



BIROn - Birkbeck Institutional Research Online

Lillehammer, Hallvard (2014) Moral testimony, moral virtue and the value of autonomy. *The Aristotelian Society Supplementary Volume* 88 (1), pp. 111-127. ISSN 1467-8349.

Downloaded from: <https://eprints.bbk.ac.uk/id/eprint/9925/>

Usage Guidelines:

Please refer to usage guidelines at <https://eprints.bbk.ac.uk/policies.html>
contact lib-eprints@bbk.ac.uk.

or alternatively

HALLVARD LILLEHAMMER

MORAL TESTIMONY, MORAL VIRTUE, AND THE VALUE OF AUTONOMY¹

ABSTRACT

According to some, taking moral testimony is a potentially decent way to exercise one's moral agency. According to others, it amounts to a failure to live up to minimal standards of moral worth. What's the issue? Is it conceptual or empirical? Is it epistemological or moral? Is there a 'puzzle' of moral testimony; or are there many, or none? I argue that there is no distinctive puzzle of moral testimony. The question of its legitimacy is as much a moral or political as an epistemological question. Its answer is as much a matter of contingent empirical fact as a matter of *a priori* necessity. In the background is a mixture of normative and descriptive issues, including the value of autonomy, the nature of legitimate authority, and who to trust.

1. Questioning moral testimony

It is widely accepted that there is something bad about abdicating responsibility for one's moral beliefs, and something even worse about preventing others from exercising responsibility for theirs (c.f. Solzhenitsyn 2007, 395). All the same, a large part of our moral outlook is inevitably acquired on authority, trust, hearsay, or other forms of cultural osmosis (c.f. Fricker 1987; Coady 1992; Lipton 1998; McDowell 2001). According to a number of recent contributions to moral epistemology there is a problem about moral beliefs acquired this way (Jones 1999; Nickel 2001; Driver 2006; Hopkins

¹ Parts of this material have been presented at Reading, Glasgow, Aberdeen, Cambridge (Squared), Trinity College Dublin, Humboldt zu Berlin, Herfordshire, Birkbeck, and KCL (Cumberland Lodge). I am grateful to the audience on those occasions for questions and criticism, and to Jonathan Mair, Paulina Sliwa, members of the Ethics Group at

2007; Hills 2009; Howell forthcoming; Lockhart unpublished). Robert Hopkins, in a recent paper on the issue, registers his surprise at the relative neglect of this problem in contemporary philosophy given that ‘intuitions’ divide on the question whether reliance on moral testimony is ever legitimate (Hopkins 2007). According to Hopkins, the problem with moral testimony derives from its conflict with what he calls a ‘norm of use’, according to which ‘having the right’ to a moral belief requires one to ‘grasp the moral grounds for it.’ He calls this ‘the requirement’; a requirement he hopes to explain (Hopkins 2011). In another recent paper, Alison Hills defends a similar view. Hills presents her challenge as follows: ‘The puzzle about moral testimony... is why you have reason neither to defer to moral experts nor to trust moral testimony... given that taking moral advice is obviously acceptable and may sometimes even be required’ (Hills 2009, 97). According to Hopkins and Hills, we are (or ought to be) committed to a norm or principle according to which reliance on moral testimony is ‘illegitimate’, ‘inadmissible’ or ‘impermissible’ (Hopkins); or ‘unacceptable’, ‘incorrect’, or ‘less than fully admirable’ (Hills). In what follows, my aim is to interpret and evaluate these claims. In doing so, I shall interpret the norms and principles at issue in substantially moral terms. I do not claim that this is the only way these norms and principles can be coherently interpreted. What I do claim is that so interpreting them serves to illuminate some of the claims that have been at issue in the recent literature on moral testimony.

Three preliminary points. First, there is more than one way to acquire moral beliefs by moral testimony. I may ask for your moral opinion on some matter and accept it on the

basis of your say-so (e.g. because I am uncertain). Alternatively, I may accept your moral opinion on the basis of your say-so without ever asking for it (e.g. during the course of instruction). Or I may come to share your moral opinion without ever asking for it or even consciously accepting it (e.g. as a result of acculturation). Not everyone may be equally happy to describe each of these ways of acquiring moral belief as acquiring moral belief by moral testimony. In this paper I largely sidestep this issue. I also sidestep the question of whether it is helpful to describe people as having moral beliefs which are genuinely truth-apt, knowledge-apt, or both. What matters for my purposes is the moral significance of what the relevant ways of acquiring moral convictions have in common, namely an absence on the part of the recipient of a direct grasp of what is sometimes called ‘the ground level reasons’ for those convictions. I return to the question of what is meant by a ‘ground level reason’ below.

