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# Speech, the affective, and the insult in not being believed

Rousseau and Adam Smith

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## Introduction

Telling someone something involves a kind of dependence on them. Specifically, it involves a dependence on their capacity for recognition. This dependence is perhaps most apparent when that recognition is not forthcoming: when we are insulted at not being believed. A concern for the connections between speech, recognition, and dependence on others (made apparent in cases of being insulted) in fact has a deep philosophical history. And among the central figures in that history are two philosophers closely associated with the idea that among our distinguishing traits as social creatures is that we are subject to a desire for recognition from others: Jean-Jacques Rousseau, who calls this desire *amour-propre*; and Adam Smith, whose *Theory of Moral Sentiments* is principally concerned with our desire for the sympathy of others, and more specifically what he calls the ‘approbation’ of others. Consequently, I am here interested in presenting what are, to my mind, under-explored moments in these philosophers’ writings in which they discuss speech, and particularly testimony, as manifestations of this desire for others’ recognition.<sup>1</sup> As we will see, reading Rousseau and Smith together on these topics can not only help to illuminate what is distinctive about the insult in not being believed, and how that insult is revelatory of the nature of illocutionary acts such as telling; it can also help to locate what sort of role in our vocabulary of normative and social criticism recent talk of ‘testimonial injustice’ should play.<sup>2</sup>

I will begin by summarizing Rousseau’s understanding of *amour-propre*, and especially the way in which, as I read Rousseau, desiring another’s recognition involves acknowledging that other in their aspect as a free being. I will then turn to Rousseau’s fullest exploration of speech, the *Essay on the Origin of Languages*, and Rousseau’s characterization of vocal speech as an expression of our passionate or affective natures. I will argue that in this essay Rousseau is gesturing at the way in which speech, and especially what we would today call the illocutionary dimension of speech, involves desiring the recognition of an audience.<sup>3</sup> (In a normal case of testimony, the speaker desires that the audience notice that they are telling them something, and also desires that the audience accept their testimony.) Since the characteristic response to the thwarting of *amour-propre* is insult, this understanding of Rousseau should put in context the feeling of insult appropriate upon having one’s speech act rejected.

But I also want to draw our attention to some ways in which having one's speech act rejected is different from other instances of having one's *amour-propre* thwarted: for example, when one is denied the love that one seeks. In addressing an audience, we expect that the audience owes us a response; and when the expected response is not forthcoming, it is easier to see ourselves as wronged, or as subject to an injustice, than, say, when our love has not been reciprocated. And I think it is observations of this sort that motivate Adam Smith, whose *Theory of Moral Sentiments* was likely influenced by Rousseau,<sup>4</sup> to explore responses, such as gratitude, that we can think of ourselves as *owed*, especially in the context of our addressing a second person, but whose satisfactoriness consists in its being an expression of the other's freedom: that is, in its not being forced. And I will argue that this character of second-personal exchanges can account for the peculiar frustration of a speaker whose testimony has been rejected, and that it can account for Smith's interest in questions about testimony, particularly his assertion, toward the end of the last edition of *The Theory of Moral Sentiments*, that 'It is always mortifying not to be believed' (Smith 1976a: VII.iv.26; henceforth abbreviated '*TMS*').<sup>5</sup>

For reasons I will give below, Smith would be resistant to talk of 'injustice' in this context. But this way of looking at the insult in not being believed better allows us to comprehend the specific kind of humiliation involved when someone is (persistently, or for systematic reasons) disbelieved on the basis of their social status. I will close by noting some ways in which Rousseau's egalitarian political prescriptions can be understood as having the effect of limiting the social significance of that humiliation, or at least of limiting the social significance of our being dependent on another's capricious judgment about our trustworthiness.

### **Rousseau on *amour-propre***

As early as in the *Discourse on the Origins of Inequality* (or Second Discourse), Rousseau distinguishes between two kinds of self-love: *amour de soi*, or the desire for self-preservation, and *amour-propre*, or the desire for recognition from others. And in that work Rousseau characterizes our being subject to *amour-propre* as among the traits that mark us out, among the animals, as specifically social creatures. While the solitary *sauvage* of the Second Discourse had no concern but his own self-preservation,<sup>6</sup> it is with the emergence of what Rousseau calls 'nascent society', and with it the first appearance of *amour-propre*, that we first came to care what others think of us, how they take us, and what standing we have in their eyes (Rousseau 1997a: 167, 172).

