Asymmetry Thesis

In this third Section I shall now present my criticism of (ASYM). I will firstly locate the exact target of my criticism in 3.1 and then present a bipartite argument in 3.2.

#### 3.1 The Target of Criticism

The requirement of understanding in Hopkins, Nickel, and Hills is supposed to serve two functions, both of which need to be discharged properly in order to base (ASYM) on (RU).

The first function consists in the requirement of understanding being a *marker of difference* between cases of moral testimony and cases of non-moral testimony. (ASYM) would in no way follow from (RU) (or could be based on (RU)) if it were the case that non-moral matters required understanding just in the same way as moral matters do. Hence, in order to bridge the gap between (RU) and (ASYM), one needs to add *Implicit Assumption 1* (ImpA1): moral matters are special with regard to the requirement of understanding.

The second function consists in the (unsatisfied) requirement of understanding being the *reason for why cases of moral testimony are problematic*. Not only shall the requirement of understanding demarcate a difference but it shall also depict the problematic feature of moral testimony. So, there is also *Implicit Assumption 2* (ImpA2): The unsatisfied

requirement of understanding is what makes cases of moral testimony problematic.

Hence, the general structure of the asymmetry argument has to be expanded in order to avoid enthymematic reasoning and make explicit what the argument actually relies on. The necessary expansion comes down to the following:

(RU) There is a requirement of understanding in moral matters.

(ImpA1) Moral matters are special with regard to the requirement of understanding.

(ImpA2) The unsatisfied requirement of understanding is what makes cases of moral testimony problematic.

(ASYM) There is an asymmetry, viz. a difference in *kind* not merely in degree, between moral matters and non-moral matters when it comes to testimony.

My aim in this section is to attack the Asymmetry Thesis by denying both ImpA1 and ImpA2 and thereby block the inferential step from (RU) to (ASYM). I want to deny ImpA1 straightforwardly and claim that the requirement of understanding is in no way unique to moral matters. With regard to ImpA2, I want to put forward a *weak* but not *strong* attack. A strong attack on ImpA2 would deny any significance of a requirement of understanding for why cases of moral testimony are problematic. This is *not* what I want to say. In contrast, I want to present a weak attack according to which the requirement of understanding is indeed significant for why cases of moral testimony are troubling but only in a *derivative* and *contingent* way. It is significant in a *derivative* way because the requirement of understanding is an instantiation of a broader epistemic norm. It is this broader epistemic norm (and not a “moral” (Nickel) or “practical” (Hills) requirement of understanding itself) that provides the normative framework for evaluating cases of testimony. This broader epistemic requirement is the requirement of *using one’s own cognitive faculties when it is both possible and feasible*. The requirement of understanding is significant in a *contingent* way because the aspect of understanding is only one single instantiation of this broader epistemic norm which cannot claim any special significance to the fact that it is about *understanding* as opposed to any other

epistemic activity. The conclusion of this weak attack is that since the broader epistemic requirement applies equally to moral and non-moral matters, (ASYM) becomes implausible.

### *3.2 A Bipartite Argument Against the Asymmetry Thesis*

My argumentation for these claims breaks up into two parts. In 3.2.1, I present examples of what I take to be problematic cases of non-moral testimony which aim to oppose the two implicit assumptions just mentioned. I then propose a different diagnosis as to why cases of moral testimony are often problematic, which neither resorts to a genuinely moral aspect nor to an aspect of ‘understanding’. I argue that many cases of testimony including moral cases are problematic because the hearer violates the requirement of using one’s own cognitive faculties when it is both possible and feasible. This diagnosis is supposed to be an *inductively gained hypothesis* at this point. In referring to particular examples of testimony and generalising their discussion towards this hypothesis I only aim to render this proposal initially plausible. I do not yet attempt to give a general argument for it. Such a general argument is offered in 3.2.2, where I want to explain *why* this requirement of using one’s own cognitive faculties actually holds. I thereto present a transcendental argument from the social function of testimony.

#### *3.2.1 Three Problematic Cases of Non-moral Testimony Together With a Preliminary Diagnosis of Their Flaw*

In order to avoid being distracted by factors which are irrelevant to the purpose of this essay, let us make a few assumptions about the examples that follow: firstly, the testifier is reliable to an extent that there are no reasons to criticise the following instances of testimony on grounds of untrustworthiness or lack of knowledge on the part of the testifier. Secondly, both speaker and hearer enjoy at least average cognitive faculties and are not in any intoxicated or similarly impaired condition. The examples will not depend on whether one assumes that the testifier is much more competent on the specific issue in question than the hearer. It is only important to assume that the hearer does not fall short of basic cognitive faculties.