Second, there is more than one way to understand ‘the moral’. As I will understand this term here, the domain of moral concepts extends across the range of both ‘thin’ (as in ‘good’, ‘right’, or obligatory’) and ‘thick’ (as in ‘courageous’, ‘prudent’, and in some uses ‘just’) terms. Thus, moral testimony can be offered and taken either in the currency of ‘thin’ (as in ‘All tax evasion is impermissible’) or ‘thick’ (as in ‘The toleration of tax evasion is imprudent’) moral descriptions. Moral testimony can also be taken on issues more or less removed from the core aspects of our moral competence. I shall take it that the closer to the core of moral competence some moral claim is (e.g. ones involving basic norms of reciprocity or non-maleficence), the stronger the case for thinking that a

discussion.

minimally competent moral agent should be able to work out their plausibility for themselves. The case is less clear with claims that belong at some distance from the core (e.g. claims that are widely contested), or the application of core claims to complex or unfamiliar circumstances (e.g. claims involving the future use of novel technologies).

Third, a great deal of moral thought proceeds without being formulated in explicitly moral terms, instead making use of unarticulated normative assumptions, conversational implicature, and the like (as in ‘You saw how he looked at you at the party, right?’, or ‘That’s illegal!’). This fact is of some importance to the present topic. One obvious way to be sceptical about moral testimony is to believe that all permissible testimony on moral issues consists in reliance on other people’s views about the non-moral facts, on the basis of which we should make our own moral judgement by way of inference. As it happens, I don’t think this is a very plausible description either of how we do, or how we ought to, understand the social world. Yet even if it were, it is worth bearing in mind that the number of cases where people make their own moral judgement on the basis of a pure and unadulterated view of the non-moral facts will be smaller than a survey of their explicit linguistic articulation might suggest.

2. Testimony, value and obligation

Some arguments against moral testimony contain at least one moral premise (c.f. Wolff 1970; Lane 1999; Nickel 2001; Driver 2006; Hills 2009; Lockhart unpublished). To that extent, they are moral arguments. They should therefore be evaluated partly on their

moral merits. In what follows I consider a sample of such arguments. The sample is not intended to be exhaustive.

First, reliance on moral testimony might be thought to conflict with the ‘point’, ‘value’ or ‘aspirations’ of moral thought, and therefore what we should be looking for in a good moral judge. There are at least two ways of developing this line of thought. The first appeals to the idea that we want our moral knowledge to be of use, or to be practically beneficial in a wide range of circumstances. One issue about moral testimony is what an agent is able to do with moral knowledge they acquire this way (e.g. whether it is wrong to steal from your neighbour). The worry might be that it is not much good to know the truth of a moral claim if one is unable to make use of it to draw inferences in a variety of different cases, or apply the conclusions of those inferences in different circumstances in which similar issues arise (e.g. whether it is also wrong to steal from your employer, foreign tourists, or the state). The problem with knowledge acquired by moral testimony is that it may consist in the conclusion of an argument that something is permissible or impermissible, say, but fail to include either any of the premises for that conclusion, or any rational appreciation of the way in which these premises support the conclusion. In the absence of such appreciation, it is unclear how the recipient of moral testimony would be able to transfer their knowledge from the case in question to other cases that might, or might not, be relevantly similar (unless the testimonial source is permanently to hand and willing to help). Testimonial moral knowledge might therefore be said to be bogus, or otherwise second-rate. Yet in this respect, moral knowledge acquired by moral testimony is arguably no different from many other forms of testimonial knowledge, about which

similar points could be made. If I rely on your testimony for knowledge on how to navigate my way through the city after dark, it is equally unclear how I will be able to transfer my knowledge from a single case of being given directions to other cases that might, or might not, be relevantly similar (unless you are permanently available and willing to help). So this line of thought does not produce a distinctive problem for moral testimony.

