Shifty Speech and Independent Thought

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# TABLE OF CONTENTS

**FOREWORD** 4

**INTRODUCTION** 5

**PART 1: THE THOUGHT/SPEECH SHIFTINESS DILEMMA** 11

Chapter I. The Context Shiftiness Dilemma 12
   1.1. Classical Invariantism and the Knowledge Norm of Assertion 13
   1.2. Contextualist Cases and The Shiftiness Dilemma 16
   1.3. The Shiftiness Dilemma Generalised 22

Chapter II. Epistemic WAMs 27
   2.1 Assertion Sensitivism and Value/Norm Type Association 28
   2.2 Sensitive Epistemic Goals 32
   2.3. Sensitive Discursive Justification 35

Chapter III: Pragmatic WAMs 40
   3.1. Pragmatic Compatibilism 40
   3.2. Shiftiness Without Error Possibilities 42
   3.3 Shiftiness Without Stakes 43

Chapter IV: KK Compatibilism 46
   4.1 Knowledge of Knowledge 47
   4.2 Knowledge of Knowledge of Knowledge 49
   4.3. The Normative Status of the Blameworthiness Claim 52

**PART 2: THOUGHT INVARIANTISM AND SPEECH FUNCTIONALISM** 59

Chapter V: Against the Shiftiness Dilemma 60
   5.1 Against Conditional Incompatibility 60
   5.2. Epistemic Norms and Norms with Epistemic Content 64
   5.3 No Shiftiness Dilemma 67

Chapter VI. Assertion Functionalism and Context 70
   6.1 Etiology 70
   6.2. A Functionalist Account of Assertion 74
   6.3 Overriding Functions 77
A few chapters of the book draw on previously published work: Chapters I and V draw substantially on my 2019 *Mind&Language* article ‘Assertion: The Context Shiftiness Dilemma;’ Chapter II relies on my 2018 *Synthese* article ‘A Puzzle for Epistemic WAMs;’ Chapter III and IV are new. Chapter VI partially relies on ‘Saying and Believing: The Norm Commonality Assumption,’ (*Philosophical Studies* 2018), ‘Criticism and Blame in Action and Assertion,’ (*Journal of Philosophy* 2017, with C. Kelp) and ‘Testimonial Contractarianism’ (Forthcoming in *Nous*). Chapter VII and VIII are new. Chapter IX relies on my 2017 *Episteme* article “Epistemic Norms and He Said/She Said Reporting.” Chapter X draws on my 2018 *Ethical Theory and Moral Practice* article ‘The Explanation Proffering Norm of Moral Assertion.’ I want to thank the editors of these journals as well as the anonymous referees who provided me with excellent comments on these articles.

I also want to thank [ACKNOWLEDGEMENTS].
Introduction

This is an essay in epistemology and the philosophy of language. It concerns epistemology in that it is a manifesto for epistemic independence: the independence of good thinking from practical considerations. It defends the independence of thought from the most prominent threat that has surfaced in the last twenty years of epistemological theorising: the phenomenon of shiftiness of proper assertoric speech with practical context. It concerns philosophy of language in that it defends a functionalist account of the normativity of assertion in conjunction with an integrated view of the normativity of constative speech acts.

Roughly, the foe of independence argues as follows: proper assertoric speech and proper thought go hand in hand. Intuitively, proper assertoric speech is shifty with practical stakes. Therefore, proper thought is shifty with practical stakes.

This book argues that the foe’s argument does not go through, and that shiftiness of assertoric speech is exactly what we should expect in a picture where epistemically proper thought is practical-context-invariant. To do that, it defends a view of the normativity of constatives sourced in their epistemic function, that neatly delivers the goods: shiftiness of proper assertoric speech in conjunction with independence of proper thought from practical considerations.

In order to achieve that, the book does three main things:

First, it puts forth a new, generalized dilemma for practical-context-independent views of epistemic normativity. I argue that the foe’s argument against the independence of proper thought from the practical threatens to dangerously generalize in three ways: first, it threatens to generalise to all context-invariant norms of assertoric speech. Second, it threatens to generalize beyond mere assertives, to all constative speech acts. Third, it threatens to generalize beyond knowledge, to epistemic normativity as a whole. All in all, I argue, the foe’s argument is more dangerous for epistemic independence than we took it to be.

Second, the book looks at extant views that attempt to preserve the independence of thought in the face of assertion’s practical shiftiness and
argues they remain ultimately unsuccessful. First, Assertion Sensitivism - embracing a context variant view of the normativity of assertion - is shown to be strongly incompatible with uncontroversial value theoretic claims, and thus to be rejected on prior plausibility grounds. Second, pragmatic warranted assertability manoeuvres are shown to fail to generalise beyond assertions featuring knowledge attributions. Last, views appealing to higher order knowledge to explain away the data threatening the independence of proper thought are shown to fail on normative grounds.

The third and central aim of the book is to go on a rescue mission on behalf of independence. To this effect, I first show that, against orthodoxy, the foe’s argument from practical shiftiness of proper assertoric speech against the independence of proper thought from the practical does not go through, for it rests on normative ambiguation. Second, I defend a functionalist account of the epistemic normativity of assertion. Third, I generalize my account to all constative speech and I develop the first integrated account of the epistemic normativity of constatives in the literature. Last, I defend my view for the particular cases of telling, reporting and moral assertion.

As some readers may be interested in different parts of the book, in what follows I give a brief sketch of its contents.

**Game Plan**

**Chapter I. The Shiftiness Dilemma Generalised.** It looks as though most actors in the debate assume that the intuitive variability of proper assertion with practical stakes (the *Shiftiness Intuition*) motivates the following dilemma: either 1) we embrace a knowledge norm of assertion, and are forced into a view that takes knowledge, or ‘knowledge’ to be sensitive to practical stakes, or 2) we stick to our classical invariantist guns, but then the knowledge norm goes out the window and we get practical sensitivity in the normativity of assertion (the *Shiftiness Dilemma*). This chapter brings this dilemma to centre stage and argues that it threatens to generalise in three ways: to all context-invariant norms of proper assertoric speech, to all constative speech acts and to all epistemic normative constraints. If this is right, we should be more worried about this dilemma than we’ve been so far.
Chapter II. Epistemic WAMs. For people who like classical invariantism about knowledge attributions, the jump from variation in assertability with stakes to contextualism or pragmatic encroachment seemed rushed. As such, these authors venture to account for the Shiftiness Intuition under a classical invariantist umbrella by arguing for context-sensitivity of proper assertability. This chapter argues that the view fails on prior plausibility due to being incompatible with the following highly uncontroversial value-theoretic claim: norms of type X are associated with goods of type X.

Chapter III. Pragmatic WAMs. In light of embracing the Shiftiness Dilemma, the vast majority of philosophers accept Assertion Incompatibilism: given intuitive variability of proper assertion with practical stakes, classical invariantism is incompatible with a biconditional knowledge norm of assertion. There are also a few dissenting voices, however: some invariantists venture to preserve both classical invariantism and the knowledge norm (Assertion Compatibilism). There are two varieties of Compatibilism available on the market. This chapter discusses the first of the two: Pragmatic Compatibilism employs a pragmatic warranted assertability manoeuvre to explain away the shiftiness data. I argue that the view has difficulties with delivering the goods when it comes to epistemic normative independence for cases of shiftiness of assertions that do not involve knowledge attributions or explicitly tabled error possibilities.

Chapter IV. KK Compatibilism. According to the competing Compatibilist account, the unassertability in the high stakes contextualist cases can be explained in terms of the subjects’ lack of higher order knowledge. Accordingly, although, strictly speaking, all that is needed for proper action – assertion included – is first order knowledge, when the stakes are high, we tend to find people who act without knowing that they meet the condition for proper action blameworthy for so doing. This chapter argues that (1) the view misidentifies the epistemic deficit that is explanatorily salient in contextualist cases, in that the absence of second order knowledge is not a difference maker, and (2) that, on closer look, the account requires normative finessing for
extensional adequacy.

Chapter V. Against The Shiftiness Dilemma. This chapter argues that the Shiftiness Dilemma is a false dilemma: KNA is perfectly compatible with Classical Invariantism. Furthermore, I offer independent reason to believe that if KNA and Classical Invariantism are true, variation in proper assertability is exactly what we may expect. More precisely, the chapter advances the debate in several important ways: (1) It identifies a widely assumed assumption concerning epistemic norm individuation (Content Individuation), which gets the shiftiness dilemma off the ground; (2) It argues that Content Individuation is false, and that therefore the norm at stake in the debate need not be epistemic; (3) Drawing on widely endorsed results in value theory, it puts forth a value-theoretically neutral way to individuate epistemic norms (Value Individuation). (4) It shows that Value Individuation delivers the result that the norm governing the assertion at stake in contextualist cases is a prudential norm.

Chapter VI. Assertion Functionalism and Context. This chapter shows how to reconcile Classical Invariantism with the Knowledge Norm of Assertion. My basic proposal is that we can combine invariantism with a functionalist account of assertion: according to the account I favour, assertion is governed by a knowledge norm in virtue of its epistemic function of generating testimonial knowledge. Requirements generated by other functions of assertion, though, such as its prudential function, can override the constraints imposed by the epistemic function, and render the knowledge requirement either too strong or too weak for all-things-considered permissible assertion. All-things-considered permissible assertion can vary with practical stakes; epistemically permissible assertion does not.

Chapter VII. Knowledge Norms for Constative Speech Acts. This chapter is up to an ambitious task: it develops the first integrated account of the epistemic normativity of constatives. In order to do that, it argues for a generalised knowledge-based account of the epistemic normativity of constative speech acts, and it develops the corresponding accounts for,
respectively, assertives, predictives, retrodictives, descriptives, ascriptives, informatives, confirmatives, concessives, retractives, assentives, dissentives, disputatives, responsives, suggestives and suppositives. I argue for a knowledge account from three different angles: (1) the nature of communicative speech acts, (2) the relation between assertion and other constatives, and (3) the normativity of belief together with constatives’ epistemic function. The account proposed sketches knowledge views of the normativity of constatives, without defending each of them in detail: it is aimed as a start of a conversation rather than a final say on the issue. We need to start somewhere. That being said, in the next three chapters, I look closer into the epistemic normativity of three constatives – moral assertion, telling and reporting – and I examine and account for the contextual variation of their propriety.

Chapter VII. Against Special Treatment for Telling. While recent years have featured a vast amount of literature concerned with the epistemic norm for assertion, little attention has been paid to the corresponding norm governing acts of telling. One plausible explanation of this is that people have generally taken assertion and telling to fall under the same normative constraints. Recent work, however, ventures to show (i) that this assumption is false and (ii) that the epistemic propriety of instances of telling partly depends on what’s at stake for the hearer. This chapter argues that the case against normative commonality for assertion and telling fails due to speech act theoretic and value theoretic inaccuracies. In a nutshell, the chapter argues that there’s nothing special about telling.

Chapter IX. Epistemic Norms and He Said/She Said Reporting.
In recent years, one proposal that enjoys a significant degree of popularity in media studies is that journalists should aim towards ‘procedural objectivity’. That is, roughly, traditional epistemic values like truth and knowledge are now to be replaced by fairness or balance. This chapter is concerned with looking into the permissibility of this model from the perspective of the normativity of informative speech acts. I argue that the procedural objectivity model only scores all-things-considered well in urgency situations, where the available time frame does not permit the reporter to check the state of the world herself.
When there is no prudential constraint there to override the epistemic norm for proper reporting, however, the model is shown to make the wrong predictions with regard to all-things-considered permissibility.

**Chapter X. A Special Case: Moral Assertion.** This chapter is concerned with moral assertion. In recent years, much attention has been given to the epistemic credentials of belief based on moral testimony. Some people think pure moral deference is wrong, others disagree. It comes as a surprise, however, that while the epistemic responsibilities of the receiver of moral testimony have been closely scrutinized, little to no discussion has focused on the epistemic duties of the speaker. This chapter aims to supply this lack: it defends a functionalist account of the normativity of moral assertion. According to this view, in virtue of its function of reliably generating moral understanding in the audience, a moral assertion that \( p \) needs be knowledgeable and accompanied by a contextually appropriate explanation why \( p \).
Part 1: The Thought/Speech Shiftiness Dilemma
Chapter I. The Context Shiftiness Dilemma

There are good and bad assertions. It often feels natural to say things like ‘Good that you said so!’ but also to criticize speakers by asking ‘Why would you say such a thing?’ when their assertions seem inappropriate. On top of this, it looks as though assertions can be good or bad in a distinctively epistemic way: notions such as knowledge or justified belief figure prominently in our evaluations of each other’s speech acts. We do, for instance, challenge assertions by ‘Do you know that?’ questions, when we suspect the speaker does not find herself in a strong enough epistemic position to assert.

In the light of this, it comes as no surprise that epistemic normative constraints on assertion are of central concern in recent literature. Also, we should expect questions pertaining to the nature of the corresponding epistemic standings to carry significant weight when it comes to the normativity of assertion.

Now, here are two attractive theses, both of which enjoy a great deal of popularity:

The Knowledge Norm of Assertion (KNA): One’s assertion is epistemically permissible iff one knows that p.

And

Classical Invariantism (CI): The truth value of knowledge claims is insensitive to practical matters.

I, alongside many other epistemologists, care a lot about these two claims. Plausible (and popular) as they might be, however, CI and KNA are widely taken to be incompatible. Here is one prominent argument for their incompatibility, by Keith DeRose (2002): intuitively, standards for proper assertability vary across practical contexts: in high stakes but not in low stakes

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1 For support for KNA, see e.g. Williamson (2000, 2005), DeRose (2002), Hawthorne (2004). For defenses of KNA in a classical invariantist framework, see e.g. Williamson (2005) and Turri (2010).

2 For an explicit statement of the Sensitivity Dilemma, see (DeRose 2002). For people
scenarios, more warrant seems to be needed for one to be in a good enough epistemic position to assert. Given this, we cannot have an invariant standard for proper assertability: a knowledge norm of assertion is incompatible with classical invariantism. Since we need to place the source of the felt sensitivity somewhere, one of the two has to go.

It looks as though most actors in the debate assume that the intuitive variability of proper assertion with practical stakes motivates the following dilemma: either 1) we embrace KNA, and are forced into a view that takes knowledge, or ‘knowledge’ to be sensitive to practical stakes (henceforth knowledge sensitivism), or 2) we stick to our classical invariantist guns, but then KNA goes out the window and we get practical sensitivity in the normativity of assertion (henceforth assertion sensitivism). Let us dub this The Shiftiness Dilemma.

This chapter brings this dilemma to centre stage and argues that it threatens to generalise in three ways: to all speech act epistemic norms with epistemic content, to all constative speech acts and to all epistemic normative constraints. If this is right, we should be more worried about this dilemma than we’ve been so far.

1.1. Classical Invariantism and the Knowledge Norm of Assertion

I mentioned CI and KNA enjoy quite a bit of popularity; in fact, if ever there have been ‘mainstream’ views in epistemology, it is fair to say that CI and KNA are amongst them. Here is why, very roughly:

For CI: we have good reason to care about the independence of thought from practical concerns: first, on a light note, I am not the first to notice that there’s something amiss about the idea of coming to know/coming to be the appropriate subject of a knowledge attribution more easily just in virtue of you or others not caring much about the subject matter.