##### *3.2.2.1 Opposing ImpA1*

I begin with opposing the first implicit assumption, viz. moral matters

are special with regard to the requirement of understanding. Consider the following examples:

**Maths:** John and Olivia agreed to prepare the dessert for a dinner party of 10 people. Knowing that the recipe requires 3.5 figs per person, John believes that they need a total amount of 35 figs just because Olivia said so. John did not bother to do the maths on his own.

**Logic:** John and Olivia now drive to the supermarket to buy figs. On their way they want to know whether there is free parking in car park 01 today. Although John himself knows that there is free parking every first Monday of the month and that today it is Monday 5th March, John comes to believe that there is free parking today only on the basis of Olivia's say-so. John did not bother to infer the conclusion on his own or grasp the inference afterwards.

These two examples are similar to cases of moral testimony in two significant respects. First, like moral matters, maths and logic also allow for understanding *why* something is the case as opposed to mere propositional knowing *that* something is the case. In the maths case the understanding aspect comes down to the successful performance of the calculation  $10 \times 3.5 = 35$ . In the logic case, the understanding aspect consists in drawing the conclusion from the already known premises. Second, in both areas (moral matters as well as mathematical/logical matters) the aspect of understanding operates on a similar level. Consider what M. Smith said about moral matters: they are 'a priori' in the sense that a person is in principle in a position to figure out the right answer to a moral question once she is presented with the relevant (non-moral) description of the case.<sup>22</sup> One might certainly need the relevant educational background to do it successfully. However, there is no further hindrance such as being required to travel or employ technical devices in order to find out things on one's own as they are often encountered in empirical matters. The a priori aspect of moral matters connects to mathematics and logic: if we present a person with an assemblage of (mathematical or otherwise) descriptions of a certain situation, she is in principle in a position to find the correct mathematical or logical solution on her own.

It is therefore no surprise that several abilities, analogous to those mentioned by Nickel and Hills, are lost once a person accepts testimony in maths or logic cases. John knows the propositions but cannot articulate its justification. He is neither able to evaluate the justification of a similar claim made by another person nor transfer it to different cases. There may also be further *practical* reasons for trying to gain under-

standing, parallel to Hills’ argument. John might reliably want to *think* the right way (beyond the aspect of acting the right way), justify one’s calculations to others, and achieve general proficiency in reasoning (the analogue to virtue in Hills’ case). Furthermore, just as we take an action to be morally worthier which is done for the right reasons and with an understanding of it, we may consider mathematical or logical knowledge worthier when it is gained with the right understanding and not just mechanically. Therefore, relying on testimony in the Maths and Logic cases may be problematic for the very same reason which presumably makes moral testimony problematic: accepting testimony cannot yield understanding and as such prevents one from having valuable abilities which are connected to understanding. Unless we do not embrace additional first order *moral* reasons against moral testimony and extend an argument to what *morality* requires, we have a good prima facie reason to reject the first implicit assumption.

I want to invite the reader to take away three claims from this section.

(i) Moral cases and non-moral cases can be perfectly analogous in terms of involving an aspect of understanding as well as in terms of being ‘a priori’ in the sense specified.

(ii) The Maths and Logic cases, which involve the aspects of understanding and a priori, are intuitively problematic. (At this point, I only invite the reader to share this intuition of mine without offering any further explanation for why this is so.)

(iii) Particularly Hills and Nickel should share this intuition and also link it to the requirement of understanding because the reasons for why *they* think understanding is something to strive for neatly apply to the Maths and Logic cases. To be clear, however, I do not intend to embrace Hills’ and Nickel’s reasons. I just want to show that if one accepts them - even only *arguendo* - these reasons can be employed to attack ImpA1.

Resorting to (i) through (iii), I claim that the requirement of understanding is not restricted to moral testimony and thereby oppose ImpA1.