And I think we can better understand the way in which being subject to *amour-propre* distinguishes us as social, at least among those creatures also concerned with their own self-preservation, once we appreciate how being subject to this passion requires acknowledging others as free beings (and in ways that being subject to *amour de soi* does not). For the *sauvage*, all forms of satisfaction were 'ready to hand', not just in that he enjoyed abundant resources, but also in that he was subject to no desire that could not be satisfied, at least in principle, through

exercises of his will (Rousseau 1997a: 143). The food and shelter he sought as means to his self-preservation could be had, at least in principle, through taking the right, and sufficiently forceful, steps toward it. Even if as a matter of fact there was no food available to the *sauvage*, there is nothing in the nature of food such that he could not get it, and be satisfied by it, through force. Moreover, since the *sauvage* related to others of his own kind principally as means to his own self-preservation, his relations to them were less-than-fully social: he saw them as he saw any other objects of *amour de soi*, as sources of satisfaction available to the will.

But with the rise of nascent society, and the appearance of *amour-propre*, everything changes (Rousseau 1997a: 165–7). And this is because, in being subject to *amour-propre*, one thereby sees others as sources of a kind of satisfaction (that is, recognition) whose satisfactoriness depends on its being unforced, on its being left up to the other person. Familiarly, love brought about by pill or potion is not satisfying, and neither is any kind of recognition that is forced or extracted. Thus, in desiring recognition from another, one thereby acknowledges that other as more than an instrument for one's self-preservation, but also as a free being. Of course, recognition as, say, the best singer or dancer may bring about residual benefits, among them the objects of *amour de soi*, such as greater access to food and shelter. But one of Rousseau's characteristic insights is that recognition is something we may desire for its own sake, independent of these benefits: something familiar from the insult we feel upon being denied the recognition we seek.<sup>7</sup>

Indeed, one of Rousseau's philosophical achievements is his making vivid the categorical difference between the frustrations we feel when *amour-propre* is thwarted and those we feel upon being denied food, shelter, and other non-positional goods. Exactly because denied recognition may reflect something about oneself, or another's judgment about oneself, it may be the appropriate object of insult or resentment, and in a way that the frustrations of hunger (unless brought about by another's spite or contempt) would not.<sup>8</sup> Moreover, insult of this sort is frustrating because it cannot be corrected, either by force or by claiming a right against it. Even supposing one could force another to appreciate one's talents, the satisfactoriness of that recognition would be spoiled in one's knowing that it had been brought about by force, including claims to right. Thus, it is in this sense that feeling insulted at the denial of recognition involves acknowledging the freedom of another (specifically, the other whose recognition one seeks).

### ***Amour-propre* and the origins of vocal speech**

I now want to turn to Rousseau's *Essay on the Origin of Languages*, and to how in that work Rousseau can be read as exploring the intersubjective dimension of speech, and in particular the ways in which speaking to another is necessarily a manifestation of *amour-propre*. Like many philosophers, Rousseau thinks that speech distinguishes us from the other animals (Rousseau 1997a: 248). Since he also thinks that what distinguishes us as specifically social creatures is our being subject to *amour-propre*, that would be reason enough to explore the connections

between speech and the desire for recognition from others. And indeed, Rousseau seems to think of the historical development of vocal speech as motivated by more than physical needs (that is, more than our being subject to *amour de soi*) but also by the desire to communicate our passions to others. As he says in the *Essay*, '[N]eeds dictated the first gestures and the passions wrung the first voices' (Rousseau 1997a: 250–1).

Of course, that bare description of speech, as a vehicle for communicating passions, does not yet distinguish human speech from the passionate cries of non-human animals. But Rousseau makes explicit that such animal cries, say of pain or pleasure, do not involve anything like the acknowledgement of their audiences as free beings that we have seen as characteristic of human social relations, and of humans' being subject to *amour-propre*. Even in crying out to another of his kind, according to Rousseau, a non-human animal sees that other as little more than an instrument for its own self-preservation: for example, as a source of relief from its pain (something that need not engage the freedom of the hearer, and may even be brought about mechanically). In contrast, in describing the earliest manifestations of human vocal speech, Rousseau characterizes a speaker as seeking not just any response from her audience, and not just any response for which speaking is an incidental means, but specifically recognition of herself as a speaker, and by the audience in his capacity for understanding.<sup>9</sup> Among other things, Rousseau says that the 'primary aim' of the first manifestations of vocal speech was to communicate passions 'to the ear as well as to the understanding'; and that in such speech passion seeks 'to communicate itself' (Rousseau 1997a: 255).