Second, a lot hinges on CI being true for our practice of forming beliefs, as well as for our epistemic endeavours more generally. CI is not

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2 For an explicit statement of the Sensitivity Dilemma, see (DeRose 2002). For people embracing the first horn thereof, see, e.g. DeRose (2002), Hawthorne (2004). For champions of the second horn, see e.g. Brown (2010), Gerken (2012), Goldberg (2015), Greenough (2010).
merely a claim about the semantics of ‘know that;’ it is the core claim at the heart of the independence of thought from practical considerations: if CI is false, practical normativity threatens full encroachment on epistemic normativity (more on this in the next section). If we care about independence, we care about CI.

Third, friends and foes alike agree that CI is the default epistemological position: we need to be argued out of it. Given its centrality to epistemological affairs, the argument on offer should be good.

Last, going back to our practice of inquiry: arguably, the denial of CI would make inquiry into an odd practice in the normative landscape. Here is why; even if we agree with the pragmatist that the ultimate aim of all of our practices is prudential – something like survival, or success – direct reduction of epistemic success to prudential success is implausible. First, it fails extensionally: for instance, uncontroversially, wishful thinking is often prudentially great, and always epistemically bad. Second, it fails on prior plausibility: think of other practices more obviously aimed at our survival, and how their normativity works. Take a paradigmatic case: the practice of medicine. Plausibly, medicine aims at generating health. In turn, plausibly, health is good for our survival. Importantly, though, although the ultimate aim of engaging in the practice is survival, it is not the case that anything goes insofar as the ultimate aim is achieved. Luckily true diagnoses, for instance, are in breach of the norms of the practice of medicine: doctors are not engaging in proper medical behaviour if they toss a coin to determine what’s wrong with us, even if they get it right. What seems to be the case is that the practice of medicine is internally normatively organised: moves in the practice are regulated by internal norms, which, in turn, are reliably conducive to success in the practice: generating health. In turn, reliably generating health is a reliable path towards the ultimate prudential aim: survival. This picture is reductive, but indirectly so: norms of medicine do not reduce to survival norms directly, in that not any move in medicine that generates survival is a permissible move in medicine. Rather, for a move in medicine to be permissible, it needs to obey norms internal to the domain.

Similarly, we should expect that epistemic normativity is not directly reductive: believing what’s prudentially good to believe is not to believe
epistemically permissibly. Rather, our epistemic practice is normatively organised around its internal, epistemic aim – generating knowledge – which, in turn, is good for our survival. The norms governing our epistemic practices, then, will be norms ensuring the internal aim of the practice is reliably achieved: they will be directly sourced in the goal of achieving knowledge, not in prudential goals.

For KNA: Several people think\(^3\) (and I have defended these claims in several places, e.g. Simion (2019a, 2019b)) that knowledge is the goal of our practice of inquiry. That is because it is (uncontroversially) more valuable than lesser epistemic standings, and, at the same time, an easy get: for the kind of creatures we are, both lesser epistemic standings (e.g. lucky true belief) and stronger epistemic standings (certainty) are very hard to acquire. In a nutshell, knowledge is just our way of representing the world: it is the easiest and most valuable epistemic standing that is achievable for the kind of creatures we are.

Now, plausibly enough, assertion is a move in our practice of inquiry, in much the same way in which moving the rook is a move in the practice of chess. In turn, moves in practices are aimed at fulfilling the goal of the practice: moves in chess aim at checkmate. Since moves in practices aim at fulfilling the goal of the practice and assertion is a move in the practice of inquiry, and on the assumption that the aim of the practice of inquiry is to generate knowledge, it follows that assertion aims at generating knowledge. Last, since the most reliable way to do so is by being knowledgeable, we have good reason to believe the norm governing assertion is a knowledge norm.

Second, if knowledge is both necessary and sufficient for epistemically permissible assertion, we have a very straightforward and elegant way of explaining quite a few otherwise puzzling linguistic data, such as: (1) the paradoxical soundingness of Moorean statements of the form ‘\(p\) but I don’t know that \(p\)’. If knowledge is the norm of assertion, on the plausible assumption that knowledge distributes across conjunctions, one is in a good enough epistemic position to assert ‘\(p\) but I don’t know that \(p\)’ only if one knows both conjuncts. However, since knowledge is factive, one only knows the second conjunct if it is true that one does not know that \(p\). But that contradicts knowing the first conjunct. Thus, according to KNA, one cannot

\(^3\) E.g. (Kelp 2014), (Williamson 2000).
meet the conditions for making a proper assertion of the form ‘p but I don’t know that p’ (Williamson 2000, 253). Furthermore, if KNA is true, it is plausible that when the speaker asserts that p, the hearer is led to believe that she knows that p; therefore, when one asserts the second conjunct of a Moorean statement, one denies what one has led one’s hearer to believe by asserting the first conjunct (Moore 1962, 277). Thus, KNA explains why the conjunction ‘p but I don’t know that p’ is not only unassertable, but it also sounds paradoxical.

KNA also neatly explains the intuitive unassertability of lottery propositions; after all, lottery propositions cannot be known. Last but not least, KNA makes sense of the ubiquitous and intuitively permissible ‘How do you know?’ challenges (i.e. the necessity direction) and intuitively permissible criticisms such as ‘Why didn’t you say so? You knew it all along!’ (i.e., the sufficiency direction).

1.2. Contextualist Cases and The Shiftiness Dilemma

In spite of the popularity of CI and KNA, those who want to embrace both claims are widely believed to face the Shiftiness Dilemma. Proper assertability varies with practical context in the sense that when the stakes are high more warrant is intuitively needed for one to be in a good enough epistemic position to assert than when the stakes are low. It is widely believed that there are two ways to accommodate this variability. Either we allow for variability in what it takes to comply with the norm of assertion but then we can’t have KNA. Or else we allow for variability in what it takes to know (or ‘know’) but then we can’t have Classical Invariantism. Hence, one out of Classical Invariantism and KNA has to go. In light of embracing the Shiftiness Dilemma, then, the vast majority of philosophers accept Assertion Incomptabilism: given intuitive

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4 In what sense does asserting p lead the hearer to believe that the asserter knows p? The received view is that it is a matter of ‘presenting oneself’ as knowing; however, people do not usually go too much into detail about this. One thing: if it is an implicature that is at stake here, it will probably not be a mere conversational implicature, since it is clearly not cancellable. Most likely, what we are dealing with is a conventional implicature (non-cancellable); for more on this distinction, see Grice (1989, 25-39). For an account along these lines, see (Simion 2019).

5 The ambition of this chapter is limited to discussing KNA taken as a distinctively epistemic norm.
variability of proper assertion with practical stakes, classical invariantism is incompatible with a biconditional knowledge norm of assertion.

The Shiftiness Dilemma arises from the *Shiftiness Intuition*: Intuitively, proper assertion is harder when the stakes are higher in the sense that it appears to require more warrant. The Shiftiness Intuition is not exactly breaking news in epistemology. Austin (1979, 180), for instance, observes that, while in normal contexts the fact that your hat is in the hall seems to be good enough reason for me to say that you are in, when a lot hinges on it, I would be reticent to do the same. That said, it came into popularity when epistemic contextualists started using it in support of their view. Epistemic contextualism is a semantic thesis about attributions of knowledge: it holds that the meaning of ‘knows’ varies with context. It is typically supported by pairs of cases like the following ‘bank cases’ by Keith DeRose (1992: 913):

**BANK CASE A.** My wife and I are driving home on a Friday afternoon. We plan to stop at the bank on the way home to deposit our paychecks. But as we drive past the bank, we notice that the lines inside are very long, as they often are on Friday afternoons. Although we generally like to deposit our paychecks as soon as possible, it is not especially important in this case that they be deposited right away, so I suggest that we drive straight home and deposit our paychecks on Saturday morning. My wife says, ‘Maybe the bank won’t be open tomorrow. Lots of banks are closed on Saturdays.’ I reply, ‘No, I know it’ll be open. I was just there two weeks ago on Saturday. It’s open until noon.’

**BANK CASE B.** My wife and I drive past the bank on a Friday afternoon, as in Case A, and notice the long lines. I again suggest that we deposit our paychecks on Saturday morning, explaining that I was at the bank on Saturday morning only two weeks ago and discovered that it was open until noon. But in this case, we have just written a very large and very important check. If our paychecks are not deposited into our checking account before Monday morning, the important check we wrote will bounce, leaving us in a very bad situation. And, of course, the bank is not open on Sunday. My wife reminds me of these facts. She then says, ‘Banks do change their hours. Do you know

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6 To my knowledge, the term was coined in (Fantl and McGrath 2012).
the bank will be open tomorrow?’ Remaining as confident as I was before that the bank will be open then, still, I reply, ‘Well, no, I don’t know. I’d better go in and make sure.’

Let’s assume that the bank will, in fact, be open on Saturday and so DeRose’s corresponding belief is true in both CASE A and CASE B. And while DeRose’s attribution of knowledge that the bank is open tomorrow is intuitively fine in CASE A, the same would not hold for CASE B. Contextualism has a straightforward explanation of these data: the truth conditions of knowledge attributions vary with context with the result that, in CASE A, DeRose’s attribution of knowledge is true, whereas in CASE B it is false.

Now, here is one important difficulty for epistemic contextualism, which DeRose himself recognizes and dubs The Generality Objection: the Shiftiness Intuition does not only arise for knowledge attributions. Rather, it is a much more general phenomenon. For instance, in CASE A, it is not only fine for DeRose to assert that he knows that the bank will be open tomorrow, it would also be fine for him to assert that the bank will be open tomorrow. In contrast, in CASE B, it would not only seem wrong for DeRose to assert that he knows that the bank will be open tomorrow, but also to assert that the bank will be open tomorrow (DeRose 2002, 177). What these considerations suggest is that the Shiftiness Intuition is not limited to cases of knowledge attributions. As a result, the worry is that epistemic contextualism won’t give us the right explanation of the Shiftiness Intuition.

In order to address this worry, contextualists have appealed to the knowledge norm of assertion. Roughly, here is the thought: according to KNA, one’s assertion that p is epistemically proper if and only if one knows that p. If that is the case, however, it follows that the standards for knowledge go hand in hand with the standards for proper assertion. But now it looks as though epistemic contextualism is well positioned to avoid the generality objection. After all, the objection suggests that the standards for proper assertion vary in general (that is, not just in cases featuring knowledge attributions). But if KNA and contextualism are both true, this is just what we’d expect anyway. In fact, KNA and contextualism in conjunction promise
to offer an appealing explanation of the relevant data. To see this, consider first a variation of CASE A in which DeRose asserts that the bank is open. Suppose, plausibly enough, that the bar for ‘knowledge’ is low here, low enough that DeRose ‘knows’ what he asserts and so his assertion comes out proper. In contrast, suppose DeRose were to assert that the bank is open in a variation of CASE B. Suppose, again plausibly, that the bar for ‘knowledge’ is high here, high enough that DeRose doesn’t ‘know’ what he asserts and so his assertion would come out improper. In this way, KNA and contextualism together can offer an appealing solution to the generality problem. To see this more clearly, consider the following simple assertion cases, not involving knowledge attribution:

ASPIRIN-LOW. On the way to your place, your sister lets you know that she has a minor headache and asks you: ‘Do you have aspirin at home or should we stop at the pharmacy?’ You remember having bought aspirin last month and tell her: ‘Don’t worry, we have aspirin at home’.

ASPIRIN-HIGH. On the way to your place, your sister’s lets you know that her two-year-old baby urgently needs an aspirin on doctor’s orders and asks you: ‘Do you have aspirin at home, or should we stop at the pharmacy?’ You remember having bought aspirin last month. Even so, you think it best to have your partner double check and so you call. When you find out that s/he is not at home you say to your sister: ‘Well, let’s drop by the pharmacy, just in case’.

In ASPIRIN-LOW you assert that you have aspirin at home. What’s more, your assertion is intuitively entirely proper. In contrast, you are unwilling to do so in ASPIRIN-HIGH. And, crucially, had you to made the same assertion here, intuitively, it wouldn’t have been proper. In this way, there is variation in the intuitive propriety of assertion (henceforth also Intuitive Shiftiness for short). In turn, Intuitive Shiftiness is thought to give rise to The Shiftiness Dilemma. Here is DeRose:
If the standards for when one is in a position to warrantedly [i.e. properly] assert that $P$ are the same as those that constitute a truth condition for ‘I know that $P$’ [as KNA would have it] then if the former vary with context, so do the latter. In short: [KNA] together with the context sensitivity of assertability [...] yields contextualism about knowledge (2002,187).

DeRose can now turn the tables on the generality objector and argue that KNA demands an account of knowledge according to which whether one knows is sensitive to practical stakes:

What of the advocate of the knowledge account of assertion who does not accept contextualism? Such a character is in serious trouble. Given invariantism about knowledge, the knowledge account of assertion is an untenable attempt to rest a madly swaying distinction upon a stubbornly fixed foundation. [...] The knowledge account of assertion demands a contextualist account of knowledge and is simply incredible without it (2002, 182).

What DeRose claims here is that given Intuitive Shiftiness, if KNA is true, then so is contextualism.

This argument is a bit quick as closer look at the ASPIRIN cases will reveal. First, note that in ASPIRIN-LOW and HIGH you are in exactly the same epistemic position towards the proposition that you have aspirin at home: you remember having bought it last month. At the same time, your practical situation is different. In ASPIRIN-LOW not much hinges on whether you have aspirin at home. Your sister will be somewhat uncomfortable but she’ll not suffer any serious harm. In contrast, the stakes in ASPIRIN-HIGH are considerably higher than in ASPIRIN-LOW: your sister’s baby’s health depends on it. Since we may assume that everything else is equal between the two cases, there is reason to think that the difference in intuitive propriety between ASPIRIN-LOW and ASPIRIN-HIGH is due to the fact that the stakes are higher in the latter case. In other words, there is reason to think that proper assertability varies with stakes. But given that this is so, it is easy to see
that Intuitive Shiftiness in conjunction with KNA does not entail contextualism: It won’t if we allow that whether or not one knows varies with stakes. And this is just what Pragmatic Encroachment proposes (e.g. (Hawthorne 2004), (Fantl and McGrath 2009)). Even so, DeRose’s argument promises to establish at least the entailment between KNA and the denial of Classical Invariantism. After all, according to Classical Invariantism, whether or not one knows does not vary with stakes; rather, it depends only on one’s doxastic and epistemic position towards the target proposition and its truth value. For instance, in the ASPIRIN cases, either remembering having bought aspirin last month puts you in a good enough epistemic position to know that you have aspirin at home or it doesn’t. If it does, then you know in both ASPIRIN-LOW and HIGH (assuming that you have the corresponding true belief, that is). If, on the other hand, it doesn’t, then you know in neither. So, DeRose’s point about the impossibility of resting “a madly swaying distinction upon a stubbornly fixed foundation” would still appear to show that, given Intuitive Shiftiness, we cannot combine KNA with Classical Invariantism. In other words, DeRose does appear to establish at least the following:

**Conditional Incompatibility.** If Intuitive Shiftiness is true, then KNA is incompatible with Classical Invariantism.

Since we have already seen that there is excellent reason to think that Intuitive Shiftiness is true, we have equally good reason to think that KNA is indeed incompatible with Classical Invariantism. And that, of course, is all we need to force The Shiftiness Dilemma on those who embrace both KNA and Classical Invariantism: they’ll have to give up one of the two.

