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Retraction and Testimonial Justification:  
A New Problem for the Assurance View

## 1. Introduction

“That rotten old oak behind my house fell over last night,” you say. And I believe you. Remarkable, right? You convey a certain proposition to me by testimony; without missing a beat, I add it to my doxastic stock. Moreover, in many ordinary cases, there's nothing irrational about my doing so. In forming a belief about that old oak just on the basis of your word, I'm within my epistemic rights.

But if it's clear that testimony can justify the beliefs we form in response to it, it's not so clear *why*. That's the question this paper is concerned with. I am going to present a new challenge to one answer to it, the one offered by what's called the Assurance View—or at least the version of that view formulated by Angus Ross (1986) and Richard Moran (2005 and 2018). What's distinctive about their position is the way it relates testimonial justification to illocutionary commitments and entitlements, normative relationships that hold between a speaker and her audience. I'll explore this feature of the Assurance View in section 2, which will set the stage for my thesis: I claim that the way the view treats illocutionary norms makes it vulnerable

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to a challenge based on the possibility of retraction—a sort of cancelling speech act commonly performed with phrases like “I take it back” or “never mind.” In section 3, I investigate the nature of retraction itself. Finally, in section 4, I show how it threatens the Assurance View.

## 2. Locating the Assurance View

One major dispute in the epistemology of testimony is about whether testimonial justification reduces to some more basic kind of justification, like the kind beliefs have when based on perception or on inference to the best explanation (see Adler 2012: secs. 5–7). But I only bring this up to set it aside: the big question of “Reductionism” is out of my scope. My topic in this essay is the Assurance View, which, while usually understood as Non-Reductionist, is just one among several options in that category (Adler 2012: sec. 7; Schmitt 2010: 215–16). In fact, my topic may not be even as broad as that: it isn’t quite clear which positions in the literature count as forms of the Assurance View. Different lists have been produced, and some of the positions named on some of those lists seem immune to the challenge I offer in this paper.<sup>1</sup> The challenge does apply, however, to the theories of Ross and Moran; and, since those are paradigm members of the Assurance View family, I’ll continue to use that label to identify my target. What matters isn’t the name, of course, but whether a view has the feature that makes my objection possible: the claim that, in order for someone’s belief to be testimonially justified, some testifier must be “on the hook for it” under the illocutionary norms that govern speech.<sup>2</sup> In this section I’ll

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<sup>1</sup> See, e.g., the different groupings in Lackey (2008: 222–23, 231), Adler (2012: sec. 7.3), and Hinchman (2014: 2, n. 6). The positions of Faulkner (2007 and 2011), McMyler (2011) and Hinchman himself (2005 and 2014) are borderline cases.

<sup>2</sup> McMyler, for instance, argues that a hearer of testimony “can fulfill her epistemic burden . . . by deferring to the testimonial speaker” (McMyler 2011: 7). This suggests that for him, too, a believer’s testimonial justification requires an illocutionary entitlement: if she could no longer “pass the buck,” then she could no longer fulfill her epistemic burden. Faulkner, on the other hand, seems to lack such a picture. The point about his illocutionary “norms of trust” is just that they make a hearer’s trust likely to motivate truthful testimony (Faulkner 2011: 155–56). If, after the testimony has been made, the norms of trust could be revoked, it doesn’t seem that this would affect the

explain that feature further, and show its place in the Assurance View. On the way, I aim to give a more precise characterization of that view than has been available in many treatments.

To begin with, let's clarify the notion of illocutionary norms. The Assurance View begins with the idea that to give testimony—to perform the speech act of asserting or telling—involves assuming an interpersonal responsibility for the truth of what one says: when you tell me the old oak tree fell over, you're investing that proposition with your authority, and inviting me to rely on you.<sup>3</sup> Correspondingly, the recipient of testimony gains a right to believe it: I have something like a “moral entitlement” to the belief about the oak, which “stems directly from the speaker's responsibility for its truth” (Ross 1986: 78).<sup>4</sup> This relationship of illocutionary responsibility and entitlement gives rise to other interpersonal norms, too. For instance, if I believe what you say, and someone else asks me to justify my belief, I may be entitled to “pass the buck” by deferring to you (Brandom 1983: 642; McMyler 2011: 61–62). If your testimony turns out to be false, I am (prima facie) entitled to complain to, criticize, or resent you (Moran 2018: 66; see Faulkner 2007: 881). And if, when you tell me something, I decline to believe it, *you* may be entitled to resent *me* for slighting your testimonial authority (Ross 1986: 78–79; see Hinchman 2005: 565, Faulkner 2011: 148). The performance of an assertion has brought a whole array of these norms to bear on us.