I want to suggest that here Rousseau is describing moments of address familiar in directed speech, and especially speech in what we today call its illocutionary dimension. Speech acts such as telling and promising seek another's recognition in at least two respects: what I want to call *notice* and *acceptance*. First, in telling someone something, or in making a promise, one seeks the audience's notice of oneself as addressing her, and in particular notice that one's address has the specific illocutionary character (as testimony, as a promise) that it has.<sup>10</sup> Second, such speech acts seek *acceptance*, and in particular those responses from the speaker (being believed, having one's promise accepted) that these acts have as their constitutive aims. If one is telling someone something, in a full-blooded sense of 'telling', one aims to be believed.<sup>11</sup>

Twentieth-century philosophers such as Elizabeth Anscombe and J. L. Austin have noted that there is a distinctive insult involved in not being believed.<sup>12</sup> And more recently the philosopher Jeremy Wanderer has distinguished between having one's testimony ignored (or gone unnoticed) and having one's testimony rejected, and Wanderer has argued that there is a distinctive connection between rejection, in this sense, and insult (Wanderer 2012). Rousseau is less-than-fully attentive to these distinctions, and for reasons that, as I will suggest in a moment, may account for Adam Smith's somewhat more complicated elaboration on matters of speech. But for now I want to note that, if directed speech (and in particular illocutionary address) should be understood as somehow, in its nature, risking the insult of rejection, then that should help to specify the sense in which

Rousseau understands human vocal speech (as opposed to the cries of the other animals) as passionate.

That is, such speech is passionate not just in the sense that it involves the communication of passions to others, but also in that it is itself the manifestation of a peculiarly human passion: *amour-propre*, or the desire for recognition from others. And this emerges when we see that, in telling someone something or in making a promise to another, one seeks a response (and in particular, acceptance of one's word) that is essentially an expression of the audience's dimension as a free being. Even if one could force another to believe oneself, or to accept one's promise, one would nevertheless feel dissatisfied at having to resort to force in order to bring about a response (another's acceptance of one's word) that ought to be free. And even if such force brought about the residual benefits of having one's word accepted, it would hardly make up for the insult appropriate upon seeing that the audience's unforced acceptance of one's word is not forthcoming.

### Adam Smith and mortification

As exciting as we might find Rousseau's understanding of the role in speech of the desire for recognition from others, there is also something disappointing about it, or at least as presented here. In the way that I have presented things so far, the insult in not being believed (or in having one's promise rejected) may be little different from those feelings of insult appropriate upon any other thwarting of one's *amour-propre*: say, learning that another holds a low opinion of oneself, or (perhaps) coming to understand that another will not reciprocate one's love. But the nature of testimony and promising as forms of address make their rejection, and the insult appropriate upon their rejection, manifestly unlike these cases.

This may become clearer when we consider the contrast between having one's testimony rejected and coming to learn that another person, whose opinion of oneself one cares about, thinks of oneself as unreliable or insincere: for example, through hearsay or through reading this in their diary. Even if we grant that a feeling of insult may be appropriate in the latter instance, it seems to lack the distinctive character of insult appropriate upon *active* rejection that we see in former. The insult appropriate in the former instance is that frustration familiar from learning that one is not thought of as well as one would like to be; that in the latter is the frustration familiar from having one's claim upon another person actively rejected.