Many, if not most⁷ contributors to the debate accept the Shiftiness Dilemma and grasp one of its two horns. The view that grasps the first horn of the dilemma allows for variability in what it takes to comply with the epistemic norm of assertion. This view comes in more than one variety; first there are people thinking that assertion is governed by one norm which stipulates that the appropriate amount of warrant for proper assertion varies with contextual features (e.g. Brown (2010), Gerken (2012), Goldberg (2015), McKinnon

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⁷ Exceptions are few, see Chapters III and IV.
(2013), Rescorla (2009)). Another way to be a sensitivist about assertion is to stipulate several norms governing assertion depending on the context (e.g. Greenough (2011), Levin (2008), Stone (2007)).

In contrast, we have seen that the view which goes for the second horn allows for variability in what it takes to know or ‘know’. Pragmatic encroachment (e.g. (Hawthorne 2004), (Fantl and McGrath 2009)) takes practical sensitivity to be a feature of knowledge itself, and thus the relevant stakes to be those associated with the subject of the knowledge claims. In contrast, contextualists (e.g. Cohen (1999), DeRose (2002)) argue that it pertains to knowledge attribution, and thus it varies with the stakes of the attributor.

1.3. The Shiftiness Dilemma Generalised

The dilemma identified in the previous section worries many epistemologists. This is evidenced by the enormous literature published on the issue in the last two decades, as well as by the fact that, arguably, the Shiftiness Dilemma has given rise to a revival of epistemic contextualism, as well as pragmatic views of the epistemic.

I will now argue that we should be even more worried than we are about the Shiftiness Dilemma. In order to do that, I will argue that SD threatens to generalize in three dangerous ways:

First, it threatens to generalize beyond KNA to all context-independent views of the epistemic normativity of assertion that feature epistemic content.

**SD-Generalized #1** (henceforth SDG1): If SD holds for KNA, then it holds for all context-independent norms of assertion with epistemic content, i.e. norms that stipulate that an epistemic condition is necessary and sufficient for proper assertion.⁸

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⁸What is meant here by norms with epistemic content is merely norms that stipulate an epistemic condition for proper assertion (such as knowledge, or justification) rather than, e.g., merely an alethic condition (i.e. the Truth Norm of Assertion, defended e.g. in (Weiner 2005) and (Whiting 2013)).
To see why this is so, remember the main source of SD: the Shiftiness Intuition in conjunction with KNA. Note, though, that the Knowledge Norm is not required to generate SD: all context independent norms with epistemic content will do in conjunction with the Shiftiness Intuition. Consider, for instance, the main competitor of KNA on the market, the Justification Norm of Assertion (henceforth JNA, defended most notably by Igor Douven (2006) and Jennifer Lackey (2007)). Crucially, on JNA, the relevant J is meant to stand for the level of justification necessary for knowledge. On a JNA picture, what the Shiftiness Intuition about proper assertability suggests is that either (1) knowledge-level justification varies with practical stakes, or (2) JNA is false.

Second, SD threatens to generalize beyond mere assertoric speech to all constatives:

**SD-Generalized #2** (henceforth SDG2): If SD holds for assertion, then it holds for all constative speech acts.

Constative speech acts are, broadly speaking, speech acts that characteristically express a (particular degree of) belief that the content holds. (Bach and Harnish 1979) notably offer an excellent taxonomy of constatives that will be very useful to illustrate the issue (see, also, Chapter # 7 for a more detailed discussion). For our purposes here, it will be enough to only discuss a couple of examples, in order to see how this works. Take, for instance, the retrodictive constative speech act of reporting. According to Bach and Harnish, reporting expresses the belief that it was the case that $p$. If so, we can think of corresponding epistemic norms for reporting. For instance, a Knowledge Norm for Reporting will read as follows:

**KNR:** One’s reporting that $p$ is epistemically permissible iff one knows that it was the case that $p$.

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9 (Bach and Harnish 1979 40). Bach and Harnish think that constatives also express an intention on the part of the speaker that the hearer form or continue to hold the corresponding belief. This is of little consequence for us here. I will bypass discussing it for now.
Intuitively, though, proper reporting is shifty with practical context: it seems intuitively right that more epistemic support is needed when reporting on, say, whether the bridge in centre town was found at risk to collapse or not, than, say, for reporting on whether a particular movie star was wearing red at the opening or not. It is then easy to see how SD will thus generalize to the speech act of reporting: given intuitive shiftiness of proper reporting with practical stakes, either KNR is false, or knowledge is practically shifty.

Take, also, a weaker variety of a constative speech act, the speech act of conjecturing. On Back and Harnish’s view, conjecturing falls in the category of suggestive constatives, which express the belief that there is reason, but not sufficient reason, to believe that $p$. If this is so, it looks as though we can identify a corresponding knowledge norm for conjecturing:

KNC: One’s conjecturing that $p$ is epistemically permissible iff one knows that there is reason, but not sufficient reason, to believe that $p$.

It is easy to see, again, how, if something in the vicinity of KNC holds, SD threatens to resurface. We first note the Shiftiness Intuition for conjecturing: it looks as though what is appropriate to conjecture hinges in important ways on what is at stake practically at the context. More epistemic support is needed for conjecturing that the patient has cancer than for conjecturing that it will rain tomorrow. If this is so, we are faced by a dilemma between denting KNC and endorsing a shifty view of knowledge.

Before we move on to the third way in which SD threatens to generalize, one crucial thing to note is that, if SDG1 and SDG2 are correct, their conjunction would make our prospects of escaping SD at any point in the epistemic normative landscape for constative speech acts look dim. After all, the conjunction of SDG1 and SDG2 just is the claim that any context-invariant epistemic norm with epistemic content for any constative speech act is a proper source of the Shiftiness Dilemma.

Third, and most dangerously I believe, SD threatens to generalize beyond knowledge or talk of knowledge to all epistemic normativity/epistemic normative talk:
**SD-Generalized #3** (henceforth SDG3): If SD holds for knowledge/knowledge attributions, then it holds for all epistemic normativity/epistemic normative attributions.

To see the worry, ignore for a second the non-KNA horn of the Shiftiness Dilemma, and focus on the horn that denies CI. If CI is false, we get a view on which knowledge or ‘knowledge’ is sensitive to practical stakes. For sake of brevity, I will only discuss this point with regard to knowledge and epistemic normativity, but everything below applies *mutatis mutandis* to ‘knowledge’ and epistemic normative attributions as well.

There are two ways in which the practical sensitivity of knowledge can occur that are of epistemological interest: either (1) practical normativity encroaches directly on epistemic normativity, i.e. on the ‘justification’ component of knowledge, such that what counts as knowledge-level epistemic justification varies with practical stakes (e.g. Fantl & McGrath 2002), or (2) it does not, in that the level of justification required by epistemic normativity remains fixed, but practical stakes come and raise the support requirements for knowledge (Stanley 2005). If (1) is the case, all epistemic normativity of belief is pragmatically encroached; given belief’s centrality to epistemological affairs, as well as its intimate relationships with assertion, reasoning and other plausible targets of epistemic normativity, the threat of uniform practical encroachment on epistemic normativity looms large.

On (2), the danger is less straightforward, but not to be ignored. If knowledge is pragmatically encroached upon, given the popularity of (epistemic) knowledge norms for belief, assertion, reasoning, action etc., and the intimate relation between the relevant acts and mental states, again, practical encroachment threatens to affect the vast majority of epistemically normative affairs.

Last but not least, I would like the reader to consider the effects of the conjunction of SDG1, SDG2 and SDG3: if all these generalizations of the Shiftiness Dilemma obtain, what we get is: one horn on which all epistemic norms with epistemic content for constatives are affected by practical context-variance, and another on which most, if not all epistemic normativity is affected by pragmatic encroachment.
What is worst, as I am about to argue in the next chapter (Chapter II), embracing the first horn of SD is value-theoretically problematic and threatens collapse into the second horn. If all this is so, arguably, not much room is left for the independence of thought from practical considerations.

There are, of course, ways around these generalisations; I most definitely did not attempt to give a conclusive argument in their favour here. Rather, my purpose is to signal the danger, such that the reader is in a better position to appreciate the stakes involved in the discussion.

Conclusion

This chapter has argued that the widely assumed Shiftiness Dilemma for CI and KNA threatens to generalise in three dangerous ways: to all constatives, to all contextually non-variant epistemic norms with epistemic content, and to all epistemic normativity. In the light of this, the prospects are looking dim for the champion of the independence of thought from practical considerations. In the following chapters I will look at escape routes for the defender of Classical Invariantism.
Chapter II. Epistemic WAMs

We have seen that, in high stakes practical contexts, assertability does not come cheap: intuitively, more warrant is required in ASPIRIN2, but not in ASPIRIN1, for being in a position to properly assert that you have aspirin at home. We have dubbed this the Shiftiness Intuition. We have also seen that several philosophers have used the Shiftiness Intuition to argue for practical-context-sensitive views of knowledge or ‘knowledge.’ For easiness of reference, we have dubbed this set of views ‘Knowledge Sensitivism’ (or SK for short).

For people who like classical invariantism (CI) about knowledge attribution, however, the jump from variation in assertability with stakes to contextualism or pragmatic encroachment seemed rushed. As such, these authors venture to account for the Shiftiness Intuition under a classical invariantist umbrella by arguing for context-sensitivity of proper assertability:

Here is, then, a thesis that has made a nice career for itself in recent epistemological literature:

**Assertion Sensitivism (SA):** The degree of warrant necessary for epistemically proper assertion varies with contextual features, while the degree of warrant necessary for knowledge stays fixed.

And here is a fairly uncontroversial value-theoretic claim concerning the relation between the axiological and the deontic:

**The Norms/Goods Type Association Claim** (the Association Claim, or AC for short): Norms of type X are associated with goods of type X.

This chapter argues that the two claims above are incompatible. If this is so, given the widespread support and exceptional high plausibility of AC, prior plausibility requires us to abandon SA.

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10 Crucially, the results of this chapter only concern SA in its epistemic incarnation.  
11 See (Schroeder 2016) for an excellent overview.
2.1 Assertion Sensitivism and Value/Norm Type Association

The thought behind Assertion Sensitivism is, roughly, to explain the intuitive variability in propriety from one ASPIRIN case to the other by keeping the standards for knowledge fixed, and allowing that the degree of warrant for epistemically proper assertion varies with context. In some contexts, less than knowledge is required for epistemically proper assertion, while more warrant may be needed in others. This view has become known in the literature as an epistemic Warranted Assertability Maneuver (WAM) against knowledge sensitivism.

In this respect, thus, according to SA, although the speaker’s epistemic status remains unchanged in the two ASPIRIN cases, the assertion ‘I have aspirin at home’ would not be epistemically proper in ASPIRIN 2 due to change in the relevant contextual features, most likely related to the relevant stakes. That is, while the speaker does know that he has aspirin at home in both ASPIRIN 1 and ASPIRIN 2, due to changes in context, it is only in the former but not in the latter that his relevant assertion would be epistemically proper.

Now, here is one plausible, widely endorsed thought: if there’s such a thing as an epistemic norm for assertion out there in the first place, it is likely

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12 SA also comes in more than one variety; first there are people thinking that assertion is governed by one norm that stipulates that the appropriate amount of warrant for proper assertion varies with contextual features (e.g. Brown (2010), Gerken (2012), Goldberg (2015) McKinnon (2013), Rescorla (2009)). Another way to be a sensitivist about assertion is to stipulate several norms governing assertion, depending on the context (e.g. Greenough (2011), Levin (2008), Stone (2007)). The subtle differences between the above views are, however, to a large extent, irrelevant for now (but see the next section for refinements). That is because this paper dwells at a higher level of generality: what I am concerned with is the claim that epistemically proper assertability varies with practical stakes, no matter what triggers the variation in propriety in question. Insofar as these authors stand by this claim, they are the proper target of this paper.

13 Strictly speaking, there are two ways one can pull a WAM: one can place the source of context sensitivity at the level of the epistemic norm itself (SA), or, to the contrary, defend a fixed norm and argue that pragmatic, Gricean considerations influence propriety in context (e.g. Rysview 2001). This chapter is only concerned with the first incarnation thereof. The next chapter will look at pragmatic WAMs.

14 It is fair to say that defenders of SA go on separate ways when it comes to listing the relevant contextual determiners; that is, for some of them, practical concerns figure higher on the list (e.g. Gerken 2012), while others (e.g. Goldberg 2015) focus more on non-practical context sensitivity.

15 See e.g. (Brown and Cappelen 2011), (Goldberg 2017), (Kelp 2018), (Simion 2018, 2019a).
there to make it likely that assertion delivers the epistemic goods we are using it for. And here is a fairly innocent value-theoretic claim to capture this thought: it looks as though a norm’s pertaining to one type or another has to do with the type of goods it is associated with. Thus, prudential norms will be associated with prudential goods, moral norms will be associated with moral goods, etc. Epistemic norms will thus come together with epistemic goods. Peter Graham puts the point succinctly: “Epistemic norms in this sense govern what we ought to say, do or think from an epistemic point of view, from the point of view of promoting true belief and avoiding error” (Graham 2012). What we get, then, is the following easy way to individuate normative constraints:

The Association Claim (AC): Norms of type X are associated with goods of type X.

Again, notice that AC is pretty innocent from a value-theoretic perspective. That is because the mere association claim between norms and goods of the same type does not imply any substantial value-theoretic commitment; it holds on both the most notable views regarding the relationship of the good to the deontic. The teleologist explains the ‘ought’ in terms of the ‘good’; according to this philosopher, the following is true:

**AC-Teleology:** Norm of type X are there to guide us in reaching goods of type X.

The deontologist reverses the order of explanation: according to ‘Fitting Attitude’ accounts of value,

**AC-Deontology:** Goods of type X are only valuable because norms of type X give us reasons to favour them.

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16 For support of AC: for a good general overview of the relevant literature in value theory, see, for instance, Schroeder (2012); for champions of the teleological direction of explanation, see e.g. Moore (1903), Portmore (2005), Sidwick (1907) and Slote (1989). For the deontological direction, see e.g. Scanlon (1998) Ewing (1947), Rabinowicz and Rönnow-Rasmussen (2004).
Anyhow, one way or another, the mere *association* claim holds. Let us now take a closer look at the SA proposal concerning the normativity of assertion and at how it fares in conjunction with the Association Claim. First, what we are talking about is the *epistemic* norm of assertion. The question, then, becomes: what is the relevant epistemic good? Many authors (e.g., David (2005)) regard truth as the fundamental epistemic good. The most prominent counter candidate in the literature is knowledge (Williamson (2000)). For our purposes here, in order to stay on the safe side, we will test the plausibility SA for both candidate goods. Note, also, that the epistemic interest at stake can be thought to be both at the speaker and at the hearer’s end. As such, we will have to look on both sides.

Let us start with teleological order of explanation. By AC, then, SA proponents will also be committed to:

**SA-Teleology**: The SA norm is there to guide one in reaching epistemic goods.

Spelling out the norm, and on a truth goal assumption, then, we get:

**SA-Teleology**: One should proportion the degree of warrant supporting one’s assertion to contextual features to the aim of making a true assertion/generating true belief in one’s hearer.