A more plausible way of developing this line of thought appeals to the intrinsic value of moral knowledge enjoyed with a grasp of the relation between moral claims and their justificatory grounds (e.g. why it is wrong to steal from your neighbour). Thus, it might be held to be especially valuable for there to be moral judges who judge not only correctly, but also with ‘understanding’ (c.f. Hills 2009). The question here is what value there is in knowing the truth of a moral claim if one is unable to explain or articulate to oneself or others the reasons why the claim is true, or otherwise a good candidate for belief. The problem with testimonial moral knowledge is that it does not require any deep appreciation of the reasons why (at least with respect to the details of the particular case). This lack of understanding could be said to be a defect of character, and a defect that is particularly relevant to moral (as opposed to other forms of) testimonial knowledge. For example, a lack of moral understanding might be thought to impose a strict limit on the interpersonal resources involved in being a good moral interlocutor, and therefore an effective participant in the continuous conversations on which much of social life depends. Being a good moral interlocutor arguably requires more than being able to give the ‘right answer’ to an arbitrary list of moral questions. It also requires being able to

explain why those answers are correct, to give reasoned arguments in favour of those answers, and to give relevant advice or instruction in grasping and applying those answers to particular situations. The basic problem with moral testimony is that accepting the truth of a moral claim on trust fails to guarantee (indeed, it may even exclude) a significant grasp of the reasons for that claim (at least with respect to the details of the particular case). If so, reliance on moral testimony fails to realize at least one important moral value.

There are at least three different ways to interpret this argument. On a first interpretation, the claim is that to accept moral testimony is always to judge or act impermissibly, or wrongly. This claim is implausible. Few people ever got into a position to act either virtuously or well without taking at least some moral claim on testimony on at least some occasion (e.g. during the course of their upbringing, or their acculturation into a form of life). It is therefore reasonable to assume that it is at least sometimes permissible to do so. The interesting question must therefore be when relying on moral testimony is (im)permissible, and why. This is partly a question of when, if ever, trust can be responsibly placed in the moral judgement of another. A person with the ability to see the reasons why, either about the truth of a moral claim or about the trustworthiness of the testimonial source for that claim, but who never exercises this ability, might not be exercising their moral capacity responsibly. To that extent, their universal reliance on testimonial moral knowledge could reasonably be classified as impermissible. Yet this is a far cry from insisting that the person in question should never rely on moral testimony, or that they should keep their reliance on moral testimony to a minimum. One reason for

never relying on moral testimony would be a confident belief that one is always as well placed as everyone else with respect every moral issue. Although this is not ‘contradictory in conception’ in Kant’s sense (one need not claim any special privilege for oneself), it is not always the most sensible attitude to take for an agent with limited moral, epistemic or practical resources. More plausibly, a sensible moral judge is someone who places their trust wisely and who accepts moral testimony from trustworthy informants (c.f. Jones 1999). The sensible moral judge may need to have access to evidence about whom to trust in this way (e.g. people to trust on the matter of whom to trust). Some such evidence may derive from being locked in mutually beneficial social relations with others (e.g. friendship), in which mutual trustworthiness on moral matters could be one of the values that such relationships realize. (I return to this issue below.) Other such evidence may relate to facts about epistemic access arising from institutional design (e.g. when to trust someone on a moral issue because they are in possession of complex or sensitive information that one reasonably judges oneself to be rightly excluded from). Finally, such evidence may relate to issues on which I know that I stand at a serious disadvantage, if only temporarily (e.g. not knowing what to say or do in the course of cross-cultural interaction or exchange). One way of being a morally sensible judge could be to place trust responsibly by deciding on good evidence from whom, when, and on what moral testimony can responsibly be taken.

On a second interpretation, the claim is that it is always *worse* rather than *better* to form one’s moral judgement on the basis of moral testimony, at least when it is possible to form an independent judgement for oneself. Perhaps there is something to be said for this

claim where failure to see the reasons why comprises not only the reasons for the relevant moral claim itself, but also any grounds for holding the source of moral testimony to be trustworthy. It would not, however, be very charitable to hold it against someone, merely as such, that they do not ‘understand the why’ with respect to some particular moral claim if they have responsibly placed their trust in another person who is, and is known to be, a safer moral judge (c.f. Raz 1986). After all, doing so might improve the reliability of the agent’s moral judgement across a wide range of cases. Furthermore, doing so could be a good strategy for improving the safety of one’s moral judgement in circumstances where taking on the epistemic burden of grasping the reasons why are very high, such as in circumstances of great confusion or personal vulnerability, or where deciding in one way rather than another involves great risk. Yet neither personal vulnerability nor great risk is necessary for it to be sensible to rely on moral testimony. Thus, you might consider yourself to be a better moral judge than someone else, but also think their judgement is good enough in the circumstances. Life being short and the stakes being low, one could reasonably decide that it is just as well to take their view on trust on a certain issue.