If Rousseau's writing on *amour-propre* does not sufficiently make this distinction between forms of insult, a striking feature of Adam Smith's *Theory of Moral Sentiments* is its attention to a distinction much like this one, and particularly as it arises in directed speech. Toward the end of the last edition of *The Theory of Moral Sentiments*, Smith presents a discussion of what he calls 'rules of veracity', and in the course of which he asserts, 'It is always mortifying not to be believed, and it is doubly so when we suspect that it is because we are supposed to be unworthy of belief and capable of seriously and willfully deceiving' (*TMS*: VII.iv.24).<sup>13</sup>

To be fair, in this discussion of Smith's, considered very locally, there is little attention to the distinctive insult (or 'mortification') involved in having one's testimony actively rejected. Thus, Smith accounts for this mortification in terms of an insult to one's standing very much like any other instance of being thought badly along some dimension one cares about: in this instance, one is mortified at being thought unreliable or insincere. Therefore, other than Smith's specific emphasis on our desire to be believed, and as what he calls 'the instinct upon which is founded the faculty of speech',<sup>14</sup> there is little, it seems, to distinguish Smith's discussion from Rousseau's treatment of vocal speech as a manifestation of the desire for recognition from others. In neither case, it appears, is there much sensitivity to the idea that there is a distinctive insult in having one's testimony rejected.

But things look very different when we bring this discussion together with Smith's treatment of the nature of gratitude (earlier in *The Theory of Moral Sentiments*). And here it is important to note that gratitude invites comparison with the responses sought in illocutionary acts, such as telling and promising, in that it is necessarily a response to a kind of directed address: paradigmatically, the giving of a gift. No matter how well one may think of someone, one cannot manifest gratitude toward that person unless they have done something *to* one.<sup>15</sup> Moreover, in overtly giving a gift to someone, one expects an expression of gratitude, and one is insulted when such an expression is not forthcoming. (It is easy to see this as a kind of rejection, even if it need not involve the overt return of the gift.) At the same time, there is something paradoxical about the familiar idea that one is *owed* another's gratitude. After all, what we normally take ourselves to be owed, such as a monetary debt, is something that can be forced or extracted from another, including by claiming a right to it, without spoiling its satisfactoriness. But another's gratitude is unsatisfactory unless it is unforced – indeed, unless it is, in a sense, *gratuitous* – in just the way that we have seen as characteristic of satisfactory recognition.

Smith captures some of these points – and in particular, the equivocal nature of gratitude as something one is owed and as something that, to be satisfactory, must be an expression of freedom – by suggesting that it occupies a kind of *middle ground* between observations of 'justice', which can be forced, including through claims to right, and acts of 'beneficence', which cannot. While 'Even the most ordinary degree of kindness or beneficence [cannot] be extorted by force' (*TMS*: II.ii.2.7), according to Smith, justice is that virtue 'of which the observance is not left to the freedom of our wills', and whose violation is 'the proper object of resentment, and of punishment' (*TMS*: II.ii.1.4). But Smith adds that among the so-called 'duties of beneficence', whose observance cannot be extracted, those of gratitude are in a sense 'less free' than those of friendship, generosity, and charity, and exactly because gratitude is the sort of response we can see ourselves as owed. Smith says, 'We talk of the debt of gratitude, not of charity or generosity, nor even of friendship', at least when friendship has not been 'complicated with gratitude for good offices' (*TMS*: II.ii.1.3).<sup>16</sup>

I want to insist that Smith's attention to responses (in this case, gratitude) that we can be seen as *owed*, while at the same time expecting them to be

manifestations of the other's freedom, can help illuminate his later discussion of the 'mortification' in not being believed, and why there is a distinctive insult in having one's word rejected. And this requires seeing how in testimony one makes a claim upon another person, and in a way that invites comparison with the claims characteristic of 'justice' in Smith's sense: in particular, when, citing the requirements of justice, one makes a claim upon another person that they behave toward one, or refrain from behaving toward one, in a certain way (at risk of punishment or some sufficiently strong affront).

What these interactions (testimony, claiming a right) share are features characteristic of second-personal address.<sup>17</sup> When another recognizes that one is making such a claim of right upon them, the possibilities of ignoring that address, or letting it go unnoticed, are no longer available to the audience. Upon recognizing the nature of the address, the audience must either accept the speaker's claim (and follow through on the requested behavior) or reject it. Indeed, the audience can try to ignore the speaker's claim, but, in the context of the address, to ignore the claim is to reject it.<sup>18</sup> And this point can help to account not only for the sense in which one can be 'owed' certain responses in the context of an address, but also for the distinctive insult involved in, say, not being believed. Again, this insult is categorically different from that involved in (merely) meeting another's disapproval, and exactly because of its appearance in the context of an address: that insult inheres not (only) in one's being thought of in lesser terms than one would like, but also in the audience's having rejected one's claim upon them.