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epistemic entitlements they helped establish. Finally, while I'm surveying the territory, it may help to add that, despite their interest in assurance-giving and illocutionary norms, respectively, Lawlor (2013) and Goldberg (2015: ch. 3) avoid adopting any particular account of testimonial justification (Lawlor 2013: 20; Goldberg 2015: 67–70, 85–86). I don't think my argument bears on their projects.

<sup>3</sup> Some fine print on terminology: I use the term “assertion” to refer to a speech act by which speakers undertake responsibility for the truth of the content they present (or perhaps for having some privileged epistemic position with respect to that content, like knowledge or justification). That doesn't happen in all declarative sentences, and Moran sometimes prefers to use “assurance” or “telling” to pick out the relevant speech act (Moran 2018: 46–47). Note that Lawlor (2013: 11–15) has a distinct use of “assurance,” naming an especially strong species of assertion.

<sup>4</sup> Moran (2018: 13, n. 6) credits Robert Brandom (see 1994: ch. 3) with the focus on systems of commitment and entitlement as central to our ordinary conversational practice.

Let's assume assertion is governed by such norms. That doesn't get us to the Assurance View, yet. For one thing, we might have thought these norms of illocution were merely social ones, or maybe moral ones. Proponents of the Assurance View (Assurance Viewers, call them) go further: they put illocutionary responsibilities and entitlements at the center of the *epistemology* of testimony. The Assurance View makes testimony's *epistemic* force depend on the speaker's giving her assurance for what she says—as many commentators have noted (Lackey 2008: 223; Schmitt 2010: 216; Faulkner 2011: 141; Goldberg 2015: 63; Weiner ms: sec. 1; see Moran 2018: 66). This point about dependence, though, isn't as helpful as is sometimes presumed: as it stands, it's consistent with many accounts of testimony. For instance, we could deviate very sharply from the Assurance View, and try understanding testimonial belief as a kind of inference to the best explanation. The fact that the oak fell last night, we could say, figures in the best explanation of your *assuring* me that the oak tree fell last night. In contrast, it might not figure in the best explanation of your merely *uttering* “the oak fell last night.” (For accounts like this, see Fricker 2006: 600; Green 2007: ch. 3; Keren 2012: 702; Weiner ms: sec. 6.) Even on a model so alien to the Assurance View, then, a hearer's epistemic entitlement to believe something may well depend on whether or not a speaker assured her of it. We need more, to understand Ross and Moran's contribution.

We can add that they treat testimonial reasons as “non-evidential” (Lackey 2008: 221–22; Schmitt 2010: 216; Goldberg 2015: 62–63; Weiner ms: sec. 1). This is true, but its import depends on what the Assurance Viewers mean by “evidence;” and, actually, their use of the term seems idiosyncratic. If some phenomenon is evidence, they stipulate, its epistemic significance is independent of anybody's intentions or authority in producing it (Ross 1986: 71–72; Moran 2018: 45, 69). Whether or not that's a good way to use the word, it isn't the way the evidentialist

epistemologists of testimony were using it, and so it doesn't illuminate a clear substantive disagreement (see especially Keren 2012). At this juncture, then, an ugly thought might cross our minds: is the Assurance View really a distinct theory at all? Or do we have, here, only a terminological tiff about what we should mean by "evidence"?<sup>5</sup>

It's really a distinct theory, I think, but one that requires some digging to unearth. I'll hazard an interpretation. As I read it, the Assurance View has this claim at its heart:

AV: For someone's belief to be testimonially justified is for some speaker to bear illocutionary responsibility for its truth (while background conditions are met).