But surely SA proponents would not want to stand behind this formulation, since it is blatantly false: pragmatic factors do not influence truth-conduciveness. Furthermore, I doubt that (many of) the supporters of SA themselves, given the classical invariantist motivations behind the view, would want to stand behind such formulation. Here is Gerken, for one: “…epistemic warrant is determined by traditional truth-related factors and not by pragmatic factors (Gerken 2012, 377).

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17 Note, also, that the argument can be run in a parallel fashion for a justification goal (and the results are likely to coincide with the results for the knowledge goal, insofar as what is meant is knowledge-level justification). Also, see below for a discussion of what is the case on the assumption of an epistemic goal that itself varies with practical stakes, such as ‘providing actionable information’.
In the light of all this, maybe we should just move on; maybe the real problem is the truth goal. Let us turn to knowledge\(^{18}\) as the main epistemic good, then, plug it into the SA-Consequentialism and see what happens to the framework:

**SA-Teleology\(^{knowledge}\)** One should proportion the degree of warrant supporting one’s assertion to contextual features to the aim of making a knowledgeable assertion/ generating knowledge in one’s hearer.

Unfortunately for the SA proponent, this formulation, although not strikingly false, amounts to what she was trying to avoid in the first place; that is, context sensitivity of knowledge. Here is how: in the speaker’s case, the route to SK is pretty straightforward: if, in order to come to know, the speaker is in need of more epistemic support in high-stakes contexts than in low-stakes ones, we are back in the SK yard.

While on the hearer’s side a similar result might be less obvious, notice that what the claim amounts to, as a fact of the matter, is that the hearer needs an epistemically better source in high-stakes scenarios than in low stakes ones in order to gain knowledge. Surely, given the strict invariantist motivations behind SA, this is an unacceptable result, since it dissolves the view, in its original formulation, by collapsing it into SK; what the SA claim would amount to, under this formulation, would be a view according to which one needs a degree of warrant that is suitable to one’s practical context in order to be knowledgeable.

If that is the case, SA seems to not be very nicely compatible with a teleological value-theoretic framework. On one hand, this is rather unfortunate; after all, ideally, one does not want one’s preferred account of the normativity of assertion to commit one to very substantive value-theoretic claims. On the other hand, given the dubious name consequentialism has made for itself on independent grounds, maybe this should not worry the SA champion too much. Let us change the framework, then, and go for the deontological incarnation of the Association Claim. Consider, first:

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\(^{18}\)Note that prominent defenders of CA (e.g. Goldberg 2015) explicitly support generating testimonial knowledge as the main epistemic role of assertion.
SA-Deontology<sub>truth</sub>: Truth is an epistemic good because the SA norm gives us reason to favour it.

It is a bit mysterious, however, in virtue of what exactly does SA give us reason to favour truth rather than falsehood. After all, it looks as though, independently of whether I am right or wrong about whether \( p \) is the case, according to SA, the important thing is that I don’t assert it unless I have a contextually appropriate amount of warrant. As such, SA seems to be completely indifferent when it comes to whether I am in possession of the truth or not, and therefore fail to favour it in any way.

SA-Deontology<sub>knowledge</sub>: Knowledge is an epistemic good because the SA norm gives us reason to favour it.

Again, this formulation is either false, or it collapses SA into SK. Recall that SA asks for less warrant in low stakes scenarios and more warrant in high stakes; as such, it gives us no particular reason to favour classical invariantist knowledge over other epistemic standings characterized by less, respectively more warrant. If, however, knowledge itself is sensitive to practical context, as SK would have it, the SA norm is able to provide us with reason to favour it.

To sum up, then: if the (value-theoretically innocent) Association Claim between norms and goods of a particular type holds, SA comes out untenable for the main candidates for the central epistemic good in the literature. On both available AC directions of explanation, in a truth-goal framework, its claims turn out false, or, at least, highly implausible. In a knowledge-goal framework, the position collapses into context sensitivity of knowledge, which was what its proponents were reacting against in the first place.

### 2.2 Sensitive Epistemic Goals

What SA seems to need is a complementary pluralistic account regarding the epistemic goal, tightly connected to contextual practical determiners. That is, roughly, a view on which the epistemic goal varies with practical stakes, such
as: the goal of assertion is providing actionable information. On such a view, variation in warrant for proper assertion would just track the variation in epistemic goal, which, in turn, would track the variation in epistemic needs given the practical context.

Now, to my knowledge, this view is still in need of defence in its own right; thus, as things stand, it can hardly be employed to the support of SA, given that its theoretical ups- and downsides are completely underexplored.

A few serious worries arise even from just this rough sketch for the view. First, note that holding this practical-context variant view about the epistemic goal in general might get SA into trouble when it comes to the normativity of belief; that is, if some variety of (the very popular) norm commonality assumption is true about assertion and belief, SA will be in danger of collapsing into SK, if they will also hold that the epistemic goal – and therefore the epistemic norm - of belief also varies with practical factors. To see why this is the case, note that many (if not most) people in the debate stand behind something like the following deontic thesis for belief (DTB):

DTB: A belief is epistemically permissible iff epistemically justified,

where the justification at stake is taken to be knowledge level justification. If epistemically permissible belief varies with stakes, however, on DTB, so does knowledge-level justification, and therefore knowledge itself. We are back to SK.

As far as I can see, there are three ways to go at this point in order to avoid this result: either (1) restrict the view to assertion and deny the commonality assumption (and therefore either the normative import of the extremely widely endorsed belief/assertion parallel, or the parallel itself) (2) Hold that epistemically permissible assertion goes hand in hand with practically permissible belief, not with epistemically permissible belief; The problem with both (1) and (2) is that they will allow for intuitively strange situations whereby a speaker’s assertion that $p$ will count as epistemically permissible (in virtue of

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19 Jessica Brown and Sandy Goldberg (in personal communication) suggested the epistemic WAM-er might want to take this route.
20 See, e.g. (Williamson 2000), (Simion, Kelp & Ghijsen 2016a).
21 Manny thanks to an anonymous referee for pressing me on this point.
its degree of warrant being good enough for hearer’s practically permissible belief), although they do not believe that \( p \) themselves, in virtue of not having enough warrant to epistemically permissibly believe that \( p \).

(3) Deny that the status at stake in DTB is knowledge-level justification, rather than some practically sensitive variety of epistemic justification for belief. This is an epistemically normative pluralistic picture for belief: a belief might be epistemically justified even if it is not a justification that is strong enough as the one that is required for knowledge. The standards of epistemic justification/permissibility for belief might therefore be context-sensitive, even though the standards for knowledge-level justification/permissibility are not context-sensitive. The former track actionability, the latter do not. A few things about this. First, while I grant that this picture occupies a position in the logical space, I want to strongly emphasize that it is not defended anywhere in the literature, and hardly a straightforward, theoretically neutral way to go. Therefore, I take it, it requires very serious defence in order to be taken seriously. Here are a few reasons for this: First, because it needs to deny the widely accepted DTB. Second, because it needs to stipulate normative pluralism where all the competing views do not – so it scores worse on simplicity grounds. Third, because on this view, one can have a knowledgeable belief that one should, epistemically, not hold which is rather counter-intuitive. Fourth, most crucially, the defender of such an account will want to avoid the following results: on her view, given that epistemic permissibility of belief varies with practical stakes, believing a falsehood, or something one has no justification whatsoever for, when nothing hinges on it, or in return for one million dollars would be epistemically perfectly fine. That seems like quite a theoretical cost. In a similar vein, when nothing of importance is at stake for the hearer – say, for instance, we are just making conversation about the weather – it should turn out to be epistemically fine to assert with no warrant whatsoever. All this, of course, does not seem right.

One can maybe try to address this problem by setting a minimal threshold for (epistemically) permissible assertion/belief.\(^{22}\) One way to do this in a non-ad-hoc manner would be by arguing for some pragmatic considerations in favour of the relevant threshold. For instance, one could

\(^{22}\) On Greenough’s (2010) view, for instance, knowledge is the minimal threshold for permissible assertion.
think that something like the maxim of Relevance would recommend against making assertions devoid of any practical importance to begin with.\footnote{Mikkel Gerken (p.c.) suggested this might be the way he might want to go about this issue.} Or, alternatively, one could think that, in virtue of the maxim of Quality, asserting that \( p \) carries the implicature that there is some reason to believe that \( p \). As such, on this view, in no-stakes cases, while asserting in the absence of any warrant is strictly speaking epistemically proper in virtue of it being practically proper, it comes across as intuitively inappropriate due to considerations pertaining to the pragmatics of language.

Alas, though, this move will not get the champion of the variant goal view too far either. After all, one can easily imagine cases where the amount of warrant is problematically raised rather than lowered. Take, for instance, a case where I am offered one million dollars to withhold belief unless I am certain (as in Cartesian certainty) that \( p \). In this case, the defender of the variant goal view will have to say that, if I see that there is a table in front of me, and therefore I believe that there’s a table in front of me, my belief is epistemically impermissible. Again, this does not sound right.

What the defender of this account seems to be in need of, then, would be a principled way to separate the ‘good’ prudential considerations from the ‘bad’ ones; I submit that there is reason to believe there is no easy, non question begging answer for this problem in sight.

\section*{2.3. Sensitive Discursive Justification}

One reply that might come from the SA camp, though, could go along the following lines: the SA champion could argue that the variability in warrant is required for belief generation. In high stakes scenarios, the thought would go, the hearer might be extremely cautious and ask the speaker to back her assertion. In this case, being in possession of an amount of warrant appropriate to the situation would put the speaker in a position to be able to meet this demand, and thus successfully generate the relevant belief in her hearer.

The problem with this move, however, is that, on the present formulation of SA, it will not do. That is, as it stands, SA only asks speakers to
be in the possession of the relevant degree of warrant, not to also have access to it so as to be able to back their assertion if needed.

Notice, also, that adding the necessary access requirement would render the view fairly implausible; after all, surely small children can produce epistemically proper assertions, in spite of the fact that they don’t have very well developed reflective capacities. Furthermore, most of our knowledge is stocked in memory and, for most of it, we do not really remember how we came to acquire it to begin with. I, for instance, surely do not remember how I got to know that Berlin is the capital of Germany. Does that mean I cannot make the relevant assertion? The answer, according to this enhanced version of SA will have to be ‘no’.

Two options are still available to the SA defender at this point: first, she could make the need for discursive justification context-dependent also, such as to only encounter the cognitively unsophisticated asserters problem when the stakes are high. This more restricted version seems to enjoy more plausibility. Gerken’s view, for instance, explicitly requests that, in some contexts, but not all, one should be able to back one’s assertion with appropriate support.

Alternatively, she could argue that the need for more warrant in high stakes than in low stakes scenarios pertains to hearers not believing what the speaker says unless they not only know the content of their assertion, but they also know that they know – which, in turn, requires more warrant than mere knowledge. This picture, in turn, would have nothing to do with the standards for knowledge; quite to the contrary, it explicitly allows that those standards remain fixed.

There are, however, good reasons to believe that the prospects for this sort of move are rather dim. To see this, let us take another look at the envisaged SA champion’s reply: the variability in warrant is required for belief generation, not for its truth. In high stakes scenarios, the hearer might be extremely cautious and ask the speaker to either back her assertion with the contextually appropriate discursive justification or, alternatively, to know that they know. Were the speaker not able to do so/not to have knowledge of

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24 See (Williamson 2005) for an account along these lines and Chapter 4 for discussion.
knowledge, the hearer would not believe the content of the assertion, and, as such, the aim of generating of true belief/knowledge would be missed.

Now, note that, for all is said above, we are dealing with a descriptive, empirical claim: the thought is that, as a matter of fact, there is a chance that the hearer requests discursive justification/knowledge of knowledge for believing. But, of course, this cannot be what is meant to be relevant to the normative claim of SA; after all, maybe hearers are not in their epistemic right to do so, in which case no obligation for the speaker should follow. Just because hearers might, for instance, require speakers to wear red hats if they want to be believed, it does not follow that we will have a red-hat-wearing norm of proper assertion thereby, at least surely not an epistemic such norm. Similarly, just because, in high stakes cases, hearers usually require speakers to know that they know or, alternatively, to offer contextually appropriate discursive justification, it does not follow that we will have any such requirement on the speaker’s side. Surely the SA defender does not want to say that any absurd claim hearers might have is going to affect the content of the epistemic norm governing speaker’s speech acts.

What seems to be needed is a normative claim alongside the empirical one; for any obligation to follow on the speaker’s side, it must be the case that, on top of them being in the habit to do so, hearers are also epistemically permitted to ask for discursive justification/knowledge of knowledge. What is needed, then, is a norm that makes the requirement for knowledge of knowledge/discursive justification permissible. Furthermore, given that we are interested in the epistemic norm of assertion, the relevant norm on the part of the hearer also needs to be epistemic, rather than prudential or moral.

In a nutshell, then, what we need is an (importantly) epistemic norm that makes it permissible for hearers to only believe what the speaker says if the latter has knowledge of knowledge/ contextually appropriate discursive justification. This, however, will easily threaten to drive the SA defender back in the trouble he was trying to avoid to begin with. Here is how: again, it is widely accepted that a belief is epistemically justified (where what is at stake is the justification required for knowledge) if and only if it is epistemically permissible (DTB).25 Therefore, a stakes-variant epistemic norm of belief will

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25 See e.g. Williamson (2000), Simion, Kelp and Ghijsen (2016a).
readily result in stakes variation for knowledge. Of course, one can have a stakes-variant prudential norm of belief, for instance. However, again, this prudential norm on the part of the hearer would only be able to generate a prudential norm on the part of the speaker; what we are searching for, though, is the distinctively epistemic norm of assertion. The two will, of course, often come apart: it might be epistemically perfectly fine, for instance, to tell your boss that he’s bald if you know it to be the case, but, prudentially speaking, it is definitely better to keep quiet (Brown 2011).

One last option for the SA defender that still needs to be discussed is her possible retreat from direct to indirect practical stakes sensitivity. According to this account, the reason why we need more warrant in high stakes than in low stakes is because more error possibilities become salient. As such, proper assertability is only indirectly sensitive to practical stakes, through its being sensitive to the (genuinely) epistemic need for dismissing salient error possibilities. Patrick Greenough’s (2011) view affords this way out. According to Greenough, assertion is governed by different norms in high stakes and low stakes scenarios. That is, in high stakes, but not in low stakes, the speaker must also be able to cite explicit evidence against all those not-p possibilities which are salient in the high-standards in play.

The assumption that needs be discussed here, however, is the claim that this need is a genuinely epistemic one. To what epistemic aim, does one need to be able to dismiss the relevant error possibilities? One plausible answer is that the latter constitute themselves in normative defeaters and, as such, the hearer (epistemically) should not believe the speaker’s assertion unless suited defeater defeaters are offered. This reply, indeed, seems to be innocent of any pragmatic normative consequences for belief. Note, however, that this reply will not do its job in supporting SA’s claim against KNA, i.e. the claim than more than knowledge is needed in high stakes context for proper assertability. After all, plausibly enough, the same normative defeaters that forbid the hearer from believing will also (normatively) act on the speaker’s epistemic standing. As such, the defender of KNA can easily help herself to the same explanation of the Shiftiness Intuition here: the reason why the speaker needs to be able to dismiss relevant error possibilities constituting themselves in normative
defeaters is because, otherwise, he fails to know, and therefore is not permitted to assert by KNA.