At the same time, testimony is unlike a claim to right in that what the speaker seeks is a manifestation of the audience's freedom. In discussing gratitude, Smith captures this point, about the essentially free nature of certain responses from others, in somewhat different terms than Rousseau does. As I have presented Rousseau's views, another's recognition of oneself is satisfactory only to the extent that it is unforced. According to Smith, it would be improper, or bring dishonour upon oneself, to try to extract another's gratitude by force.<sup>19</sup> But on either understanding of the freedom we seek in these responses, the recognition of oneself involved in being believed, is, despite the sense in which one may be 'owed' such recognition, nevertheless up to the audience, and outside one's powers of extraction. And this point may further account for the distinctive insult (and indeed, when it is on the basis of one's race, class, gender or sexual identity, disability, or other social status, the *humiliation*) in not being believed. If the recognition involved in being believed is unlike those responses one can claim as a matter of right, in that it cannot be extracted, then that only underscores the humiliation, and sense of powerlessness, of those who are (persistently, and for systematic reasons) disbelieved, especially when the audience is (persistently, and for systematic reasons) unresponsive to their powers of persuasion.

### Political consequences

There is a way in which this last point can be taken as an expression of scepticism about the idea of epistemic or testimonial injustice (as it has emerged in



recent philosophy), and I want to try to avert that way of taking what I am saying. Smith's understanding of justice, as what can be extracted by force, may be an overly narrow one, and it should not preclude other understandings of the word 'justice', including ones more appropriate to the idea of epistemic injustice, as it has been elaborated on, mostly notably, in Miranda Fricker's recent work (Fricker 2007).<sup>20</sup> And even if we do want to maintain an association between justice and what can be extracted by force, that should not preclude our using other terms of normative criticism to characterize a society in which people of a certain status are systemically disbelieved: including vocabulary of humiliation, objectification, dehumanization, and social pathology.

In any case, my concern so far, in turning to two philosophers (Rousseau and Adam Smith) well-known for their writing on the desire for recognition from others, has been to use the idea of such a desire, and its conditions for satisfaction, to illuminate what is distinctive about the insult in not being believed. If a consequence of this discussion has been that a narrow sense of 'justice' is inapplicable to understandings of that insult, another consequence (I hope) is that nothing short of a concern for the systematic nature of the humiliation of not being believed (on the basis of one's status) will address that social ill.

As it happens, a concern with the systematic nature of such humiliation may take us deeper into Rousseau's positive political philosophy, and its emphasis on equality, than I have so far been able to do here. And there is an important contrast between the sorts of positive prescriptions that Smith offers, at least as they bear directly on the humiliation in not being believed, and those we can attribute to Rousseau. For Smith is especially vivid in his depictions of the psychological toll that not being believed can incur on the falsely accused in criminal cases. As he says of the innocent man, 'brought to the scaffold by the false imputation of an infamous or odious crime':

He is struck with horror at the thoughts of the infamy which the punishment may shed upon his memory, and foresees, with the most exquisite anguish, that he is hereafter to be remembered by his dearest friends and relations, not with regret and affection, but with shame, and even with horror for his supposed disgraceful conduct: and the shades of death appear to close round him with a darker and more melancholy gloom than naturally belongs to them.

(TMS III.2.11).

Like elsewhere in *The Theory of Moral Sentiments*, Smith is clear about the extent to which our well-being depends upon our not being thought of badly by others, even independently of the consequences of our being so regarded: the falsely accused feels a peculiar shame apparently separate from the prospective fear of punishment. Also, consummate with that book's tendency to emphasize individual psychological manoeuvres over collective political prescriptions, Smith recurs to the idea that whatever consolation the falsely accused may enjoy consists in the exculpation, or approval, of an internalized 'other': the impartial spectator, who knows that the accused has done no wrong, or 'Those vicegerents of God within

us [who] always reward obedience with tranquility of mind, with content, and self-satisfaction' (*TMS* III.5.6). (It is therefore not surprising that Smith suggests, in the case of someone permanently pinned to a false accusation, 'Religion can alone afford them any effectual comfort' [*TMS* III.2.12].)