AV formulates the thought that the commitments and entitlements of testimony aren't just points of data for an addressee to factor in, when calculating the likelihood of the testimony's truth. Rather, in cases where the speaker's knowledge and sincerity can be presumed—observe AV's parenthetical caveat—the hearer's illocutionary entitlement itself *is* (or *constitutes* or *amounts to*) her epistemic justification.<sup>6</sup> We might say that the boundary between interpersonal illocutionary entitlements and epistemic ones dissolves. As Moran has it, "[t]he epistemology itself is irreducibly social and intersubjective" (2018: xi).

I can't show you an explicit endorsement of AV in Ross's or Moran's work, but they say enough to make it a plausible reading. Ross, having spoken of the quasi-moral entitlement granted in testimony, makes that entitlement itself serve as an epistemic status: it will sometimes be "sufficient to yield knowledge" (Ross 1986: 82). He goes on to explain: "[i]f it means anything to say that we are entitled to believe what we are told, it is that . . . we will not ourselves be open to criticism for having believed it. It means that we are in these circumstances

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<sup>5</sup> See Lackey (2008: 238–39) for a reading of Hinchman (2005) and Moran as verging on evidentialism.

<sup>6</sup> I hope and believe that the kind of claim made by AV—what Cian Dorr calls an "identification," as distinct from an identity—is intelligible enough to serve us well here, even though its precise logic isn't easy to capture (witness Dorr 2016.) At minimum, AV means that, necessarily, *S*'s belief that *p* is testimonially justified if and only if some speaker bears illocutionary responsibility for its truth (while background conditions are met).

absolved from the charge of not having taken due care over what we believe” (Ross 1986: 82–83). And Moran, arguing that the speaker has first-personal authority to determine which illocutionary commitments she undertakes, treats this as equivalent to an epistemic power: “The speaker alone has the authority to bestow such epistemic import on his words, or to cancel it” (Moran 2005: 27; cf. 2018: 75).

AV would account for other features of the Assurance View, too. It explains the way the theory makes testimonial justification *depend* on a speaker’s assurance: entitlement to such an assurance is just what constitutes the justification. It explains why testimony isn’t a kind of “evidence” independent of personal intentions or authority, since its illocutionary entitlements can be made available only by an intentional action (see, e.g., Moran 2018: 51). AV also sheds light on a claim Moran makes, that the testifier retains a special authority over her testimony’s epistemic force even *after* she gives it: “[u]nlike an evidential relation, the connection between the speaker’s words and what she asserts is entirely at her disposal to declare or retract” (2018: 75). Evidence takes on a life of its own, once I’ve produced it: it’ll keep on doing its evidential work whether I like it or not. But if the justifying power of testimony lies in the illocutionary commitments it generates, there will be a more lasting dependence on the speaker—for, as we’ll see in the next section, I’m free to dissolve those commitments by performing further speech acts. If Ross and Moran are right, we can expect the epistemic justification to dissolve with them.

The melding of illocutionary and epistemic entitlements, as formulated in AV, is what I take to be distinctive about the Assurance View’s account of testimony. It has a certain allure, too. But does testimonial justification really stick so close to the interpersonal entitlements of speech? One standard problem for the view, a way of trying to pull the illocutionary and epistemic back apart, lies in cases of eavesdropping. If I only *overhear* you telling someone else

you got a speeding ticket, it might seem, I don't have the same interpersonal entitlements that your addressee enjoys: I have no right of complaint against you, for instance, if it turns out you made the story up (see McMyler 2011: 66–67; Hinchman 2014: 39; Adler 2012: sec. 7.3). Despite this, surely I can be justified in believing that you got a speeding ticket. Eavesdropping cases aren't decisive, though, for two reasons. First, some philosophers think speakers and eavesdroppers *do* have normative claims on each other, similar to the claims of speakers and their addressees (see Fricker 2006: 598–99; Lackey 2008: 234; Lawlor 2013: 22; Goldberg 2015: 90). That muddies the waters. Second, it's been argued that eavesdropping, on the one hand, and, on the other hand, believing testimony addressed to you, are categorically different ways of acquiring belief (Hinchman 2005: 575–76). The epistemology of the two kinds of cases might diverge. In principle, an Assurance Viewer could lop off the eavesdropping cases from her theory, and be left with plenty to say, still, about more ordinary acts of telling.