On a third interpretation, the claim is that reliance on moral testimony fails to be genuinely good, or virtuous (c.f. Ross 1939, 171-2). Perhaps the idea is that a truly virtuous person would know the truth of the moral claims that she accepts; know the reasons why; know why they are the reasons why; know the reasons why (and the why of the why) in a range of relevantly similar cases; be able to articulate and communicate those reasons; and be able to act on those reasons in an arbitrarily wide range of cases;

thereby manifesting a coherent and unified moral character (c.f. Howell forthcoming). Such a person might be said to have a more integrated psychology than someone whose moral beliefs were formed on a purely *ad hoc* basis, or on the basis of other people's say-so. They would also be a good source of moral argument and advice (assuming them to be well disposed enough to offer it), and would be able to pass on their moral insights in a way that complies with reasonable norms of moral competence and communicative action.

This is arguably the most plausible of the three interpretations of the argument. Yet two questions remain. First, why should we think there is anything wrong with someone who is fortunate enough to acquire moral knowledge by testimony in the likely event that they happen to be lacking in one or more of these admirable features? Thus, in some circumstances we might not be interested in repeated applications of the competence necessary to grasp the reasons why for some particular moral claim. If you want to know whether or not it is right to attend some very unpleasant once-in-a-lifetime event (e.g. the trial of a friend who has been accused of a serious crime), you may hope that the matter in question is one you will only have to seriously think about once (which is not to suggest that you should not think about it). Alternatively, you might consider yourself a better judge in the long run on a range of moral issues than most of your colleagues, but also consider those colleagues sufficiently insightful for you to 'outsource' the odd judgement about the trustworthiness or integrity of other actual or potential colleagues (e.g. in the course of a job search). In either case, it is far from obvious that coming to a judgement on the basis of a direct grasp of the ground level reasons of the case is a

compulsory ideal for finite and embodied creatures whose capacities for thought and action inevitably run short of a comprehensive grasp of all the morally relevant features of their circumstances, and whose moral thinking is always vulnerable to ignorance, bias, self-deception and wishful thinking.

Second, the case for taking moral testimony can be evaluated along at least two different dimensions. Along the first dimension there is the epistemological standing of the testimonial source, and the grasp of that standing by the person relying on moral testimony. Thus, it matters whether my testimonial source is likely to get things right. Along the second dimension there is the moral standing of the testimonial source, and the grasp of that standing by the person relying on moral testimony. Thus, it matters whether my testimonial source is disposed to advise me as well as they can, independently of whether they are likely to get things right. For some people, having testimonial sources of this kind around may be thought of as a distinctively valuable feature of their social environment. Being able to rely on someone's moral testimony could be one of the things they would want from a good companion, and being in a position to give moral testimony could be one of the things they would want to offer by way of friendship (c.f. Millgram 1997). To claim that reliance on moral testimony is incompatible with genuine virtue is to claim that truly virtuous people would neither have, nor aspire to have, relationships of this kind. It is not my aim to argue that there is anything wrong with people who don't aspire to this kind of relationship. Yet to claim that there is necessarily something wrong with those who do strikes me as dogmatic. Furthermore, some people not only do consider themselves fortunate enough to have such relationships. They also find

themselves in such relationships without ever having decided in advance that these were relationships worth having. In light of this fact, even the much weaker claim that the permissibility of taking moral testimony is necessarily conditional on a prior and independent evaluation of the moral and epistemic status of the testimonial source strikes me as underestimating the possible varieties of admirable social relations.

3. Testimony, power and autonomy

Even if there were no distinctive problem about moral testimony, there could still be genuine problems nearby. In this section, I examine one possible candidate. I don't claim that it is the only plausible candidate.