And this is where Rousseau's positive prescriptions constitute an important contrast with Smith's. As it happens, Rousseau is not unconcerned with individual psychological manoeuvres for addressing one's own humiliation, or one's being falsely accused. (These concerns are most prominent in Rousseau's autobiographical writings, and especially in the expressions of his late-life attempts to achieve solace in the face of accusations and humiliation.)<sup>21</sup> But, even when Rousseau's positive political prescriptions do not bear directly on criminal cases, they are nevertheless, in contrast with what Smith offers, *political*: they aim at general and collective solutions, including ones with the consequence of limiting the significance of not being believed, and of being falsely accused, in our lives.<sup>22</sup> For Rousseau, one of the central aims of the social contract, and a consequence of the kinds of equality it introduces, is to eliminate unneeded forms of dependence on particular individuals: 'so that every Citizen be perfectly independent of all the others, and excessively dependent on the City' and its laws (Rousseau 1997b, II.12.iii: 80). Indeed, as Frederick Neuhouser characterizes Rousseau's view, the law in an egalitarian republic 'protects individuals from capricious wills' (Neuhouser 1993: 389). But we should also understand such a law as aiming to protect individuals from capricious *minds*: that is, it aims to protect individuals from being in circumstances in which their livelihoods are overly dependent on another's judgment, including whenever it is a question of their being believed.

Neuhouser, in his reading of Rousseau, understands the social contract as 'restructuring dependence' both in the formal equality that it introduces (that all citizens are equal under the law) and in the material equality that it introduces (that 'no citizen [be] so poor that he is compelled to sell himself' [Rousseau 1997b, II.11.ii: 78]) (Neuhouser 1993: 388–90). Of course, Rousseau is not so utopian as to think that political measures could eliminate all pathological forms of dependence on others, and neither should we attribute to him the expectation that the social contract would eliminate every pathological form of dependence (for example, individual instances of blackmail or coercion) in which dependence on another person's judgment of one's trustworthiness plays some role. Rather, I want to close by noting how both kinds of equality (formal and material) can be understood as limiting the social significance of the phenomenon of not being believed, and especially the phenomenon of not being believed on the basis of one's social status.

First, in the case of the formal equality that the social contract introduces: since, for Rousseau, the law applies to all citizens and makes no exceptions among them,<sup>23</sup> the applicability of the law to a particular citizen should not depend on any other individual's perception of their trustworthiness. Even in cases when someone is falsely accused of a crime, the formal equality of the law helps to protect them from extralegal proceedings (that is, ideally, proceedings other than what all citizens would consent to, knowing their own susceptibility to false accusation).

And it helps to protect them from what an individual may capriciously will based on their judgment of the trustworthiness of the accused (specifically, it helps to protect against cases of vigilante justice).

Second, in the case of the material equality that the social contract introduces: because the social contract aims to supply for the subsistence of all so that no one will be forced to sell themselves (and thereby be subject to the capricious will of a master),<sup>24</sup> no one's capacity for subsistence should, likewise, depend on any other individual's perception of their trustworthiness. Thus, the social contract will protect one's capacity for subsistence even when perceptions of untrustworthiness, including those occasioned by one's social status, prevent one from securing employment.

I will not here attempt to improve upon those commentators on Rousseau who have linked these political considerations to the issue of recognition: that is, those who have written on how these political measures are necessitated by the peculiar kinds of dependence wrought by *amour-propre*, and on how these measures might themselves be satisfactory of *amour-propre*.<sup>25</sup> Moreover, these considerations are for the most part independent of the idea, which I have tried to make sense of through examining both Smith and Rousseau, that there is a peculiar insult in not being believed. After all, we do not need to see that there is such a peculiar insult, let alone that it is made possible by features of second-personal address, in order to appreciate that a consequence of Rousseau's egalitarian prescriptions is the limiting of the social significance of our being dependent on another's capricious judgment about our trustworthiness.