If we want to strike at the heart of the Assurance View, then, we'd like to be able to show epistemic and illocutionary norms coming apart even more cleanly. That would happen, for instance, if we could find a belief enjoying ordinary testimonial justification despite the fact that there are no (extant) illocutionary commitments to guarantee it—not even overheard commitments, made to some third party. That would be a better case. And that's the kind of case I think we can get, when we consider testimonial retraction.

### **3. Retraction and Its Limits**

#### *3.1. Retraction as the Resetting of Illocutionary Norms*

Having offered my best reconstruction of the Assurance View, then, I'll turn to the best objection I can make to it. The challenge I mean to raise will depend on understanding retraction

in some detail, so in this section I start by considering it on its own terms. I argue for three principles that will be relevant to the matter of testimonial justification:

- R1: When a speaker retracts a speech act, she cancels the illocutionary commitments and entitlements pertaining to that speech act.
- R2: When a speaker retracts an assertion, she doesn't need to assert (or imply) that it was false, or that she doesn't believe it.
- R3: A speaker can retract a speech act without any explanation of why she is retracting it.

R1 is really just a way of identifying the speech act of retraction, rather than a conclusion I'll argue for: if a person's utterance failed to render "null and void" the interpersonal norms imposed by some other speech act, I wouldn't be willing to call it a (successful) retraction (MacFarlane 2011: 83). But I hope it can be seen that this stipulative definition is often satisfied in our everyday illocutionary lives. I tell you, for instance: "I won't be missing your piano recital—hang on, that's not what I meant; I mean I won't be *attending* your recital. I *will* be missing it." If I hadn't corrected my verbal slip, I would be responsible for showing up to the recital. My correction, though (in this context), functions as a retraction, and annuls that normative relationship. Once I've made it, it would be inappropriate to resent me for failing to attend. At least, it would be inappropriate to regard such failure as the breaking of my word.

Retractions aren't limited to speech acts performed by mistake, of course. I could say: "I know I told you Eric was a selfish jerk, but I take it back: I found out today that he donated a kidney to a complete stranger." It's not as if it was only by a slip of the tongue that I disparaged Eric before. On the contrary, I would have defended my assertion vigorously, back then. Now, though, a new piece of evidence leads me to retract it; and again, the normative statuses formed by the earlier speech act dissolve. It would make no sense, anymore, for you to regard me as responsible for the truth of the belief that Eric is a selfish jerk. If you continued to hold that



belief yourself, and later found it to be false, it would make no sense to come complain to me. And if you did not continue to hold the belief, it would make no sense for me to feel slighted by you, as if you were discounting my authority. None of the commitments and entitlements introduced by my earlier illocution remain. According to R1, that's what makes retraction the kind of speech act it is.

### 3.2. *Limits of Retraction*

If there's any further doubt about R1, or about the commonplace appearance of these retractions in our conversational lives, maybe I can mollify the holdouts by admitting some of retraction's limitations. For one thing, just like other speech acts, retractions can be performed only under the right circumstances. If I've promised to pick up the kids after school today, I can't retract my promise when I'm alone in my car, by just muttering, "Nah, I'm not doing that." The act then "misfires," and no illocution is performed at all (Green 2017, sec. 2.2). Normally, when I retract a speech act that offers a commitment to my audience, I'll at least have to make it clear to that audience that I'm performing the retraction. Even then, I may not be successful: possibly an audience may have the option to *reject* my retraction, so that it isn't allowed to take effect. (I promised to go on the roller coaster with you, but when we finally get to the front of the line I change my mind: "I'm sorry, but I take it all back." You say: "No way you're chickening out on me now—buckle up.") In addition, it seems that certain speech acts are simply not retractable. We know what it is to take back an assertion or an invitation, but what could it mean to retract, say, the calling of a meeting to order, or a pronouncement of marriage, or a greeting? We don't recognize anyone's authority to do that, though other acts (a dismissal, an annulment, a request to treat me as if I had never said hello) might result in similar outcomes.