**Conclusion**

This chapter has identified a strong incompatibility between a very popular response to the Shiftiness Dilemma – what I have dubbed assertion sensitivism – and a fairly uncontroversial value-theoretic thesis concerning the association between norms and values of the same type. I have argued that assertion sensitivism, as a thesis about the epistemic normativity of assertion, is untenable in conjunction with the uncontroversial Association Claim between norms and values of the same type. To show this, I have picked the most popular candidates for the main epistemic goods in the literature, and showed how SA’s claims either turn out false, or collapse the view into knowledge sensitivism, i.e. the position champions of SA were trying to avoid to begin with. 26 If this is so, given the wide spread support and exceptional high plausibility of AC, prior plausibility requires us to abandon Assertion Sensitivism.

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26 Many thanks to Jessica Brown, Mikkel Gerken, Sandy Goldberg, Patrick Greenough, Chris Kelp and two anonymous referees for Synthese for very helpful comments on this material.
Chapter III: Pragmatic WAMs

We have seen that, in light of embracing the Shiftiness Dilemma, the vast majority of philosophers accept *Assertion Incompatibilism*: given intuitive variability of proper assertion with practical stakes, classical invariantism is incompatible with a biconditional knowledge norm of assertion. We have also seen that views attempting to preserve Classical Invariantism by embracing the Assertion Sensitivist horn of the dilemma are value theoretically problematic.

There are also a few dissenting voices, however; some invariantists venture to explain the sensitivity data for proper assertion in a fashion that preserves both CI and KNA (*Assertion Compatibilism*). There are two varieties of Compatibilism available on the market: the first one employs a *pragmatic* warranted assertability maneuver (henceforth, Pragmatic Compatibilism); the second variety appeals to higher orders of knowledge to explain away the Shiftiness Intuition (henceforth KK Compatibilism). I will look at these views in turn.

This chapter discusses Pragmatic Compatibilism and argues that the view has difficulties with delivering the goods when it comes to epistemic normative independence for cases of shiftiness of assertions that do not involve knowledge attributions.

3.1. Pragmatic Compatibilism

According to Pragmatic Compatibilists, the source of variability in contextualist cases pertains to what is pragmatically conveyed by the assertion in question rather than by what is, strictly speaking, said (e.g. Brown 2006, Hazlett 2009, Rysiew 2001). On this view, in CASE B, for instance, DeRose does, in fact, know that the bank will be open on Saturday. However, given the presumption of relevance and informativeness, saying that he knows pragmatically conveys that he is able to eliminate all contextually salient error possibilities – such as, for instance, the possibility that the bank changed its hours in the last two weeks. But of course, this is just an error possibility that
DeRose cannot eliminate. In this way, then, DeRose’s self-attribution of knowledge would carry a false implicature. And it is just this false implicature that, according to Pragmatic Compatibilists, explains why DeRose’s self-attribution of knowledge would seem wrong.

Strictly speaking, then, on this view, Classical Invariantism is perfectly compatible with KNA: DeRose knows in both CASE A and CASE B and is, therefore, in a good enough epistemic position to assert that the bank will be open.

Now, a lot of ink has been spilled on whether the Pragmatic Compatibilist account of the bank cases is ultimately satisfactory for accounting of the shiftiness of proper knowledge attributions. In contrast, what I will focus on is whether Pragmatic Compatibilism can explain the shiftiness intuition in its full generality. After all, we have seen that this intuition is not restricted to knowledge attributions, but rather it also arises in cases of assertions of propositions that do not feature epistemic concepts. By way of illustration, recall once more the variation of CASE B in which were DeRose to assert simply that the bank is open tomorrow, his assertion would be improper. Note that Pragmatic Compatibilists will have a hard time extending their account of the original CASE B to this variation. The thought that the knowledge attribution, in conjunction with contextually salient error possibilities, generates an implicature to the effect that DeRose can eliminate the salient error possibilities has little traction here. After all, there is no knowledge attribution being made.

To the best of my knowledge, Rysiew and Brown have not addressed this issue in print. Here is Hazlett (2009, 31): say that, in the relevant variation of CASE B, DeRose were to assert that the bank is open tomorrow. Now, by the Gricean maxim of Quality (alternatively, if knowledge is the norm of assertion), this generates the implicature that DeRose knows that the bank is open tomorrow. According to Hazlett, this, in turn, will imply that the speaker can eliminate all the contextually salient error possibilities. For instance, in CASE B, were DeRose to assert that the bank will be open tomorrow, his assertion would generate the implicature that he knows this, which, in turn, would generate the implicature that he can eliminate the contextually salient

27 See e.g. (DeRose 2009).
error possibility that the bank changed its hours in the last two weeks. Since DeRose can do no such thing, the assertion does generate a false implicature, i.e. in virtue of generating an implicature that itself has a false implicature.

3.2. Shiftiness Without Error Possibilities

One immediate worry with this line is that it is easy to come up with cases that are just like the variation of CASE B we have been considering in which there are no contextually salient error possibilities being tabled. The ASPIRIN cases we have been looking at are precisely like that. Recall the cases:

**ASPIRIN1.** You remember having bought aspirin last month. You are heading together with your sister towards your place for dinner, and she lets you know she has a minor headache. Your sister asks you: ‘*Do you have aspirin at home, or should we go to the pharmacy?*’ You flat out assert: ‘*Don’t worry, I have aspirin at home, I remember having bought some*.’

**ASPIRIN2.** You remember having bought aspirin last month. Your sister’s two years old baby is having a fever, and needs an aspirin as soon as possible. Your sister asks you: ‘*Do you have aspirin at home, or should we go to the pharmacy?*’. You give the matter a bit of thought, and answer: ‘*Well, let’s drop by the pharmacy, just in case*.’

In this cases, in contrast to the Bank Cases, no error possibilities are raised; still, the Shifty Intuition survives. Perhaps the Pragmatic Compatibilist could respond that the set of contextually salient error possibilities need not be made explicit. It will do if there is an implicit set of such possibilities. For instance, in ASPIRIN2, the Pragmatic Compatibilist could perhaps claim that the possibility that you misremember having bought aspirin becomes implicitly salient.

The trouble with “going implicit” is that the solution threatens to be too easy. For this move to enjoy any plausibility whatsoever, we will need an independently plausible account of how the set of implicitly salient error possibilities is generated. Given that what we are dealing with is a context-
sensitive phenomenon, it is quite plausible that it is facts about the participants to the conversation that generate the set, such as their interests, what they are attending to, etc. It is hard to deny that these facts vary from one speaker to the next, which begs the question as to just how a single set is settled on. One obvious proposal is that it is the lowest common denominator, as it were, i.e. the intersection of the set of error possibilities that each speaker would generate individually. However, this proposal is tricky because it is just not clear why all the error possibilities the Pragmatic Compatibilist needs will always be generated. For instance, why should we think that, in ASPIRIN2, the possibility of misremembering should always be generated as implicitly salient. Note that if it is possible that it isn’t, it looks as though the Pragmatic Compatibilist account of the data is in trouble. Another obvious proposal is that it is the highest common denominator, as it were, i.e. the union of the set of error possibilities that each speaker would generate individually. This proposal is also tricky because it is not clear why there couldn’t be a participant to a low-stakes conversation whose interests etc. unduly raise the bar for ‘knowledge’. But given all this, the Pragmatic Compatibilist who wants to solve the problem posed by cases like ASPIRIN2 shoulders a substantive explanatory burden. Unless this burden has been discharged, we have every reason to remain sceptical about the Pragmatic Compatibilist line here.

3.3 Shiftiness Without Stakes

Cases like ASPIRIN2 suggest that contextually salient error possibilities are not necessary for triggering the unassertability intuition. Even if it turns out that this problem can be circumvented, perhaps along the lines just outlined, the Pragmatic Compatibilist faces a further problem: they seem to not be sufficient for doing the job either. That is, it looks as though, at least in some cases, tabling error possibilities will not do the trick, at least not in the absence of accompanying high stakes. If that is the case, however, it starts looking as though proper assertability does not have all that much to do with salient error possibilities to begin with. Rather, it seems more and more plausible that the only thing that matters are variations in stakes. Thus consider the following variation of ASPIRIN1:
ASPIRIN*. You remember having bought aspirin last month. You are heading together with your sister towards your place for dinner, and she lets you know she has a minor headache. You flat out assert: ‘Don’t worry, I have aspirin at home, I remember having bought some’. Your sister asks: “Maybe you’re mistaken; you do sometimes misremember things,” she remarks. “I have aspirin at home,” I reply. “All right,” she says.

I take the intuition here to be that you and your sister are right to put the matter to rest. If that is true, however, tabled error possibilities by themselves – that is, in absence of raised stakes – won’t seem to do the work Pragmatic Compatibilists takes them to do. This, of course, should hardly come as a surprise: just because sceptical worries are ‘in the air’ while I write an epistemology paper, for instance, it hardly follows I do not know and cannot assert that there is a computer in front of me. More is needed to trigger unassertability.

And we still have not reached the end of the obstacles the Pragmatic Compatibilist will have to overcome. Note that she will be wheeling in some pretty heavy theoretical machinery, i.e. the idea of an implicature-generating implicature: for her account to work, the implicature that the speaker knows what she says in itself must be able to generate the further implicature that she can eliminate all contextually salient error possibilities.

Again, there is an explanatory burden to be discharged. To begin with, one might wonder whether there is such a thing as implicatures generating implicatures in the first place. Moreover, even if it turns out that the phenomenon exists, it would be good to know whether what we are dealing with here is a fully general phenomenon, or whether it is restricted to particular types of implicatures. And then there is the issue of just how implicatures generate implicatures. And finally the account had better work at least for the type of implicature to which the ones the Pragmatic Compatibilist wants to invoke also belong. In this way, the burden the Pragmatic Compatibilist shoulders gets weightier and weightier.

Here is a more direct problem for the Pragmatic Compatibilist. It is widely agreed that implicatures must be calculable. And, of course, whether a
given implicature is calculable will depend on the cognitive capacities of the agents who are facing the calculation task. But given that this is so, it is surely possible for there to be communities of speakers that are only able to generate simple implicatures, and not implicatures of implicatures. It is also surely possible for some such communities (i) to operate the concept of knowledge and have a word expressing it in their language and (ii) to have variations in stakes. If so, we can generate analogues of DeRose’s bank cases for members of these communities. Note that the Pragmatic Compatibilist account will work just fine for the analogues of DeRose’s original bank cases. After all, all the Pragmatic Compatibilist needs here is a simple implicature. However, the envisaged account for the generalized cases like ASPIRIN2 will just not work. After all, according the Pragmatic Compatibilist line, what’s going on here is an implicature of an implicature. Since members of the community cannot calculate implicatures of implicatures and since implicatures must be calculable, it follows that there is no such thing as an implicature of an implicature for this community. By the same token, the Pragmatic Compatibilist account is bound to fail here.

**Conclusion**

This chapter has argued that the Pragmatic Compatibilist faces a number of difficult obstacles. Bank cases involving communities of speakers who cannot calculate implicatures of implicatures suggest that the envisaged explanation simply does not work. In addition, the Pragmatic Compatibilist line relies crucially on contextually salient error possibilities. However, we have seen that there is reason to think that such error possibilities are neither necessary nor sufficient in generating unassertability. In contrast, stakes alone seem to do the trick. If that is the case, however, a plausible Pragmatic Compatibilist explanation of the generalized data does not seem to be forthcoming.
Chapter IV: KK Compatibilism

Recall that the general consensus among epistemologists is that KNA is incompatible with Classical Invariantism. Pragmatic Compatibilism offers one way of resisting this incompatibility claim. However we have seen that its prospects are not altogether bright. The competing Compatibilist view is championed by Tim Williamson (2005) and John Turri (2010). The key idea that both subscribe to is that the unassertability in the high stakes contextualist cases can be explained in terms of the subjects’ lack of higher order knowledge (henceforth, KK Compabilism). While there is agreement on the central idea between Williamson and Turri, their accounts differ in the details. According to Williamson, although, strictly speaking, all that is needed for proper action – assertion included – is first order knowledge, when the stakes are high, we tend to find people who act without knowing that they meet the condition for proper action blameworthy for so doing:

How harshly should we judge practical reasoning in which the agent relies on an appropriate premise without being in a position to know that it is appropriate? A natural answer is: it depends on how much is at stake. If not much, then it seems unreasonably pedantic to condemn the reasoning. But if matters of life and death are at stake, the charge that the agent was not in a position to know that the premise was appropriate becomes more serious (Williamson2005a, 232).

The case of assertion is, according to Williamson, but an instance of the general phenomenon described in the above passage. Since I am interested specifically in the case of assertion, in what I’ll be focusing on the relevant instance of the general phenomenon only.

While Turri also wants to explain the unassertability in high-stakes cases in terms of lack of knowledge of knowledge, he claims that what is going on is that speakers in high stakes cases do not make mere assertions but perform speech acts of a different type, to wit, guaranteeing. According to
Turri, different speech acts come at different ‘epistemic costs’: guessing is cheap, conjecturing requires some epistemic support, assertion asks for knowledge and swearing and guaranteeing, the most ‘epistemically expensive’ speech acts in that they require second-order knowledge. Furthermore, participants in a conversation are usually sensitive to contextual variations in the speech acts that are being performed. As such, what happens in contextualist high stakes cases is that, as soon as the context changes, the speech act that is assumed to be performed is not mere assertion anymore, but a more ‘expensive’ one, the speech act of guaranteeing. This is said to explain the intuitive variability of speech act propriety with stakes, while leaving both CI and KNA unaffected.

4.1 Knowledge of Knowledge

For our purposes, the differences between the views defended by Williamson and Turri are of little consequence. The reason for this is that my main target will be KK Compatibilism’s central claim that the shiftiness intuition can be explained in terms of the subjects’ alleged lack of higher order knowledge, which both Williamson and Turri accept and employ.

One question that immediately arises for KK Compatibilists is just why DeRose fails to know that he knows in the bank cases. Turri does not address this question. In Williamson’s (2000) view, any non-trivial condition is non-luminous, in the sense that it allows for borderline cases where it barely obtains, such that one is not in a position to know that it obtains. Since knowing is a non-trivial condition, there will be cases in which one barely makes the threshold for knowledge and so is bound to fail to know that one knows. Crucially, according to (Williamson 2005a), the cases the contextualist exploits pass muster. In other words:

No Luminosity: Contextualist cases are borderline cases of knowledge, and therefore exhibit failures of luminosity: While agents in contextualist cases know, they do not know that they know.
For instance, on Williamson’s view, strictly speaking, you know that you have aspirin at home in both the ASPIRIN cases. As such, according to KNA, you are permitted to assert that you have aspirin at home. However, your memorial belief barely makes the threshold for knowledge, and thus, in both cases, you fail to know that you know, and therefore you fail to know that your assertion is appropriate. Now, in Williamson’s view, it would be rather unreasonable to insist that you should have second order knowledge in the low stakes ASPIRIN1 case. However, given that you don’t know that you are meeting the condition for properly asserting, it seems unacceptable to do so in ASPIRIN 2, where your nephew’s health hinges on it.