Nevertheless, through examining together Rousseau's and Smith's views on speech and recognition, I hope we can appreciate the importance of keeping in view at once two perspectives on the phenomenon of not being believed: (1) its appearance within the context of second-personal address, and the peculiar insult, and sense of helplessness of the part of the disbelieved, that that context affords; and (2) its appearance as a kind of dependence on the capricious judgment of another, whose social significance can be limited through egalitarian measures. If we only read Smith and Rousseau apart from each other, then we might miss how deeply important both of these perspectives are.<sup>26</sup>

## Notes

- 1 Some other connections between Rousseau and Smith on the desire for recognition from others have already been noted by Frederick Neuhouser (Neuhouser 2008: 230–1, 248, 263).
- 2 Recent contributions to the topic of 'testimonial injustice' have included the work of Miranda Fricker (Fricker 2007: 9–29) and Jeremy Wanderer (Wanderer 2012).
- 3 My talk of the 'illocutionary dimension of speech' is my specific way of respecting the sort of point Jennifer Hornsby makes in saying, 'When there is an utterance, there is an *action* of someone's. But in the case of any one such action, there will be many things the speaker has done—many *acts* that she has performed' (Hornsby 1994: 188). Thus, a particular utterance may be evaluated along several dimensions, including not only as an illocutionary act, but also as a locutionary act and (in many cases) as a perlocutionary act.

- 4 Smith wrote the first English review of Rousseau's *Discourse on the Origins of Inequality* (Rousseau 1997a: 111–222) in his 'Letter to the Authors of the *Edinburgh Review*' (Smith 1980: 242–54). Recent work on Smith's engagement with Rousseau include that of István Hont (Hont 2015), Charles Griswold (Griswold 2010, 2018), and Dennis Rasmussen (Rasmussen 2008).
- 5 Though Smith does not himself make this explicit, any discussion of the 'insult' or 'mortification' in not being believed should presuppose a context of testimony about ordinary factual matters that the speaker can be expected to know about. Therefore, I am not here considering contexts such as argument or debate in which the speaker might make assertions without aiming for others' belief in those assertions, and in which other kinds of insult (such as the insult in not being listened to or paid attention to) are nevertheless possible. For discussion of such other contexts of assertion, including those in which the 'convincingness of what is said [. . .] need not depend at all on the assumption that the speaker himself believes what he is saying', see Moran 2005b: 343–7.
- 6 Throughout I will follow Rousseau in referring to the *sauvage* using masculine pronouns. I also use the French '*sauvage*' since the English 'savage' does not capture the full range of connotations it is reasonable to think Rousseau is drawing on: including not only cruelty and primitiveness but also solitariness and asociality (Litré 1873–74).
- 7 Neuhouser argues that 'having *amour-propre* means that we value the favorable opinion of others as a non-instrumental good' (Neuhouser 2008: 35).
- 8 Similarly, Niko Kolodny says of this contrast between *amour-propre* and *amour de soi*, 'The sort of dissatisfaction that one feels when brute nature resists the satisfaction of one's Preservative *Amour de Soi* [. . .] lacks this interpersonal or communicative register. It is mere anxiety and pain, which finds no expression in demands or objections [. . .]' (Kolodny 2010: 175).
- 9 Here, for clarity, I use feminine pronouns to refer to the speaker and masculine pronouns to refer to the audience.
- 10 This is a point recently developed by Richard Moran (2005a).
- 11 As J. L. Austin insisted, our understanding of cases in which a speaker does not aim at being believed is nevertheless 'parasitic' on our understanding of the 'normal' case (Austin 1975: 22).
- 12 Anscombe says, 'It is an insult and may be an injury not to be believed. At least it is an insult if one is oneself made aware of the refusal, and it may be an injury if others are' (Anscombe 1979: 150). And Austin says, 'If I have said I know or I promise, you insult me in a special way by refusing to accept it' (Austin 1979: 100).
- 13 An important background for any Scottish Enlightenment discussion of testimony, including Smith's, would have been the debate, initiated by David Hume's essay 'Of miracles' (Hume 2000, 10.1–41: 83–99) over the justification for believing in miracles on the basis of testimony. Both Hume's 1748 essay and George Campbell's 1763 response to it (Campbell 1827) preceded the last edition of *The Theory of Moral Sentiments* (1790). I am here in effect arguing that Smith's distinctive contribution to Scottish Enlightenment discussions of testimony was to bring out its intersubjective character, which was largely absent from Hume's and Campbell's discussions, and which is made apparent in his treatment of the 'mortification' in not being believed. I am grateful to an anonymous reviewer for bringing to my attention the importance of this larger context for Smith's discussion.
- 14 We should nevertheless be attuned to whenever Smith discusses 'the faculty of speech', as in a well-known passage in *The Wealth of Nations* he entertains the thought that our capacity for economic exchange (and, we might add, the kinds of recognition, or misrecognition, exchange makes possible) is a 'necessary consequence' of 'the faculties of reason and speech' (*WN* I.ii.2). For discussion, see Griswold 2018: 157–60.
- 15 Cf. Haakonssen 1989: 63. Despite this, according to Smith, someone other than the recipient of the gift or assistance might take an 'indirect sympathy' in the latter's