It might help, too, to clarify that when a retraction is successful, it doesn't bring it about that the retracted speech act never took place (see MacFarlane 2011: 83). I think Eric has a heart of gold, I'm now telling you, despite his disagreeable exterior; and I'm taking back every bad thing I said about him. Nevertheless, it's still true that I called him a selfish jerk *before*. Retracting that assertion doesn't change the past, nor does it even strike the voided speech act from the record—for instance, it may well be appropriate for you to remind me, later on, what I used to say about Eric. When it's successful, a retraction only revokes the characteristic illocutionary commitments that the original speech act put in place.

That leads us to a final observation on retraction's limits: although the commitments and entitlements of the relevant illocution are reset by a successful retraction, it doesn't necessarily bring us back to just the same normative situation between speaker and hearer that obtained before the illocution was performed. No, the normative landscape may have altered considerably. Maybe I tell you that the local hat store has a promotion on and will give the first ten customers tomorrow a free hat. You take my word for it, and go to camp out in front of the store so as to ensure your spot in line. Late at night, I realize I might have been wrong about the date of the promotion, and I call you up to tell you I'm not sure anymore. Assume this successfully retracts my assertion: that doesn't mean you can't appropriately be indignant with me. I have, after all, offered my assurance on what turned out to be shaky grounds, and I ought to be sorry about it. The retraction doesn't make me immune from that norm. It means only that you can no longer rely on my testimony in believing that the promotion is tomorrow.

In a different kind of case, the retraction itself may inaugurate a new normative situation, even as it dissolves the old one. Suppose that you, my commanding officer, have ordered me to perform an unpleasant task like peeling the potatoes; but then you relent and retract the

command—someone has told you it’s my birthday. In that case it may be appropriate for me to feel or express gratitude, as it was not appropriate before you gave the order or the retraction. So my description of retraction as “resetting” the normative relations shouldn’t be taken too far. The particular norms essential to the retracted speech act have been set aside, or else no retraction has taken place. New norms, however, might have filled their place.

### 3.3. *Bare and Unexplained Retractions*

I hope that’ll do it, for R1. Let’s turn to R2 and R3, both principles about the possibility of performing a retraction without doing something *else* as well: without contradicting or implying a contradiction of her first speech act (R2); and without giving a reason for the retraction (R3).

When we think up examples of retracted assertions or promises, it’s natural to imagine the speaker moving on quickly to a replacement speech act. In amending a verbal slip, for instance, as in the piano recital case, I might make a retraction right before a new statement on the same topic. (A single utterance might even do double duty. Our flight leaves from gate A–13,” I say at first. But then, looking closer at the boarding pass, I cancel that assertion and simultaneously replace it in a single deft maneuver: “Oh: It leaves from A–31!”) Or sometimes a retraction may be combined with the self-referential indication that one no longer endorses the content one had first expressed: “He’s driving up from San Antonio today—wait, I take it back. I can’t remember if it’s today or tomorrow.” Such cases are typical, I admit. But it’s relevant to my argument that this replacement speech act is dispensable, that the retractor need not assert such content or even imply it. This is the principle stated by R2.

In one of the few previous considerations of retraction, Kent Bach and Robert Harnish are unfriendly to R2. They write that a speaker retracts a claim that *P* if he both expresses “that he no longer believes that *P*, contrary to what he previously indicated he believed,” and also expresses “the intention that [the hearer] not believe that *P*” (1979: 43). This is worded as a mere sufficient condition, but surely the idea is to capture the nature of the illocution; and for that purpose it’s no good. In ordinary cases, simply saying “I take that back” is enough to pull off the retraction, quite apart from expressing the lack of a relevant belief. For there are many other possible reasons for a retraction: You might have realized your assertion was insensitive, or bound to turn the conversation in the wrong direction. You might find yourself unable to justify the claim in present company (MacFarlane 2011: 83; Goldberg 2015: 166). Or perhaps you’re just newly appreciating the practical reasons against standing behind your proposition—say, because the playground bully, up close, is bigger than you’d realized when you first gave your opinion of him.