With this point in play, let us look more closely at No Luminosity: note that, crucially, it will adequately explain the Shiftiness Intuition only if it is taken to be a necessity claim: necessarily, all pairs of cases that exhibit the Shiftiness Intuition are borderline cases of knowledge. To see this, just suppose that there are cases exhibiting the Shiftiness Intuition that aren’t borderline cases of knowledge. In that case, there is no reason to think that the agent lacks second-order knowledge. The intended explanation does not get off the ground. And Williamson will have failed to explain the Shiftiness Intuition in its full generality.

The trouble is that, understood as a necessity claim, No Luminosity loses a lot of its initial appeal. In fact, it is quite plausible that the Shiftiness Intuition survives in clear cases of knowledge too. Thus consider the following pair of cases due to Jessica Brown:

**LO:** [S]uppose that Lo truly believes that the seaweed in front of her is correctly classified as of type F, on the basis of the testimony of an accompanying expert. She has no reason to doubt the expert's competence and the expert is in fact reliable (Brown 2005, 323).

According to Brown, LO’s warrant is well above the ordinary standards for knowledge. Therefore, on a non-sceptical invariantist view, Lo knows that the seaweed is of type F. Moreover, her knowledge is not borderline. In fact, it is also plausible to think that she knows that she knows this. It also seems correct
for her to say 'I know that the seaweed is of type F' and to use the relevant proposition in practical reasoning.

**HI:** Hi is in the same epistemic position as Lo; she truly believes that the seaweed in front of her is correctly classified as of type F on the basis of the testimony of an accompanying [reliable] expert [...]. However, [in her context], [...] seaweed F could rapidly come to dominate the local seaweed population, leading to loss of the marine diversity for which the area is internationally renowned. The only way to prevent this loss would be a hugely expensive clean-up programme which would require closure of nearby tourist resorts. Further, in Hi’s context, various error possibilities have been raised, such as the possibility that the expert is mistaken ('Experts do sometimes make mistakes') (Brown 2005, 323).

It looks as though in HI, but not in LO, it is inappropriate to assert ‘The seaweed is of type F’ or to rely on the proposition that the seaweed is of type F in, say, deciding whether to close the local resort. Furthermore, it looks as though Hi should make further checks by asking one or more other experts for their opinion.

Cases like Brown’s suggest that the Shiftiness Intuition can be generated with clear cases of knowledge in which it is plausible that the agent knows that she knows. As a result, the unassertability in high stakes cases cannot be explained in terms of the absence of second-order knowledge. The KK Compatibilist’s explanation of these cases fails.

### 4.2 Knowledge of Knowledge of Knowledge

In response, Williamson ventures to handle such cases by employing contextual variability when it comes to the needed number of iterations of knowledge: the higher the stakes, the higher the order of knowledge required for permissible action. Accordingly, in Brown’s cases, in spite of being in a fairly nice epistemic situation, Hi still misses the contextually appropriate number of iterations of knowledge: “[...] if the stakes are high enough, prudent human agents will engage in third-order reasoning about whether to trust their
second-order reasoning about whether to trust their first-order reasoning” (2005, 233). Furthermore, according to Williamson, this need not be as heavy a burden as it might seem, since in practice we often have enough iterations of knowledge to withstand the interrogations to which it is reasonable to respond.

Now, one question that immediately arises at this point concerns the empirical plausibility of this picture; that is, how plausible is it that humans really have such an extended capacity for higher order thought, as to cover the full range of stakes variability? Is forming the corresponding higher-order beliefs something that we are even capable of. And even if we are, the question remains as to whether the processes producing these beliefs are reliable enough to generate the corresponding knowledge or whether we aren’t rather prone to make mistakes at some point (say because we tend to get confused about the exact number of iterations we are looking at). With these points in play, suppose it turns out that our cognitive capacities are limited in the sense that we can wrap our minds around only a fairly limited number of iterations of knowledge. In that case it is just not clear that the Williamsonian picture is rich enough to cover the entire scale of stakes. For instance, suppose that the maximum number of iterations most of us can process is four. The question is why there couldn’t be pairs of cases that generate the Shiftiness Intuition in which the subject has fourth-order knowledge. In fact, it’s not clear why Brown’s cases aren’t cases in which the subjects have the relevant number of iterations of knowledge. I take these considerations to show that the jury is still out on whether the KK strategy is viable at the end of the day.

And there are further problems. One of the advantages of Williamson’s account is that it is but a special case of a more general phenomenon: the idea is that, in general, we tend to harshly judge people who, when a lot is at stake, act without knowing that they meet the condition for proper action. Consider, for instance, the following case:

**LOCK.** The company you work for operates a norm that the door be locked after 10pm. Moreover, the last employee is in charge with this. Today you are last employee and know this. You also know that it’s of special importance

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28 For discussion, see Kluwe (1982).
today that the door is locked as your company just received some valuable goods that are likely to be stolen unless the door is locked.

In this case, it’s plausible that Williamson is right in that you’ll be subject to blame if it turns out that you didn’t know that the door was locked after 10pm, even if, as a matter of fact, it was. By way of evidence, notice that if it does transpire that you didn’t know that the door was locked, we can legitimately criticise you by saying things like: “The door was locked. But you didn’t know that. You should have known.”

What’s less plausible is that, as the stakes go up, you need further iterations of knowledge. Consider:

**LOCK**. The company you work for operates a norm that the door be locked after 10pm. Moreover, the last employee is in charge with this. Today you are last employee and know this. You also know that it’s of vital importance today that the door is locked. Your company invested all its capital in certain goods that just arrived and are nearly certain to be stolen and result in the company’s bankruptcy unless the door is locked.

Here too, it’s plausible that you’ll be subject to blame if it turns out that you didn’t know that the door was locked, even if, as a matter of fact, it was locked. What’s less plausible is that you’ll be subject to blame if the door is locked and you knew that (you knew that you knew that …) it is locked but you didn’t know that (you knew that you knew that …) you knew that the door is locked. By way of evidence, notice that if all this transpires, it doesn’t look as though we can legitimately criticise you by saying: “The door was locked. And you knew that (you knew that you knew that …) it was locked. But you didn’t know that (you knew that you knew that …) you knew. You should have known that (you knew that you knew that …) you knew.”

What comes to light, then, is that while in general we legitimately blame those who don’t know that they comply with a certain norm, we can’t legitimately blame them in cases in which they comply with the norm and have some number of iterations of knowledge, but don’t attain some higher number of iterations for knowledge. But given that the case of assertion was meant to
be but a special case of the general phenomenon, we’d expect assertion to behave in this way also. By the same token, we have reason to think that the KK account remains unsuccessful also.

4.3. The Normative Status of the Blameworthiness Claim

Recall that, according to Williamson, while KNA is true, we tend to blame people who, when the stakes are high, act without knowing that they have what it takes to properly act, i.e. that they meet the relevant norm. Here is one question that arises at this point: what is the normative source of the blameworthiness/blamelessness in Williamson’s account? One option that Williamson considers and rejects – with what I take to be good reason – is that it is the norm for action/assertion itself:

The insensitive invariantist could try to build variation in the required number of iterations of knowledge into appropriateness itself, with a corresponding revision of [the knowledge norm of action/assertion]: in some cases q would be appropriate iff one knew q, in others iff one knew that one knew q, and so on, depending on the stakes. If such a move is acceptable, it provides the insensitive invariantist with a systematic response to arguments from practical differences to shifting semantic standards for epistemic terms. However, the move does not guarantee the epistemic accessibility of appropriateness, for the anti-luminosity argument is quite general (Williamson 2005, 233).

In sum, the thought is that the non-luminosity of knowledge generates cases where you obey the norm but you fail to know that this is the case – and are, therefore, by Williamson’s lights, blameworthy for making the corresponding assertions in high stakes scenarios. However, if one modifies the norm of assertion as to stipulate that you not only have to know, but you also need to have the higher order knowledge appropriate to your stakes, that condition can fail to be luminous too – like any other non-trivial condition. That is, you can know that p, and have the contextually appropriate higher order knowledge
also, but fail to know that you do. In this case, again, Williamson will have to say that you are blameworthy for asserting, given that you didn’t have the right number of iterations of knowledge. And so on.

I agree with Williamson on this count. However, the question is whether leaving the requirement for contextually appropriate higher order knowledge out of the norm for action/assertion helps avoid the above problem.

To see the worry, note that the following principle seems uncontroversially true:

**BLAME**: *Ceteris absentibus*, blameworthiness implies norm violation.²⁹

BLAME is uncontroversial in normative ethics,³⁰ and extremely plausible principle: after all, it is plausible to believe that one cannot be blameworthy if one has not done anything wrong; furthermore, trivially, one cannot do something wrong without braking a norm, i.e. wrongness implies norm violation of sorts. Together, these two claims imply BLAME.³¹

If that is the case, however, one question Williamson needs to answer on pain of ad-hoc-ness is: what is the normative source of the blameworthiness claim involved in his explanation of the contextualist data? What norm makes it such that one should proportion one’s higher order knowledge to one’s stakes? Of course, it need not be the norm we are interested in. After all, more than one norm can – and usually will – govern any one token action. Take

²⁹ Several authors have argued that moral blameworthiness need not imply one has done something *objectively* wrong (see e.g. Capes 2012). This paper agrees with this claim. BLAME is not restricted to objective wrongdoing. Several epistemologists (Turri (), Lasonen-Aarnio (), Hawthorne&Srinivasan ()) bring cases in which agents are intuitively blameworthy in spite of not having violated the target norm. Note that this is perfectly compatible with BLAME, insofar as *some* norm is violated. In other words, it is important to keep the norm in question fixed throughout BLAME: Blameworthiness by norm N implies N-violation.

³⁰ For overview see e.g. (Kelp and Simion 2017).

³¹ Again, to be clear, BLAME needs to be carefully indexed to the same norm throughout: the claim here is not that, just because you are blameworthy for acting/asserting, you are in breach of the norm for action/assertion we are interested in. That is because, first of all, for any norm N governing φ-ing non-uniquely, blameworthiness for acting/asserting can be sourced in a complementary norm governing φ-ing. To use Jessica Brown’s example once again, I can be prudentially blameworthy for telling my boss he is bald, in spite of the fact that I am perfectly well warranted to do so from an epistemic perspective: I know he’s bald. Furthermore, for any norm N governing Φ-ing, if one is blameworthy for Φ-ing in breach of N, it need not be that the source of blameworthiness is the breach of N: one can be indirectly blameworthy for Φ-ing in breach of N by being blameworthy for φ -ing, of which Φ-ing is the consequence. For more on this, see (Kelp and Simion 2017), (Zimmerman 1997).
assertion: it is plausible that, on top of KNA, it will also be governed, say, by Gricean relevance requirements. As such, one can be blameworthy for making an otherwise knowledgeable, but irrelevant assertion.

Still, the said blameworthiness needs a specified, plausible normative source, on pain of ad-hoc-ness. Now, if Williamson does not want the source to be the main norm at stake, presumably, what will need to be the case is that he stipulates a supplementary norm which triggers the blameworthiness in question. As such, the normative picture that we get is one where, on top of KNA, assertion is also governed by a second norm, call it the Luminosity Norm, asking for an appropriate level of higher order knowledge relative to the stakes in place:

**The Luminosity Norm for Assertion (LNA):** One’s assertion that \( p \) is permissible iff one has the contextually appropriate number of iterations of knowledge that \( p \).

While the resulting normative picture might look less simple than what we started with – and therefore, arguably, theoretically less satisfactory – it need not be that its complexity affects its plausibility. After all, we have just seen that, plausibly, assertion is governed by many other norms – like, for instance the Gricean maxims; if that is the case, why not think of LNA just as one of these other norms governing assertion on top of KNA?

Unfortunately, though, complexity considerations aside, once the normative structure is made clear, two fairly serious problems arise for the Williamsonian line: first, consider Williamson’s further lack of luminosity worry. Recall that the reason why Williamson did not just add the requirement for contextually appropriate higher order knowledge to the norm for assertion itself was that, like any other non-trivial condition, this condition too can fail to be luminous. That is, you can know that \( p \), and have the contextually appropriate higher order knowledge also, but fail to know that you do. In this case, again, Williamson will have to say that you are blameworthy for asserting, Note, though, that it’s not clear what will be gained by having two separate norms. After all, insofar as LNA is also a norm governing assertion, on top of KNA, one can fail to know that the conditions thereby specified obtain, and,
arguably be blameworthy for asserting under these circumstances in high stakes scenarios.

Second, and more importantly, the plausibility of the sufficiency claim at issue in KNA would appear to be in jeopardy; after all, if LNA also governs assertion, it looks as though, as a matter of fact, being knowledgeable is not sufficient for proper assertion.

As far as I can see, there are two options ways for Williamson at this point: indexing (i) to subjects or else (ii) to types of norms. I will look at them in turn.

On the first option, LNA governs a different entity than KNA: while the latter is a norm for the speech act, i.e. stating what it takes for an assertion to be a good assertion, the former stipulates what it takes for a speaker to be a good speaker. Williamson (Forthcoming) puts forth a normative framework for blameless believers meant to address the New Evil Demon problem for externalism,\textsuperscript{32} which might prove useful here. According to Williamson, a given norm N typically generates derivative norms, which render subjects who violate the primary norm blameless for so doing:

For example, there is the secondary norm DN of having a \textit{general disposition} to comply with N, of being the sort of person who complies with N. [...] There is also a tertiary norm ODN of doing what someone who complied with DN would do in the situation at issue (‘O’ for ‘occurrent’) (Williamson Forthcoming, 6-7).

Correspondingly, maybe LNA is a derivative norm of KNA and what is going on in the contextualist cases is that we have a correct assertion – an assertion that meets KNA, the primary norm – with a blameworthy speaker, in virtue of her being in breach of the derivative norm LNA.

One problem with this proposal is that, as Williamson also agrees, that one can break norms blamelessly in various ways; the classical ways discussed

\textsuperscript{32}This case has been put forth in (Lehrer and Cohen 1983) against reliabilist accounts of justification, but they generalize to many externalist views, including Williamson’s JB=K account. Suppose that an evil scientist kidnaps Philip, a normal adult, and hooks his brain up to a super computer that is programmed to induce the kind of sensory experiences he would have had if he had not been kidnapped. The thought is that, intuitively, Philip is as justified after envatment as he was beforehand, although, in fact, his cognitive processes hardly ever deliver truths, not to mention knowledge.
in the literature are through lack of control or lack of awareness. LNA, of course, will make no exception. In fact, Williamson’s own framework for blamelessness itself can be easily employed to vindicate this thought: after all, one can fail to comply with LNA but still do well by the corresponding derivative norms, call them DLNA and ODLNA. What’s worse, there is excellent reason to think that DLNA may well be satisfied in contextualist cases. To see this, consider ASPIRIN\textsuperscript{2} once more. You had a choice between performing a proper and an improper speech act. Note that here you chose not to make the improper assertion. You do not assert that you have aspirin at home. Why not? One possible answer is that because you satisfy DLNA. So let’s assume that you do. In that case, it’s plausible that you also satisfy DLNA even if you were to violate LNA on one particular occasion. But then it’s also plausible that had you chosen to make the improper assertion instead, you would still have satisfied DLNA. Finally, note that Williamson endorses that satisfying DLNA entails satisfying ODLNA (Forthcoming, p.8). If so, then had you chosen to make the improper assertion instead, you would have satisfied not only DLNA but also ODLNA. But then, by his own lights, we’d expect you to come out violating LNA blamelessly anyway in which case the blameworthiness just cannot be explained in the way envisaged.