In his book *In Defence of Anarchism*, R. P. Wolff writes:

The responsible man [sic.] is not capricious or anarchic, for he does acknowledge himself [as] bound by moral constraints. But he insists that he alone is the judge of those constraints. He may listen to the advice of others, but he makes it his own by determining for himself whether it is good advice... He may do what another tells him, but not *because* he has been told to do it. (Wolff 1970, 13)

On this view, the idea of responsible agency is closely bound up with the idea of a free, or autonomous, agent. 'For the autonomous man', Wolff writes, 'there is no such thing, strictly speaking, as a *command*' (Wolff 1970, 15). Later on in the same discussion, he qualifies this claim, stating that 'there are at least some situations in which it is reasonable to give up one's autonomy. Indeed, we may wonder whether, in a complex world of technical expertise, it is ever reasonable *not* to do so' (Wolff 1970, 15). This remark might be thought to implicitly concede the permissibility of taking moral testimony in some circumstances. Yet even if it does, Wolff might insist that by relying on moral testimony we are paying a high moral price. Taking moral testimony could be permissible, but it comes the cost of sacrificing our autonomy. Is this true?

There is more than one way of interpreting this claim. Here I shall mention two. First, the idea could be that by taking moral testimony from someone I am giving them control over my moral sensibility, thereby implicitly giving up on being a freely thinking and self-governing agent. This is not a very plausible claim. First, by relying on someone's moral testimony on some particular issue, I do not thereby commit myself to rely on their testimony on other issues, nor do I thereby give up on the idea of judging for myself on the matter of whom to rely on for moral testimony. Second, by handing over the power of judgement to someone else in a particular situation I could be exercising self-governance at the level that really matters if the case in question is one in which I correctly predict that I will be subject to moral or epistemic weakness in a particular situation. This is one way of interpreting the decision of Ulysses, when he asks his sailors to tie him to the mast and refuse to obey his orders for as long as he is in the proximity of the irresistible Sirens.

A second way of cashing out the idea that reliance on moral testimony conflicts with the value of autonomy departs from the fact that at least some moral claims take an imperative form. This could be what explains Wolff's claim that the individual is 'alone the judge' of moral constraints (Wolff 1970, 13). Thus, with what right can a personal (e.g. one's parents), religious (e.g. the Church) or political (e.g. the State) Other command you to do one thing rather than another? One answer is: by offering credible incentives, such as punishment, bribes, hierarchical privilege or other rewards. Yet the effectiveness of credible incentives is unlikely to fully address our concerns about legitimate authority, at least if the course of action commanded is costly, controversial, or seemingly absurd. Thus, with what right am I sold into slavery, sentenced to damnation, made complicit in the murder of innocents, or shipped to my death in an incomprehensible war? A more helpful response is to claim superior knowledge, reliability or expertise on the matter at hand. As will be plain from the previous section of this paper, I don't think there is anything incoherent about this idea in principle. It is relatively easy to imagine social settings (e.g. managing one's colleagues) where some people are better placed to make moral calls on certain issues (e.g. personnel conflicts) in virtue of having better access to more facts, a better understanding of conflicting institutional imperatives, or more extensive experience of interpersonal conflicts and their potential to result in unmitigated disaster if people are left to their own devices (c.f. Enoch unpublished). Some of these cases may involve genuine asymmetries of moral understanding between different people. Others will be the product of divisions of labour that are themselves morally motivated, and are accepted as such by all parties involved.

More difficult cases arise when the allegedly privileged verdict is communicated, in the form of a command, to an audience that is unable either to reflectively accept, or fully grasp, its justificatory grounds (e.g. in the case of someone who receives an official instruction that they are unable to carry out on the grounds of conscientious objection). Perhaps it is this kind of deference to the moral judgement of others that is fundamentally at odds with the value of autonomy. The problem, then, could at least partly be one about the legitimate authority of a certain kind of epistemically esoteric command.