When no contradictory content is expressed alongside a retraction, we could call it a *bare* retraction. Bare retractions are perfectly possible, I contend. This becomes clearer yet when we consider the wide variety of speech acts that can be retracted: assertions, yes, but also promises, offers, questions, requests, commands, and more (see MacFarlane 2011: 84). The Bach and Harnish model of retraction as expressing an *opposite* mental state is even less apt for some of those illocutions than it is for assertions. If I retract a question I have asked, for instance, surely I don’t have to be indicating that I no longer want it answered (see Bach and Harnish 1979: 47). Maybe I just realize that we’re running out of time in our colloquium Q&A period, and I don’t want to hog the presenter’s attention.

Looking further into the *reasons* for retraction, we come to R3, the final point I want to make in this overview. Just as it's natural to imagine retractions being accompanied by replacement speech acts, it is natural to imagine them being explained by the speaker. When you take back what you said, I want to understand what happened. Did the wrong thing come out when you opened your mouth? Did you acquire or remember other evidence after you said it, and change your mind? Are you sparing somebody's feelings? No wonder speakers often gratify this curiosity by giving us the backstory. They may say, "Whoops, I misspoke," or "I don't think that anymore," or "Well, I guess I don't really *know* that." But again, this isn't necessary. Suppose I say to you: "Maria went to Burger King every day last week. Hold on, I take that back"—and then I remain silent. My bare and unexplained retraction has brought us into strange conversational territory, to be sure. I'm likely responsible for explaining myself in some way or another: why did I say what I said, in the first place? Why did I take it back? (Remember that retraction doesn't guarantee a clean slate, with respect to illocutionary responsibilities.) But one thing I am not responsible for, anymore, is the truth of the claim that Maria went to Burger King every day last week.

#### **4. Retraction as a Challenge for the Assurance View**

##### *4.1. Justified Belief from Retracted Testimony*

We find, then, that a speaker has considerable freedom to retract a previous assertion: usually, it suffices for her just to notify her audience that she *is* retracting it. Moran himself emphasizes this freedom: "The possibility of such retraction is central to the meaning of the speech acts of assertion, order, and the like" (2018: 75). As I'll now argue, though, the possibility of retraction makes real trouble for the Assurance View. Under the right

circumstances, retraction gives us what we couldn't get from the eavesdropping cases mentioned in section 2: it gives us cases of testimonial justification without any illocutionary commitments. Since AV makes testimonial justification *consist* in illocutionary commitments, this result is ruinous. In this section, I illustrate the problem with a particular case, and press its implications.

**Die-Off:** Zane, an environmental scientist, investigates a recent trout die-off in Kingfisher Lake, and at the end of his investigation he communicates his conclusion to the local newspaper: "The primary cause of the die-off was industrial pollution from the Kemco paint factory." A few years later, Zane is under consideration for a high-paying position as Kemco's chief environmental officer. Eager for the job, he puts out another short statement to the paper, which is doing some retrospective reporting on the event: "I retract my earlier statement about the die-off in Kingfisher Lake."

Imagine that Zane's initial statement of his findings was sincere, well-informed, and reliable.

Imagine also that Athavi, a former colleague of Zane's, initially believed what he'd said about Kemco's pollutants. I'm assuming this would be a paradigmatic case of testimonially justified belief. Now suppose, finally, that Athavi is a well-positioned observer: she is aware of the salient details of Zane's retraction, as I've presented them in my description of the case. If so, then I make the following claims. First, it's rational for Athavi to continue believing that Kemco was primarily responsible for the die-off. Second, this is so despite the fact that Zane has successfully retracted his testimony. Third, the nature of Athavi's epistemic justification has not been altered by the retraction; hers is still a testimonially justified belief.