- gratitude (*TMS* II.i.5.2). Such an ‘indirect’ or ‘spectator’s’ sympathy is, according to D. D. Raphael, ‘a perception that, if he were in [that person’s] situation and were helped, he would have the same feeling of gratitude’ (Raphael 1985: 30).
- 16 That gratitude is a gratuitous response we can nevertheless see ourselves as owed is among the issues taken up in Georg Simmel’s essay ‘Faithfulness and Gratitude’ (Simmel 1950). Indeed, it would be fruitful, I expect, to compare Smith and Simmel on gratitude more fully elsewhere. Note that for Smith another respect in which gratitude occupies a ‘middle ground’ between justice and beneficence is that its characteristic ‘rules’ are both less determinate than those of justice and more determinate than those of beneficence and friendship. (See *TMS* III.6.9 and Griswold 1999: 193).
  - 17 The notion of second-personal address is important to the work of Stephen Darwall (2006). That the notion has some application to testimony has been explored by Benjamin McMyler (2011), Jeremy Wanderer (2012), and Richard Moran (2013).
  - 18 Compare with Korsgaard’s treatment of address: ‘If I call out your name, I make you stop in your tracks. [ . . . ] Now you cannot proceed as you did before. Oh, you can proceed all right, but not as you did before. For now if you walk on, you will be ignoring me and slighting me’ (Korsgaard 1996: 140).
  - 19 Most importantly for Smith, it would bring upon the disapproval of the impartial spectator.
  - 20 Michelle A. Schwarze and John Scott have recently discussed Smith’s narrow use of the term ‘justice’ in comparison with broader uses (Schwarze and Scott 2015: 469–472).
  - 21 These include Rousseau’s suggesting, at the beginning of *The Reveries of the Solitary Walker*, that by submitting to the fate of his humiliation, he is free from the disappointments of hoping for a relief from it (Rousseau 1992: 2–3). They also include his entertaining the thought that his insulters ‘were nothing more than automatons’ (Rousseau 1992: 114).
  - 22 Darwall argues that for Smith there is an egalitarian structure immanent in ordinary moral accountability (Darwall 1999). But this is very different from the sort of egalitarianism we find in Rousseau’s positive political prescriptions, and especially different from the material egalitarianism that Rousseau advocates: including both the limiting of inequalities in wealth and the alienation of private property to the community so that it can be distributed according to human need (Rousseau 1997b, I.9, II.11.ii: 54–6, 78). Indeed, we might think that it is exactly because Rousseau cannot find that sort of egalitarian structure in ordinary moral accountability (that Smith does) that he advocates egalitarianism as a specifically political programme. (Rousseau thinks that ordinary moral accountability favours the wealthy: Rousseau 1997b: 31–2.) For differences, and occasional commonalities, between Smith’s and Rousseau’s attitudes toward material inequality, see Colletti (1972: 155–63).
  - 23 For example, Rousseau says that the general will must ‘issue from all in order to apply to all’ (Rousseau 1997b, II.4.v: 62); also, ‘Every condition imposed on each by all cannot be onerous to anyone, and the worst of Laws is worth even more than the best master; for every master has preferences, and the Law never has any’ (Rousseau 2001: 261).
  - 24 This is part of what Rousseau means when he says that ‘to provide for the public needs is a clear consequence of the general will, and [one of] the essential [duties] of government’ (Rousseau 1997b: 23). Cf. Neuhouser (1993: 389).
  - 25 I especially have in mind the work of Joshua Cohen (2010: 97–130), N. J. H. Dent (1988 and 1992: 33–6), Frederick Neuhouser (1993: 390–1 and 2008), and John Rawls (2008: 191–213).
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