### 3.2.1.2 *Opposing ImpA2*

I now want to focus on ImpA2 and present an example which suggests that in cases of moral, mathematical, or logical testimony there is not even a genuine requirement of understanding but rather a broader requirement of which understanding is just one derivative and contingent instantiation. Consider the following situation:

***Perception:*** A fruit bowl with five apples in it stands on a table.

John and Olivia are sitting in front of it, being in the very same position with their eyes open and directed at the bowl. John believes that there are five apples just on the basis of Olivia's say so.

The Perception case is different from both the moral and the mathematical/logical examples in two important respects: first, it is not about something a priori but rather about an empirical fact, and second there is no obvious aspect of understanding involved. John's task here does not consist in any kind of reasoning but rather in deciding whether or not to rely on *his* visual perception of seeing five apples and form a belief on the basis of *his* visual perception instead of on the basis of Olivia's say-so. Despite these differences, however, the Perception case shares with the previous examples the depiction of a hearer who is in a situation in which he can easily figure out on his own how things stand. The possibility of figuring things out easily is indifferent as to whether it is about understanding *why* something is the case as opposed to knowing *that* something is the case. Therefore – and assumed that one finds this perception example problematic – one could entertain the hypothesis that in all the different examples (morality, maths, logic, perception), there may not be a genuine requirement of understanding but rather a broader requirement of which understanding is just one aspect. This broader requirement of *all* these different cases could consist in the requirement to use one's own cognitive faculties when it is both possible and feasible. By *possible* I mean having de facto the means to figure out on one's own how things stand. This includes having sufficient cognitive abilities as well as being in a situation that allows for effectively exercising these abilities. By *feasible* I mean a further constraint on what is possible. Something may be possible but nevertheless fail to be feasible either because finding out on one's own exceeds proportional efforts (relative to what is at stake for instance) or because it is in considerable tension with things such as our current purposes, aims, or commitments. To illustrate this point on purposes, aims, and commitments, consider a group of engineers who jointly work on building a new kind of car. Suppose everyone is in principle able to figure out all the different engineering tasks of this project on his or her own. However, never relying on their colleague's word would hardly be compatible with cooperation. Therefore, even though coming to know things on one's own is possible here, it is not feasible.<sup>23</sup> In my three examples ('Maths', 'Logic', 'Perception') it was in fact more than merely possible for the hearer to come to know things on his own. Neither tremendous efforts nor current commitments suggested relying on testimony rather than finding out on

one's own.

In summary of 3.2.1 then, I aimed to lead inductively to the hypothesis that it may be the violation of the *requirement to use one's own cognitive faculties when it is both possible and feasible* that makes all the cases of testimony (morality, maths, logic, perception) problematic. Not only is the requirement of using one's own cognitive faculties *applicable* in all different cases of testimony, the violation of this requirement – as I suggested – also *coincides* with the illegitimacy of accepting testimony in certain cases. However, some readers may not yet share this diagnosis. I therefore now proceed to a general and independent argument that there is indeed such a requirement of using one's own faculties.

### 3.2.2 *A Transcendental Argument From The Social Function of Testimony*

Testimony has often been contrasted with an ideal of autonomous knowing. John Locke for instance wrote:

“The floating of other Mens' Opinions in our brains makes us not one jot the more knowing, though they happen to be true. What in them was Science, is in us but Opiniatrey.”<sup>24</sup>

Locke's account is a fairly demanding picture of what knowing amounts to. One can gain knowledge only if one either saw empirical evidence oneself or performed some kind of reasoning on one's own. The say-so of other people, even if they themselves know and even if their reports are trustworthy, cannot transmit knowledge. Let us label this account of knowing, which is based on perception and reasoning only and which bans any dependence on others, as 'autonomous knowing'.

Although I am here not concerned with the exegetical question as to what exactly Locke's view was, I want to warn against an exaggerated opposition between testimony and autonomous knowing which is at least suggested by Locke's aforementioned passage. Before proceeding to the main argument in this section, I aim to point out how testimony and 'autonomous knowing' are in fact related to each other.