Even if this argument were sound, its significance for the ethics of moral testimony would be strictly limited. First, not all moral claims take the form of commands. Some moral claims take the form of recommendations (as in 'It would be advisable to F'). Other moral claims take the form of evaluations of states of affairs (as in 'It would be good (or nice) if G'), without there being any direct implication that failing to bring about those states of affairs would be to act impermissibly, or to render oneself liable to punishment or other significant forms of censure. Thus, I may take it on trust that the world of international business would probably be better served if there were recognized norms of legitimate bluff rather than a blanket prohibition on lying. If you claim authority in this regard during the course of some arbitrary conversation (e.g. due to direct experience), there is no obvious sense in which you must thereby be commanding me to act in some particular way rather than another. (Although in some circumstances you obviously might.) Insofar as you really are a better judge than me on the issue (or that I have reasons to believe that you are) it could be sensible for me to defer to you with respect to it, thereby taking the fact that you judge a certain way as my reason (whether

overriding, silencing, peremptory, or sufficient) to judge that way myself (c.f. Raz 1986). Furthermore, in deciding to take your word for it in such this case, I do not thereby treat it as a piece of advice that I need to balance against other considerations until I finally make a judgement of 'my own'. (Here I may depart from those who claim that moral testimony is kind of moral advice (c.f. Sliwa 2012)). Nor will I thereby be acting contrary to the ground level reasons that support your judgement. Given your epistemic privilege with respect to those reasons, my reliance on your testimony could be indirectly related to the ground level reasons that support your judgement in a way that makes my own judgement more sensible than it otherwise would be. On the assumption that these conditions are sometimes satisfied, and that we sometimes know that they are, it is therefore not plausible to describe my behaviour in so doing as 'responding to testimony, not to moral reasons'; to insist that 'more is required for morally worthy action'; or that 'you need to act for the reasons that make your action right', at least if this is meant to exclude everything except the ground level reasons that support the judgement I decide to take on trust (Hills 2009, 111; 113). To insist otherwise is arguably to confuse the (comparatively narrow) notion of a 'ground level reason' with the (comparatively wider) notion of a consideration that is morally relevant in the circumstances.

More importantly, the existence of epistemic asymmetries in moral competence between one person and another does not imply that the grounds of the better judgement are in principle non-accessible to the less privileged judge. Thus, the relevant facts of the case could be open to public scrutiny and the reasons for the better judgement be possible to articulate in the form of reasoning that would be correctly accepted as sound by less

ideally situated judges on further reflection. Hence, historical complaints about illegitimate claims to moral authority have not primarily been focused on the idea of epistemic asymmetries in moral insight as such. Arguably more central to such complaints has been the idea of an essentially inscrutable (e.g. Divine, as opposed to Natural) or systematically esoteric (e.g. ‘Government House’, as opposed to publicly graspable) moral command (c.f. Williams 1995). As Melissa Lane has written in a related context:

Since authority is unlikely to be generally effective unless it is generally believed by its subjects to be legitimate, and since it must be effective in order to be a candidate for legitimacy, the subjects must figure among those who are to be shown that... [legitimate authority] obtains. (Lane 1999, 222-3)

Perhaps this is the insight that Hills has in mind when she writes that ‘what you cannot do is to treat testimonial evidence as having authority independently of the reasons why P that you acknowledge *or to which you can gain access*’ (Hills 2009, 123; my italics). Either way, the issue here is not one about the ethical status of giving and taking moral testimony, but one about whether we should think of access to the grounds of legitimate authority as a necessary condition for the respect owed to people in their capacity as members of some specific moral category, such as the ‘competent adult citizen’ who is the paradigm subject of liberal rights and duties (c.f. Lillehammer 2002; Kramer 2009). Thus, the fact that a young child (or some other vulnerable person) would be unable to understand the reasons behind some practical command need not make that command

morally illegitimate as a part of their moral education (c.f. Anscombe 1981), even if the fact that a ‘competent adult citizen’ would be unable to understand it might do. Perhaps ‘competent adult citizens’ therefore have a duty, qua citizens, to seek and/or obtain a genuine understanding of the reasons behind a variety of politically relevant commands. Yet even if they do, it does not follow that they would be wrong to rely on moral testimony in every context of social interaction.

4. Some outstanding issues

I conclude by addressing three outstanding issues. The first relates to the nature of moral testimony. I have said that moral beliefs are formed on the basis of moral testimony when they are acquired on authority, trust, hearsay and other forms of cultural osmosis. As previously noted, this definition of moral testimony is vague. In particular, it might be thought to beg the question against someone who thinks there is no such thing as forming a moral belief by taking moral testimony, apart from the obvious case of taking someone’s advice and then making a judgement for oneself. If so, there is no puzzle about moral testimony because there is no such thing as moral testimony strictly speaking, where ‘moral testimony strictly speaking’ excludes the case of someone who makes their own moral judgement on the basis of advice.