Perhaps Williamson should retract the entailment between DLNA and ODLNA and argue that even though had you chosen to make the improper assertion, you would have complied with DLNA, you wouldn’t have complied with ODLNA, and so you come out blameworthy. Unfortunately, it’s not clear that even this move will work. To see why not, let’s ask what would have been the case had you chosen to make the improper assertion, keeping firmly in mind that you satisfy DLNA. Very plausibly, the answer is that you would have been in a case in which (i) you know what you assert and (ii) you are in a borderline case of knowledge, i.e. you don’t know that you know what you assert. Most importantly, given that you satisfy DLNA it is also plausible that you are in a borderline case that is indistinguishable for you from in the sense that it looks to you just like a clear case of knowledge. (After all, had it been distinguishable, since you satisfy DLNA, you would have refrained from asserting. But in that case, pretty much anyone.) But pretty much anyone who satisfies DLNA would assert in a case that to them looks just like a clear case
of knowledge. And given that this is the case, it is now very hard to deny that you comply with ODLNA also. So, again Williamson’s framework leads us to expect that you to come out violating LNA blamelessly and the blameworthiness just be taken to be sourced in a violation of LNA.

Another problem with the above proposal is that LNA just doesn’t appear to be plausible as a norm for being a good speaker. For starters, it is expressly stated as a norm governing assertion that p. Of course, one could try to reformulate it as a speaker norm. However, the prospects of this move are dim also. To see why, note that LNA is a fairly strongly externalist norm: whether one complies with it in a given case is, to a significant extent, dependent on cooperation of the world. This, however, makes it ill-suited as a speaker norm. After all, it just doesn’t seem right to blame a speaker when she fails to comply with a norm just because the world happened not to cooperate.

As far as I can see, there is only one option available for Williamson at this point: indexing to types of norms; that is, arguing that KNA is an epistemic norm for assertion, while LNA, i.e. the source of blameworthiness, is a practical norm governing this speech act. On this picture, knowledge is epistemically speaking sufficient for proper assertion; however, practical considerations ask for contextually appropriate higher order knowledge on top of the epistemic requirement. This reply seems, indeed, quite plausible, and also helps to explain the otherwise somehow weird status of LNA: when your life is at stake, prudentially, is good to check more on the status of your base for asserting.33

Let us take a moment to take stock, though. On this last, most plausible understanding of the Williamsonian proposal the reason why speakers are blameworthy for asserting without higher-order knowledge in high-stakes cases is that there is a practical norm that requires further iterations of knowledge and overrides the epistemic norm, which only requires plain old first order knowledge.

Note, though, that even so, the problems raised in the previous sections with the KK view still stand. In addition, the fact that Williamson

33 In both print (2005, 233) and conversation, Williamson suggested a prudential reading of the KK requirement; according to him, someone of prudent character will have a disposition to check whether he has as many iterations of knowledge as the stakes require, that is, to ask herself the question: ‘Am I in a position to say that p? Do I know that p? Do I know that I know….’
needs to stipulate a further norm of assertion remains a fly in the ointment as does the lack luminosity problem for this new norm.

But now note that all these difficulties are sourced in the KK Compatibilist’s claim that (prudential) blamelessness requires higher order knowledge in the contextualist cases. Fortunately, however, the basic idea we are now putting to work – that the blameworthiness is explained in terms of practical norms overriding the epistemic norm – is entirely independent of the story about higher order knowledge. In fact, as I am about to argue, there is a perfectly adequate explanation of the data along these lines available, which remains safely at the first order and so promises to escape all the problems of KK Compatibilism.

Conclusion

I have argued that there are problems with all views on the market that attempt to defend the independence of thought from the phenomenon of shiftiness of proper speech. I first argued that Assertion Sensitivism is to be abandoned on prior plausibility grounds: it displays acute misfit with basic value-theoretic assumptions. I then looked at the two extant compatibilist views on the market, i.e. views that attempt to preserve both Classical Invariantism and the Knowledge Norm of Assertion in spite of the Shiftiness Intuition. Pragmatic Compatibilism, attempting to explain the Shiftiness Intuition in Gricean terms, was shown to face the generality objection for failing to adequately account for variations in assertability in cases in which no epistemic concepts are deployed and no error possibilities are on the table. The alternative view KK Compatibilism, which relies on a decision-theoretic picture that correlates higher stakes with a need of further iterations of knowledge, misidentifies the epistemic deficit present at contextualist high stakes cases.
Part 2: Thought Invariantism and Speech

Functionalism
Chapter V: Against the Shiftiness Dilemma

We have seen that the vast majority of the literature has embraced the Shiftiness Dilemma: given that, intuitively, proper assertoric speech varies with practical stakes, CI and KNA are incompatible: one of the two needs to go. We have also seen that accounts that went for the horn of the dilemma that preserves independence of proper thought from practical considerations – i.e. views attempting to preserve CI by defending context variance for the norm of assertion - were ultimately unsuccessful, as were compatibilist views, trying to escape the Shiftiness Dilemma altogether. All in all, it’s not looking good for independence.

This part of the book develops a novel defence of the independence of proper thought from practical considerations. In order to do that, it starts, in this chapter, by arguing that The Shiftiness Dilemma is a false dilemma: KNA is perfectly compatible with Classical Invariantism. Further on, I offer independent reason to believe that if KNA and Classical Invariantism are true, variation in proper assertability is exactly what we may expect.

More precisely, this chapter advances the debate in several important ways: (1) It identifies a widely assumed assumption concerning epistemic norm individuation (Content Individuation), which gets the shiftiness dilemma off the ground; (2) It argues that Content Individuation is false, and that therefore the norm at stake in the debate need not be epistemic; (3) Drawing on widely endorsed results in value theory (what I’ve dubbed the Association Claim), it puts forth a value-theoretically neutral way to individuate epistemic norms (Value Individuation). (4) It shows that Value Individuation delivers the result that the norm governing the assertion at stake in contextualist cases is a prudential norm.

5.1 Against Conditional Incompatibility
Recall that De Rose’s argument for the Shiftiness Dilemma rested on the claim that, given *Intuitive Shiftiness*, we cannot combine KNA with Classical Invariantism – what I have dubbed the ‘Conditional Incompatibility’ claim:

**Conditional Incompatibility.** If Intuitive Shiftiness is true, then KNA is incompatible with Classical Invariantism.

Since we have already seen that there is excellent reason to think that Intuitive Shiftiness is true, Conditional Incompatibility gives us excellent reason to think that KNA is indeed incompatible with Classical Invariantism.

While Conditional Incompatibility may indeed seem plausible at first glance, I will now argue that it is false. To see why, I’d first like to introduce some relevant parts of normativity theory:

First, there are many types of action that are governed by a specific type of norm: chess moves are governed by norms of chess, driving by traffic norms etc. (henceforth I will use *norm N* as a shorthand for such a type-specific norm). Now, everyone agrees that assertion is a type of action and the epistemic norm governing it is just such a norm N.

Second, all types of actions are governed by certain types of norm simply in virtue of being actions. For instance, all types of action are governed by prudential and moral norms. Crucially, a given action may be improper in one respect whilst being proper in another. When you move the bishop diagonally in chess, your move is proper by the norms of chess. However, if someone also threatens to kill you if you move the bishop diagonally, your so doing will be both practically and morally improper. And the same goes, mutatis mutandis, for asserting that 2+2=4 at gunpoint, say. Your assertion is proper in the sense that it satisfies KNA but both morally and practically improper.

Third, actions can be assessed not only with respect to whether they are proper in the sense that they comply with the various specific norms governing them, but also whether they are *all-things-considered* proper. Crucially, it may be that even though a given action conforms to one particular norm, e.g. norm N, it is all-things-considered improper. This is just what happens in the above gunpoint cases: it is all-things-considered improper to move the
bishop diagonally and to assert that 2+2=4 even though the relevant norms N are satisfied here. The reason for this is that requirements of moral and practical norms override the requirements of the norms of type N. What comes to light, then, is that many norms, including the epistemic norm of assertion are defeasible: they can be overridden by other norms.

With these points in play, let’s return to Intuitive Shiftiness. Recall that DeRose argues from the intuitive variability in proper assertion to the incompatibility of KNA and Classical Invariantism. Crucially, however, I already mentioned that it is widely agreed that KNA is a norm N governing assertion. More specifically, it is a distinctively *epistemic* norm of assertion, that is, a norm that specifies conditions for *epistemically proper assertion* in particular. But now recall that norms N, including the epistemic norm of assertion, can be overridden by other norms.

So suppose for a moment that our propriety intuitions in cases like the ASPIRIN cases do not track distinctively epistemic propriety but some other kind of propriety. Since it is entirely possible that an assertion is improper in some other way whilst being proper in the distinctively epistemic sense associated with the epistemic norm for action and vice versa, it simply does not follow from Intuitive Shiftiness that KNA and Classical Invariantism are incompatible. By the same token, Conditional Incompatibility is false.

What DeRose needs in order to establish the incompatibility of KNA and Classical Invariantism is that there is variability in the distinctively epistemic propriety of assertion (henceforth also Epistemic Shiftiness):

**Conditional Incompatibility***. If Epistemic Shiftiness is true, then KNA is incompatible with Classical Invariantism.

Of course, Intuitive Shiftiness and Conditional Incompatibility* will not serve to establish the incompatibility between KNA and Classical Invariantism unless the following assumption holds:

**Epistemic Tracking.** The intuitive variation in propriety of assertion tracks the distinctively epistemic propriety of assertions.
Unfortunately, Epistemic Tracking is not all that easy to defend. To see this, consider the following question: given the fact that actions, including assertion, are governed by many norms the requirements of which may conflict in a given case, how are we to distinguish the requirements of the norm we are interested in – that is, the distinctively epistemic norm governing assertion – from the requirements of other norms governing it, especially when the requirements are in conflict? Note also that it is fairly plausible to think that, if anything, our intuitions track all-things-considered propriety, which may conflict with the requirements of pretty much any of the norms that govern the relevant action, certainly however any norm N. Given that this is so, however, the prospects of making a convincing case for Epistemic Tracking are dim. There is precious little reason to think that we can get to the condition for distinctively epistemic propriety simply by registering our intuitions about cases.

By the same token, DeRose will need to do more in order to get the argument from Epistemic Shiftiness and Conditional Incompatibility* to the incompatibility of KNA and Classical Invariantism off the ground. Importantly, here the trouble is not with Conditional Incompatibility*, which I agree is perfectly fine. Rather the difficulty lies with making Epistemic Shiftiness plausible. What has transpired now is that there is little reason to think that merely appealing to our intuitions about when assertions are proper will do the trick as there is little reason to think that our intuitions track distinctively epistemic propriety here.

Rather, DeRose will need to supplement his methodology with a principled way to distinguish the requirements of the distinctively epistemic norm he is after and he needs to show that there is variation in just these requirements in the relevant cases. This will give him Epistemic Shiftiness. And, since Conditional Incompatibility* is fine, it will enable him to establish the incompatibility of KNA and Classical Invariantism.

34 Jennifer Lackey expresses a similar worry regarding excuse maneuvers brought in defence of KNA: “For now, whenever evidence is adduced that concerns the epistemic authority requisite for proper assertion, it may bear on the norm of assertion or it may bear on these other [...] norms. [...] [I]t will be extremely difficult, if not impossible, to tell which is being defended (Lackey 2011, 277).
5.2. Epistemic Norms and Norms with Epistemic Content

Now, here is a view about individuating epistemic normative requirements that enjoys a considerable amount of popularity among epistemologists:

**Content Individuation.** If a norm affects the amount of epistemic support needed for permissible \( \phi \)-ing, then it is an epistemic norm.\(^{35}\)

Note that if Content Individuation is a viable way of distinguishing between genuinely epistemic norms and norms of different sorts, Epistemic Shiftiness is true. If this isn’t immediately obvious, consider the following variation of ASPIRIN-HIGH:

**ASPIRIN-HIGH*.** On the way to your place, your sister lets you know that her two years old baby urgently needs an aspirin on doctor’s orders and asks you: ‘Do you have aspirin at home, or should we go to the pharmacy?’ You remember having bought aspirin last month. Even so, you think it best to have your partner double check and so you call. When s/he confirms that there is a full pack in the medical box you say to your sister: ‘Don’t worry, we have aspirin at home’.

Here, your assertion that you have aspirin at home is again intuitively entirely proper. Crucially, the only thing that differs between ASPIRIN-HIGH and HIGH* is that in the latter you have more epistemic support for your assertion than in the former: you not only remember having bought it a month ago, but you also have confirmation from your partner that it is there. But then, of

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\(^{35}\) One can find Content Individuation implicitly assumed in most of the literature on epistemic normativity of belief, assertion or action in the last decade (see e.g. Brown 2010, 555). Furthermore, Content Individuation is frequently explicitly endorsed as in the following passages:

[T]he problem with the agents in the above cases is that it is not *epistemically* appropriate for them to flat-out assert that \( p \) […] . One reason this is clear is that the criticism of the agents concerns the *grounds* for their assertions  (Lackey 2013, 38).

Assertions are governed by an alethic or an epistemic norm – that is, a norm that specifies that it is appropriate to assert something only if what is asserted is true, or justifiably believed, or certain or known (Maitra 2011, 277).
course, it is hard to deny that the reason why the very same assertion would have been improper in ASPIRIN-HIGH is that you do not have enough epistemic support for it. By Content Individuation, the norm that you are violating in ASPIRIN-HIGH is an epistemic norm and so concerns distinctively epistemic propriety. This gives us Epistemic Shiftiness. Since Conditional Incompatibility* is unexceptional, the incompatibility between KNA and Classical Invariantism will be established.

The trouble with this line is that there is excellent reason to believe that Content Individuation is false, and therefore does not serve to support Epistemic Shiftiness. To see why, I’d like to return once again to the general theory of normativity. Consider, once more, a chess case. You are in a situation in which someone will kill you if you make any move. Here doing what is proper by norm N – say, moving the bishop diagonally – is all-things-considered improper. Here overriding moral and practical norms render relevant action *altogether* improper in the sense that you shouldn’t play at all in the circumstances.

Crucially, however, rendering the action altogether inappropriate is not the only way in which overriding norms can affect the all-things-considered status of particular action governed by it. To see this, consider traffic norms: suppose you are driving down a road for which the relevant traffic norm (norm N) prohibits driving faster than 50 km/h. Suppose next that a terrorist group placed a bomb in centre town and that you are the only person who is able to defuse it. In this case you clearly have a moral obligation to (do your best to) defuse the bomb. But now suppose that, in order to get there in time, you have to break the traffic norm and drive 90km/h. Clearly, the moral requirement does not render driving altogether improper. Rather, what happens is that the moral norm overrides the traffic norm and renders driving 90 km/h the all-things-considered proper thing to do.