I hope the first claim is plausible from the start. If there's any problem with accepting the rationality of Athavi's continued belief in Kemco's responsibility, I bet we can remove it with a fuller description of the case. Let's stipulate that Athavi is confident of Zane's scientific competence, if not his character. (She herself never looked into the die-off.) We can also suppose that, though Zane's retraction doesn't come along with an explanation—see R3, above—Athavi is in no doubt about his career-minded motivation. Maybe Zane himself has made it clear to her:

“That old newspaper quote is really holding me back in this job application. I think I’m going to publicly retract it.” Or maybe the retraction draws media scrutiny, and some intrepid reporter publishes e-mails Zane had sent to Kemco, offering to issue the retraction in return for the job. Finally, note that Zane hasn’t complicated things by denying his old claim, blaming something else for the die-off, or renouncing a belief (see R2). That is, the retraction is both unexplained and bare, in the terminology of section 3. With adequate details added to the case, I think it’s plausible not only that Athavi remains justified in believing in Kemco’s responsibility, but that she is *as* justified as she was when Zane first made his assertion. Because his retraction was so clearly motivated by the wrong considerations, it need not have lowered her rational credence even a little.

It may be tempting, then, for an Assurance Viewer to deny that a retraction has occurred after all. This possibility can’t be ruled out from the start: as we noted before, a speaker’s utterance can “misfire” and fail to perform the intended speech act. I tried to make such a response dubious in the case of Die-Off, though. What is it that blocks Zane’s retraction? Even if Athavi would be capable of rejecting it unilaterally, so that it would fail to alter the normative relations between Zane and her, there is no need to suppose that she does so. Say she takes it for granted that Zane really has retracted his claims. Though she feels entitled to blame him for his evident lack of integrity, she doesn’t feel she can hold him accountable for his old accusation against Kemco. (If new evidence came out showing that it was actually fertilizer runoff that had caused the die-off, she would think of him as vindicated, rather than refuted.) And if Zane, for his part, were to find that she had ceased to believe his earlier claim, and got offended with her, he would be making himself ridiculous: he took all that back, after all! So, in accordance with R1, it does seem that the assertion has been retracted, its illocutionary norms removed. Even so,

Athavi's testimonial justification remains. How, then, could it have been *constituted* by her illocutionary entitlement, as the Assurance View requires?

#### 4.2. *New Justification?*

The Assurance Viewer has one more defensive move left. She might claim that, while Athavi's continuing belief in Kemco's responsibility is as rational as it was before, its rationality after the retraction derives from some source other than testimony. I now consider this sort of reply, and contend for my third claim about Die-Off: the nature of Athavi's justification hasn't changed.

Suppose for a moment that it has: in voiding his illocutionary responsibility, Zane's retraction shifts the burden of Athavi's justification onto non-testimonial, perhaps evidential, features of her situation. My riposte takes the form of a dilemma: if that's what's happened, then either (1) the retraction itself gave her new support for her belief, or else (2) the testimonial justification her initial belief had was epistemically inert. Why must we choose between those options? Well, I have assumed that her initial belief was indeed testimonially justified. Now, after Zane's retraction, the Assurance Viewer has to say that her belief is no longer justified in that way. Therefore, Athavi's belief has *lost* a source of justification. If it is, nonetheless, still justified—and, as I proposed above, fully as justified as it used to be—then the testimonial justification it lost must have been replaced by something new, or else must not have been contributing to the belief's justification in the first place.

Consider the first horn of the dilemma, the idea that Zane's retraction has generated new justification for Athavi's belief. Presumably, it would do so by counting as new evidence for it. But this should sound bad. I don't deny it's *possible* for the retraction of an assertion to be



evidence for the very proposition that had been asserted. (Maybe like this: a government critic claims that the president uses the police to silence his political enemies. Then she publicly retracts that claim, a day after the police visit her home.) But where that sort of effect occurs, it's very closely tied to the surrounding circumstances and the content of the retracted speech act. It won't generalize. In Die-Off, for instance, the *truth* of Zane's initial claim about Kemco is unnecessary for explaining his retraction. His actions are fully accounted for by his desire to ingratiate himself to the corporate bosses, and by the damage his previous statement will do to the company if left unretracted.