I agree that my definition of moral testimony is vague. Yet I disagree with the claim that this vagueness undermines the attempt to identify a set of well-formed questions on which opinions may genuinely differ. I have two reasons for making this claim. First, the

view that there is a distinctive way of coming to make a moral judgement based on moral testimony is shared between myself and those who claim to be moral testimony ‘pessimists’. (I borrow this term from Hopkins 2007.) Thus, if there is no such thing as taking moral testimony in the required sense, then the entire dispute is poorly defined. If so, we can reformulate the dispute in terms of different ways of taking moral advice, in which case we are back where we started (if only using different words (c.f. Sliwa 2012)).

Second, I do think there is a distinctive way of coming to make a moral judgement based on moral testimony. In fact, I think there is more than one such way. One is the case where I regard the moral judgement of another person as sufficient for my own in the circumstances, without there being any other relevant considerations in play. Another is the case where I take the moral judgement of another person as sufficient for my own in the circumstances, while deliberately excluding other considerations that might be in play. (I don’t take these cases to exhaust the field.) Each case is compatible both with the presence and the absence of epistemic asymmetries between oneself and one’s testimonial source. Each case is an instance of accepting moral testimony in the sense required for the issue of moral testimony pessimism to arise.

A second issue relates to the ethics of choosing between taking moral testimony and taking moral advice. It might be argued that if making one’s own moral judgement on the basis of grasping the ground-level reasons of the case is the standard of moral excellence with respect to forming moral beliefs, then making a moral judgement on the basis of moral testimony is necessarily problematic in a similar way to the way lying is necessarily problematic on the assumption that telling the truth is the standard of moral

excellence with respect to communication. Telling lies and making a moral judgement on the basis of moral testimony could each be permissible in some cases. Yet we should always avoid telling lies or making moral judgements on the basis of moral testimony if we can. There is famously more than one way to avoid telling the truth without lying (e.g. by artfully ‘spinning’ a relevant truth, or by keeping silent). By analogy, there is more than one way to rely on moral testimony without actually making a moral judgement on its basis (e.g. by assuming that what someone says is true without actually believing it, or by acting on their advice while suspending judgement).

Like a number of the arguments considered earlier in this paper, this line of thought has recognizably Kantian undertones. Just like those earlier arguments, I find it unconvincing. I have two reasons for taking this view. First, just as it is not obviously better to omit to tell the truth rather than to lie if the underlying intention is basically to mislead, so it is not obviously worse to act on the basis of a moral judgement taken on moral testimony rather than to act without making such a judgement if the underlying intention is to act correctly, or well. Furthermore, whether I successfully lie or otherwise mislead you, any comparative value associated with the latter could be cancelled out by the damage I have done. By analogy, whether I manage to do the right thing as a result of taking moral testimony or by doing as you advise me by forming ‘my own’ judgement, any comparative disvalue associated with the former could be cancelled out by the good I have done.

Second, and even if we accept that the distinction between lying or misleading someone in another way marks a significant moral boundary, we may still agree that both these ways of misleading someone are morally problematic. The question is whether they are both always impermissible. In contrast, (at least some) moral testimony pessimists do not seem to agree that acting on moral testimony both with and without actually making a moral judgement on the basis of that testimony are substantially admirable, even if the former fails to be morally optimal or virtuous. On the contrary, the claim seems to be that taking moral testimony in a way that involves making a moral judgement on its basis is bad, or even impermissible. This alleged asymmetry between the ethics of lying and the ethics moral testimony is a symptom of the implausibility of moral testimony pessimism. Even if the distinction between relying on moral testimony by making a moral judgement on its basis and relying on moral testimony without making such a judgement marks a significant moral boundary, their difference in moral standing is not of this radical kind.