According to an exaggerated opposition, testimony is completely separated from those epistemic activities that Locke considers the sole sources of knowledge – reasoning and perception. However, even if one agrees with Locke and assumes that testimony cannot instil *knowledge*, one does not have to deny that there is great room in a testimonial system (of *information transmission*) for autonomous knowing. It is in

fact the concept of testimony itself that *even requires* an ideal of the autonomous knower, albeit a more moderate ideal. The following two connections between testimony and autonomous knowing are most worthy of note. Firstly, on both sides - Lockean and people who think testimony can indeed transmit knowledge - people agree that testimony cannot *produce* knowledge.<sup>25</sup> If anything, testimony is only supposed to *disseminate* knowledge which already exists. Therefore, one still needs non-testimonial sources of knowledge (autonomous knowing: perception, reasoning) in order to set up a system of testimony in the first place. Secondly, not only is autonomous knowing required *before* a system of testimony can start but also *during* its proper maintenance. The fewer people that critically monitor circulating beliefs within a system of testimony (let us assume in Locke's sense of either checking empirical evidence or employing one's own reasoning), the likelier it is that circulating beliefs are false or become false as a result of careless transmitting. Attempting to know things autonomously when it is both possible and feasible helps monitoring the truth of circulating beliefs. In this respect, the value of a system of testimony depends to a considerable degree on this kind of critical contribution made to it. Hence, this requirement of 'using one's own cognitive faculties when it is both possible and feasible' is the moderate ideal of autonomy which testimony connects to.

This way of specifying the relation between testimony and autonomous knowing in terms of two connections (and in opposition to a certain reading of Locke's account) lays at the foundation of the transcendental argument which I now want to present. To be clear about the structure: a transcendental argument will always point to two things. First, there is a Y which is already given or endorsed, and second, there is an X which is a necessary condition for Y to obtain. If we can assume that Y is already given or endorsed, X must be the case or must be endorsed as well, so the argument goes.

The Y in our case is the testimonial practice. We rely on the word of others all the time and in various areas of our lives. We actively *endorse* this testimonial practice in our lives.<sup>26</sup> The X is the acquisition of knowledge/understanding through non-testimonial sources. The particular X I am interested in here concerns the second aspect from above: employing one's own faculties *during* the maintenance of a system of testimony. I take it to be a necessary condition for a *functioning system of testimonial transmission of knowledge* that people critically contribute to it and monitor the correctness of circulating beliefs. When I talk about a "necessary" condition here, I do not mean to say that a perfectly sound

system of testimony is logically inconceivable if there were only very few people contributing to it in the way just described. Instead, I want to say that *in practice* and as a matter of empirical evidence, a sound system of testimony will not be established without sufficient monitoring of its content. No sooner do people abstain from monitoring circulating beliefs (when it is both possible and feasible for them) than this very system of testimony becomes worse and less reliable than it could be. A system of testimony within a community of mostly gullible people becomes (if anything) an only second best state of affairs. However, in addition to this general point, also the individual behaviour of the majority in this scenario suffers from a problematic tension. Suppose a person wanted to exploit a system of testimonial transmission of knowledge without ever contributing to it with her own critical acumen, even if it was possible and feasible for her to do so. *By relying on testimony* the person presupposes the value of testimony as a source of knowledge. Otherwise it would not make sense to rely on the word of others. However, *by refusing to use one's own cognitive faculties when it is both possible and feasible* the person contributes to diminishing the very value of this system of testimony. Understood in this way, the requirement of using one's own cognitive faculties does not have to be a *moral* requirement. First and foremost, it is a requirement of *consistency*, which says that one must not both endorse testimony as a reliable source of knowledge and help to diminish the value of testimony.

Applied to the formal structure outlined above, the argument is this:

1. One *endorses the practice of testimonial transmission of knowledge* by relying on the say-so of others. (Y)
2. Using one's own faculties when it is both possible and feasible is a necessary condition for the functioning *practice of testimonial transmission of knowledge*. (X)
3. Therefore, by endorsing the *practice of testimonial transmission of knowledge* one commits oneself to the requirement of using one's own faculties when it is both possible and feasible.

The tendency to inconsistency and undermining of the system of testimony is what all the examples from above exhibit. Receiving a correct answer – no matter whether it is about non-moral or moral matters – requires a functioning system of testimony which the hearer's behaviour nevertheless helps to diminish by not employing her cognitive faculties when it is both possible and feasible. Insofar as deciding whether one's

own union should strike, whether one should lend money to one's friend or whether eating meat is wrong is both possible and feasible, the failure to do so comes down to the violation of an epistemic requirement and *therefore* these cases of testimony are troubling.