Still, I don't mind ceding ground for argument's sake. We can suppose there's some way in which the truth of Zane's original statement does help explain his retraction of it, and, therefore, that the retraction gives his original statement evidential support. Maybe if Kemco really *is* responsible for the trout die-off, then the corporate bosses will be *especially* eager to deflect blame. Perhaps they realize that public scrutiny is likely to turn up more evidence of their malfeasance; this disposes them all the more strongly to demand a retraction from Zane, which, in turn, makes him more likely to issue one. Even if that's right, though, it's not really the *retraction* that does the epistemic work, but the circumstances behind it. If we further describe the case to separate these elements, we'll see again that the retraction itself—the removal of illocutionary commitments and entitlements—makes no difference to Athavi's justification. Suppose Athavi knows (from Zane's own lips, or from private emails she's chanced to see) what demands and promises the bosses have made of him. At that point, she already has all the evidence she'll get about whether his original statement was true. She is already able to consider its likely truth as an explanation of the bosses' eagerness or fear. When Zane finally does make the retraction, then, it doesn't give her any more reason to think Kemco is responsible for the

die-off; it provides no new evidence to counterbalance the loss of Athavi's illocutionary entitlement to believe Zane. Therefore, if that illocutionary entitlement really were helping to justify Athavi's belief, as the Assurance View claims, we should expect her justification to decline precipitously when the retraction goes through. But that just isn't what would happen, on a reasonable judgement of the case. It seems instead that Athavi would be as justified after the retraction as before it.

That conclusion pushes us toward the dilemma's second horn: the Assurance Viewer might try admitting that the retraction gives no new justification to Athavi's belief, while holding that she remains as justified as she was before it occurred. But this isn't a happy prospect, either, since the Assurance Viewer also thinks Athavi has lost the testimonial justification she used to have. It's flirting with incoherence to say that a loss of justification, without a gain of justification to offset it, results in no diminishment of justification on the whole. And how can we begin to understand the claim that illocutionary commitments are *epistemically* important, if it doesn't mean that those commitments have an effect on the justification of an agent's belief?

The Assurance Viewer might say that, while the *degree* of justification is the same, it is now of a different *kind*. Before, when there was still a standing assertoric commitment from Zane in play, Athavi's belief was perhaps *testimonially* justified; but now it counts as *evidentially* justified, or something (see Moran 2018: 44–45). But I see no way to understand this as a genuine difference in the epistemology of the case. Athavi's belief is still based on the testimony that Zane provided, though his illocutionary commitments have been abrogated. We might decide to use the word "testimonial" to describe only the justification derived from still-*unretracted* speech acts, but such a usage would be ad hoc and unedifying. It's true, naturally, that some beliefs come along with a social entitlement to assign responsibility to other people,

and some do not; but it no longer appears that this difference tells us anything about epistemic rationality. If no more can be said for the epistemic power of illocutionary norms, the unifying project that is the Assurance View will collapse (see Lackey 2008: 238–39).

## 5. Conclusion

Die-Off stands for a class of problem cases that threaten the Assurance View, as well as any other view that makes a testifier's standing illocutionary responsibility a necessary condition on testimonial justification. Roughly, the problematic class is the class of assertions retracted for non-truth-related reasons. In our actual testimonial lives, such retractions are out of the ordinary, and I don't expect anyone to build their epistemology around them. Still, my challenge isn't like the eavesdropping objection we saw in section 2, which could be defused by confining its relevance to atypical cases. For, though they rarely occur in actuality, even the most ordinary assertions seem to admit the *possibility* of these truth-insensitive retractions. What was the last good piece of testimony you were given? Chances are, we could come up with a case like Die-Off for it, where the testifier's retraction would leave your justification in place while revoking your illocutionary entitlement. But if that's so, then—even in the actual world, where no retraction takes place—it must not be the case that this illocutionary entitlement constitutes the justification you enjoy. If it did, it wouldn't even be *possible* to remove the entitlement while retaining the justification.

Odd as they are, then, cases like Die-Off aren't to be shrugged at. In showing illocutionary entitlement and epistemic justification diverging so sharply, they lay a serious burden on the Assurance View. Maybe additional provisos and appendices could be added to patch up the account, but one can only put up with so much of that. Instead of adding more

epicycles to the model, we may incline to an alternative theory, and put something else at the center of things.

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