A third outstanding issue relates to the connection between the epistemic and moral aspects of moral testimony, and the way they are subject to contingent variation. Suppose you rationally come to doubt the trustworthiness of some potential source of moral testimony, either because you think they are not very insightful, or because you think they are manipulative or devious (or both). Then it could be very sensible for you not to rely on their moral testimony. Indeed, it would be less sensible for you to rely on their moral testimony the less trustworthy you think people are in either of these two respects. It follows that one way to establish the contingent plausibility of moral testimony pessimism is to give people reasons to suspect the credentials of moral testimony, either

by not being trustworthy or by refusing to place trust. So even if moral testimony pessimism were false, perhaps we could make it true.

References

Anscombe, G. E. M. 1981, *Ethics, Religion and Politics*, Oxford: Basil Blackwell.

Coady, C. A. J. 1992. *Testimony*, Oxford: Oxford University Press.

Cuneo, T. 2007, *The Normative Web*, Oxford: Oxford University Press.

Driver, J. 2006, 'Autonomy and the Asymmetry Problem for Moral Expertise', *Philosophical Studies* 128, 619-644.

Enoch, D. unpublished, 'In Defence of Moral Deference'.
<http://law.huji.ac.il/upload/ADefenseMoralDeference.pdf> (Accessed 22 November 2013)

Fricker, E. 1987, 'The Epistemology of Testimony', *Proceedings of the Aristotelian Society*, Suppl. vol. 61, 57-83.

Fricker, M. 2007, *Epistemic injustice: Power and the Ethics of Knowing*. Oxford: Oxford University Press.

Hardin, R. 1992, 'Common Sense at the Foundations', in B. Schultz (ed.), *Essays on Sidgwick*, Cambridge: Cambridge University Press, 143-160.

Hills, A. 2009, 'Moral Testimony and Moral Epistemology', *Ethics* 120, 94-127.

Hopkins, R. 2007, 'What's Wrong with Moral Testimony?' *Philosophy and Phenomenological Research* 74, 611-634.

Hopkins, R. 2011, 'How to Be a Pessimist about Aesthetic Testimony', *The Journal of Philosophy* 108, 138-157.

Howell, R. H. forthcoming, 'Google Morals, Virtue, and the Asymmetry of Deference', *Nous*. DOI: 10.1111/j.1468-0068.2012.00873.x

Jones, K. 1999, 'Second-Hand Moral Knowledge', *The Journal of Philosophy* 96, 55-78.

Kant, I. 1978, *Critique of Judgement*, Oxford: Oxford University Press.

Kant, I. 1998, *Groundwork of the Metaphysics of Morals*, ed. C. Korsgaard, Cambridge: Cambridge University Press.

Kramer, M. 2009, *Moral Realism and a Moral Doctrine*, Oxford: John Wiley & Sons.

Lane, M. 1999, 'States of Nature, Epistemic and Political', *Proceedings of the Aristotelian Society* 99, 211-224.

Lockhart, J. R., unpublished, 'An Argument Against Moral Testimony'.
<http://jenniferryanlockhart.files.wordpress.com/2010/10/moral-testimony-december-2011-3.pdf>

Lillehammer, H. 2002, 'Moral Realism, Normative Reasons, and Rational Intelligibility', *Erkenntnis* 57, 47-69.

Lipton, P. 1998, 'The Epistemology of Testimony', *Studies in the History and Philosophy of Science* 29, 1-31.

McDowell, J. 2001, *Meaning, Knowledge and Reality*, Cambridge MA: Cambridge University Press.

Millgram, E. 1997, *Practical Induction*, Cambridge MA: Harvard University Press.

Nickel, P. 2001, 'Moral Testimony and its Authority', *Ethical Theory and Moral Practice* 4, 253-266.

Raz, J. 1986, *The Morality of Freedom*, Oxford: Oxford University Press.

Ross, W. D. 1939, *The Foundations of Ethics*, Oxford: Oxford University Press.

Sartre, J. P. 1974, *Existentialism and Humanism*, London: Methuen.

Sliwa, P. 2012, 'In Defense of Moral Testimony', *Philosophical Studies* 158, 175-95.

Singer, P. 1971-2, 'Moral Experts', *Analysis* 32, 115-117.

Solzhenitsyn, A. (2007) *The Gulag Archipelago 1918-1956: An Experiment in Literary Investigation*, New York: Harper.

Williams, B. 1995, *Making Sense of Humanity*, Cambridge: Cambridge University Press.

Wolff, R. P. 1970, *In Defense of Anarchism*, London: Harper & Row.