To be clear, however: even in cases in which it is both possible and feasible to use one's own cognitive faculties one is not trapped in some kind of intellectual solipsism in which contacting others on the matter is not permitted. Although simply accepting testimony may not be legitimate, asking for advice and engaging in discussion on the issue in question certainly is. Finding a correct answer in fact often *requires* being confronted with other people's thoughts on an issue in order to avoid narrow-mindedness. Determining when contacting others on a matter is legitimate will therefore rest on the conceptual distinction between testimony and advice which I drew at the beginning of the essay.

#### 4 Conclusion

In this essay I was concerned with the so called Asymmetry Thesis between moral and non-moral testimony. I argued that the Asymmetry Thesis can neither be based on a requirement of understanding alone nor is it plausible to pin down what is problematic in moral testimony in terms of 'understanding' in the first place. Instead, I claimed that the problem consists in the violation of a broader epistemic requirement, namely the requirement of using one's own cognitive faculties when it is both possible and feasible. My defence of this requirement was based on two different arguments: firstly, I presented an inductive argument which focused on particular cases in order to make this proposal initially plausible, and, secondly, I employed a transcendental argument from the social function of testimony.

In opposing the Asymmetry Thesis I did not intend to defend moral testimony. Quite the contrary, I wanted to show that one could effectively criticise instances of moral testimony without resorting to an Asymmetry Thesis. I take the advantage of my account to be its parsimony combined with its effective critique of moral testimony. Parsimony means that considerably weaker premises than other accounts were required. I neither resorted to what morality requires in the way Nickel argues nor did I rely on practical reasons in the way Hills does. Effective critique means that I nevertheless did not leave untouched the question as to *why* a requirement of grasping moral reasons holds in the way Hopkins left it untouched.<sup>27</sup> The requirement of using one's own cognitive

faculties when it is possible and feasible is based on a requirement of *consistency*. As moral matters are more likely to violate this requirement of using one’s own cognitive faculties, the outcome of my proposal is that there are moderately, but not strongly, pessimistic prospects for moral testimony.

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### *Notes*

- 1 [1, p. 25]
- 2 This is Sliwa’s example. See [16, p. 182-183].
- 3 However, this is still a controversial issue. A distinction between testimony and advice similar to mine can be found in [8, p. 122] as well as in [9, p. 630]. Such a distinction is disputed in [16, p. 182-183] and [10, p. 63].
- 4 I take it that every ‘moral’ statement is also ‘evaluative’ but not necessarily the other way around. Since I am concerned with moral testimony in this essay, I only consider the moral aspect when I am talking about something being ‘evaluative’.
- 5 This terminology of ‘thin’ and ‘thick’ properties is borrowed from Bernard Williams in his [19]. See also [5] and [15].
- 6 A similar example is discussed in [3, p. 132-133].
- 7 See for instance [18].
- 8 See for instance [11]. I made this distinction between anti-realist and non-realist although I am aware that it is highly controversial whether Kantian Constructivism is a genuinely metaethical theory on its own and not parasitic on realism.
- 9 See [2, p. 197-202].
- 10 See [6, p. 42-46].
- 11 [8, p. 97]. See also [9, p. 626].
- 12 [14, p. 260].
- 13 [9, p. 629. Emphasis added].
- 14 [8, p. 112].
- 15 See [8, p. 102-103] & [14, p. 258-259].
- 16 [9, p. 632. Emphasis in original].
- 17 [9, p. 632-633].
- 18 [14, p. 257]. Emphasis in original.
- 19 [14, p. 258].
- 20 [8, p. 126]. Emphasis added.

- 21 [8, p. 111].
- 22 See [17, p. 203].
- 23 In the Maths and Logic examples understanding on one's own would rather have enhanced cooperatio than hindered cooperation.
- 24 [13, p. 52]. (I. IV § 24).
- 25 See [12].
- 26 See for instance [4].
- 27 My account differs from Groll & Decker in their [7] by not presupposing an epistemic concept of "Normal Knowledge" [7, p. 66-68] or certain "roles" [7, p. 61-72], which we occupy as human beings.

*Maximilian Kiener*  
*University of Oxford*  
*c/o St. Peter's College,*  
*New Inn Hall Street,*  
*OX1 2DL. Oxford, United Kingdom*  
<[maximilian.kiener@philosophy.ox.ac.uk](mailto:maximilian.kiener@philosophy.ox.ac.uk)>

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