Notice that, in the two cases above, overriding norms affect the normative profile of the cases in two importantly different ways. First, in the chess case, overriding moral and practical norms render actions that are proper by norm N *all-things-considered improper altogether*. In contrast, in the driving case, overriding moral and practical norms *modify the requirement for all-things-considered proper action*: the bomb threat moves the all-things-considered proper speed up...
to 90km/h. In sum, overriding norms can affect actions in both of the following two ways:

Override1. They can render an action all-things-considered improper altogether.

Override2. They can modify the requirements for all-things-considered propriety up or down.

It may be worth noting that Override2 does not only concern the case of driving. On the contrary, similar examples can be construed for many types of action. What matters is that the norms in question regulate how much of a gradable property one’s action needs to enjoy in order to be proper. The case of driving is but one instance of this phenomenon. If this isn’t immediately obvious, just note that it can be morally and/or practically required to have a better or a worse grade average, to wear a longer or a shorter skirt, to speak louder or more quietly. These considerations suggest that, when a certain type of action is governed by a norm (e.g. a norm N) that requires a certain degree of a gradable property G, a norm overriding this norm can move the threshold for all-things-considered proper action up or down on the G spectrum.

Now here is the crucial point: when a certain type of action is governed by a norm (e.g. a norm N) that requires a certain degree of a gradable property G and an overriding norm modifies the threshold for all-things-considered proper action up or down, this does not turn the overriding norm into a norm of the type that it overrides. For instance, in the traffic case, when a moral norm modifies the requirements for all-things-considered proper driving up to 90km/h, it does not follow that what we are now dealing with is a traffic norm that requires driving 90km/h. On the contrary, the traffic norm remains unaffected – it continues to require you to drive no faster than 50km/h – as does the fact that the norm requiring you to drive 90km/h is a moral norm. Rather what is going on here is that we are dealing with a moral norm that has traffic-related content and the that the requirements for all-things-considered proper driving coincide with the moral norm.36 This means that there is a

36 Again, the other cases follow suit: Just because a norm regulates the appropriate color of one’s clothes for a funeral, it need not follow it is a fashion norm: it will likely regard social
noteworthy difference between a norm of type X (e.g. a traffic norm) and a norm that has X-related content (e.g. a moral norm that tells you how fast you may drive). In particular, and most importantly for present purposes, the fact that a norm has X-related content does not imply that it is a norm of type X.

5.3 No Shiftiness Dilemma

With these points in play, let’s return to the case of assertion. Recall that assertion is a type of action. According to KNA, epistemically proper assertion requires knowledge. Now, it is widely agreed that knowledge in turn is true belief such that one is in a good enough epistemic position towards the target proposition (henceforth also warranted true belief for short). And, according to Classical Invariantism, the threshold for warrant is of course fixed.

Crucially, however, warrant is a gradable property: one can have more or less warrant for a given proposition. This means that, if KNA and Classical Invariantism are both true, assertion is a type of action that fits the normative profile of Override2. To repeat, KNA requires a certain (according to Classical Invariantism fixed) amount of a gradable property (i.e. warrant). We may thus expect overriding moral, practical, etc. norms to be able to modify the degree of warrant needed for all-things-considered proper assertion up or down. Moreover, here too, the fact that an overriding moral, practical, etc. norm so affects the degree of warrant required for all-things-considered action does not turn the norm into an epistemic norm. Rather, here too, what is going on is that overriding moral, practical, etc. norm has epistemic content and that the requirements for all-things-considered proper assertion coincide with the moral, practical, etc. norm. Here too, we find the difference between an epistemic norm (e.g. KNA) and a norm with epistemic content (e.g. a moral,

appropriateness. It can be practically appropriate to speak louder or more quietly, no matter what the norms of etiquette require – if one is talking to someone who is hard of hearing, say.

37 One legitimate question at this point is: where does this discussion leave the epistemic norm for action and/or practical reasoning? A full answer to this question falls outside the scope of this paper. I have argued elsewhere (Simion 2018) in quite some detail that, in virtue of the distinction between epistemic norms and mere norms with epistemic content, it is a mistake to lump together the epistemic propriety of practical reasoning with that of action. Practical reasoning is will be governed by genuine epistemic norms; action will not. For similar views, see Fantl& McGrath (2002).
practical, etc. norm that tells you how much warrant you need to assert properly). And, again most importantly for present purposes, here too, the fact that a norm has epistemic content does not imply that it is an epistemic norm.\footnote{38} By the same token, there is excellent reason to think that Content Individuation is false.

Now, recall that we are in the business of assessing the argument from Epistemic Shiftiness and Conditional Incompatibility* to the incompatibility of KNA and Classical Invariantism. We had already seen that there was little hope that Epistemic Shiftiness could receive the needed support from intuitions about the propriety of assertions in cases like the ASPIRIN cases. And while Content Individuation may at first glance appear to offer a more promising alternative, we have now seen that there is excellent reason to think that there is an important difference between epistemic norms and norms with epistemic content and, as a result, Content Individuation is mistaken also. As a result, it doesn’t serve to provide the needed support for Epistemic Shiftiness either.

In sum, DeRose’s argument that KNA and Classical Invariantism are incompatible remains unsuccessful. The original argument from Intuitive Shiftiness and Conditional Incompatibility fails because Conditional Incompatibility is false. This problem can be fixed by replacing Conditional Incompatibility by the more plausible Conditional Incompatibility*. The trouble now is that the uncontentious Intuitive Shiftiness will not serve to establish the desired result in conjunction with Conditional Incompatibility*. Rather, what is needed is the stronger Epistemic Shiftiness. And we have now seen that there is no reason to think that Epistemic Shiftiness is true. Either way, the argument does not go through.

Conclusion

This chapter has argued that the Shiftiness Dilemma is a false dilemma, resting on an unmotivated normative assumption, i.e. the assumption that the felt

\footnote{38 Here is one natural worry that might arise at this point: Is the distinction concerning epistemic norms vs. norms with epistemic content merely terminological? What hinges on this distinction? Even if this paper is right, couldn’t we just continue using ‘epistemic norm’ as standing for ‘norm with epistemic content’? The answer is ‘no’; first and foremost, because this would get us in trouble when it comes to fit with the general normative landscape, if we do individuate other types of norms along different lines. This paper argues that we do. For more discussion, see (Simion 2018).}
variation in assertability with stakes is epistemic in nature. Further on, I have shown how, as soon as we give up this assumption, Classical Invariantism is perfectly compatible with a knowledge norm of assertion. The next chapter defends a functionalist account of the normativity of assertion that vindicates this thought.
Chapter VI. Assertion Functionalism and Context

This chapter shows how to reconcile Classical Invariantism with the Knowledge Norm of Assertion. My basic proposal is that we can combine invariantism with a functionalist account of assertion: according to the account I favour, assertion is governed by a knowledge norm in virtue of its epistemic function of generating testimonial knowledge. Requirements generated by other functions of assertion, though, such as its prudential function, can override the constraints imposed by the epistemic function, and render the knowledge requirement either too strong or too weak for all-things-considered permissible assertion. All-things-considered permissible assertion can vary with practical stakes; epistemically permissible assertion does not.

6.1 Etiology

The previous chapter showed that the normative individuation recipe implicit in DeRose’s argument for the Shiftiness Dilemma is faulty: norms with epistemic content need not be epistemic norms. Content Individuation fails. We need a better individuation recipe if we are to be able to tell epistemic norms from practical, moral etc. norms, and, in turn, if we are to be able to diagnose the normativity that’s efficacious in triggering the Shiftiness Intuition.

Now, recall the following fairly uncontroversial value-theoretic claim concerning the relation between the axiological and the deontic that was discussed in Chapter II:

**The Association Claim** (AC for short): Norms of type X are associated with goods of type X.

Note that if AC holds, we can individuate goals by the type of norms they are associated with, and the other way around: norms of a particular type we those norms that are associated with goods of the relevant type. Here it is:
**Value Individuation (VI).** A norm N is of type T if and only if it is associated with values of type T.

Again, just like AC, VI is theoretically neutral, since it does not imply one direction of explanation or another between the axiological and the deontic. I have defended VI extensively in several places (e.g. Simion 2018, 2019a). Of course, VI can only go so far in helping us in our individuation efforts: first, if we don’t have an independent grasp of what goods of the relevant type are, VI is not particularly informative. I gather, though, that we have a clearer grasp on which goods are epistemic goods (e.g. knowledge, justification) rather than, e.g., prudential goods (e.g. pleasure, money). Still, a theoretically-loaded choice for some goods over others will have to be made before putting VI to work.

Another limitation of VI is that, in virtue of its theoretical neutrality, it does not yet make clear predictions: depending on whether one is a consequentialist or a deontologist, for instance, different norms might be diagnosed as epistemic by VI. We need to take a theoretical stance on the issue.

In previous work, I have defended extensively a right-to-left direction of explanation for VI, on functionalist grounds. Here is the VI incarnation and normative picture I favour: in traits, artefacts and actions alike, functions generate norms. There is such a thing as a properly functioning heart, a properly functioning can opener and a proper way to engage in sexual intercourse in order to serve the function of reproduction. We should expect, then, that if there is such a thing as a proper assertion, it will somehow associated with the function it serves. It would be useful, then, given that what we are after is the epistemic norm of assertion, to begin by identifying the epistemic function thereof. To this effect, in what follows, I will be employing an etiological account of functions.

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39 I defended this view in several places; see, e.g. (Simion 2016, 2017, 2018); for a book-length defence of this normative picture, see (Simion 2019a).
40 Defended by people like e.g. David J. Buller (1998), Ruth Millikan (1984), Karen Neander (1991). The etiological theory of functions is, by far, the most widely endorsed view in the literature. Its main competitor is the ‘systemic’ theory of functions, notably defended in (Cummins 1975). Systemic functions describe how something works or operates—what it does—as a part of a larger system (Cummins 1975). Functions, in this sense, are the causal role capacities of parts that contribute to some capacity of the containing system. Systemic functions are widely believed to lack normative import, which is what explains, to a large extent, both the popularity of the competing, etiological account and why the latter is thought
On the etiological theory of functions, functions turn on histories that explain why the item exists or operates the way it does. Take my heart; plausibly, tokens of the type pumped blood in my ancestors. This was beneficial for my ancestors’ survival, which explains why tokens of the type continued to exist. As a result, my heart acquired the etiological function (henceforth also e-function)\(^{41}\) of pumping blood. Acquiring an etiological function is a success story: traits, artefacts and actions get etiological functions of a particular type by producing the relevant type of benefit. My heart acquired a biological etiological function by generating biological benefit. Through a positive feedback mechanism – the heart pumped blood, which kept the organism alive, which, in turn, insured the continuous existence of the heart - our hearts acquired the etiological function of pumping blood.

Now, not all functional items follow the model of the heart: there will be cases where a requirement of selection over generations for function acquisition will seem implausibly strong (Sosa 1993).\(^{42}\) The paradigmatic case is that of beneficial macro-mutations, also known as hopeful monsters (Graham 2014, 30). Most mutations are harmful (think of extreme birth defects); once in a while, though, a happy accident happens: someone is born with an almost entirely new trait or organ, very different in kind from its ancestral trait, which actually benefits the recipient. Since they are mutations, they don’t have an evolutionary history; they are “first generation” traits. Still, many biologists would say that they have functions.

While etiology does require some history, it does not require an awful lot of it (Graham 2014); there are several ways to cash out the etiological requirement that do not presuppose directional selection, i.e. selection over generations. What is essential to function acquisition is the positive feedback loop – whereby the trait in question generates a beneficial effect that

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\(^{41}\) For application of the etiological account of functions to the normativity of belief, see e.g. (Millikan 1984) and (Graham 2012). For a knowledge-first incarnation thereof, see (Simion 2019a, 2019b).

\(^{42}\) Take Davidson’s Swampman, for instance (1987, 443). Swampman comes into existence as a result of a lightning hitting a swamp and strangely rearranging gas molecules into the exact duplicate of some ordinary person. Now, according to Graham, justified beliefs are beliefs formed via cognitive processes that have the function of reliably producing true beliefs; since function acquisition requires history, and since Swampman’s processes lack any, it would seem as though, on Graham’s account of justification, he cannot have justified beliefs. However, intuitively, at least after acquiring the necessary concepts, Swampman’s belief that he is sitting in a swamp seems perfectly justified (Sosa 1993).
contributes to its own continuous existence. Thus, a trait can also acquire a particular function by ongoing, maintenance selection, or through a learning process, or even by the metabolic activity of the organism itself. What it all amounts to, eventually, is explaining the existence/continuous existence of a trait through a longer or shorter history of positive feedback. Here is the account of e-functions that I favour and I have defended extensively in previous work: 43

**E-Function**: A token of type T has the e-function of type B of producing effect E in system S iff (1) tokens of T produced E in the past, (2) producing E resulted in benefit of type B in S/S’s ancestors and (3) producing E’s having B-benefitted S’s ancestors contributes to the explanation of why T exists in S.

One thing that is important to note for our purposes here is that, in contrast to the traditional etiological functionalisms about the epistemic (most notably defended by Peter Graham (2012) and Ruth Millikan (1984)), the account defended here takes functions to be typed by the corresponding benefit. As such, if a trait produces a benefit of type B in a system, the function thereby acquired will be a function of type B. If it is biological benefit that is at stake in function acquisition, what we get is a biological function. On this account, the heart’s function to pump blood is a biological function in virtue of the fact that the produced benefit is also biological – i.e., survival. The function of music is an aesthetic function in virtue of the fact that the produced benefit is an aesthetic benefit. And so on. Now, of course, aesthetic benefit might, and often will, also result in biological benefit. This, however, in no way renders the function at stake a biological function. What is important to keep in mind is that the benefit that is essential to aesthetic function acquisition is the aesthetic one. The fact that biological benefit is also associated with the latter is a mere contingent matter of fact.

Now, note that the etiological account is an account of functions as purposes: by being selected for it, our hearts have acquired the purpose of pumping blood in our organisms (Graham 2012, 449). Reaching that purpose – i.e., successfully pumping blood – will amount to function fulfilment. But

43 E.g. (Simion 2019a, 2019b).
purposes will also come with associated norms prescribing the right way to proceed in order to reliably reach the corresponding purpose. Because its function contributes to the explanation of its very existence, the trait in question *ought* to perform in a way that is associated with likely function fulfilment. According to the etiological theory of functions, this is but the way in which the trait functioned back in the day when it acquired its function. Your heart will pump blood in normal conditions, i.e., conditions similar to those in which it was selected, when functioning normally, that is, when functioning in the way in which it was functioning when it was selected for its beneficial effects. Plausibly, in normal conditions, a normally functioning heart will fulfil its function of pumping blood in your system by beating. According to the etiological theory, then, normal functioning is proper functioning: a heart functions in the way it should (i.e., by the norm) when it functions in the way it did back in the day when it acquired its function: when it beats.

The e-functionalist picture constitutes itself in a fairly straightforward norm-identification machinery; first, what we need is to take a look at the relevant function plausibly served by the trait/artefact/action in question. Once the function is identified, the question we need to ask ourselves is: how did the trait/artefact/action plausibly fulfil its function at the moment of function acquisition? The answer to this question will give us normal functioning which, on the etiological account, corresponds to proper functioning; therefore, the answer to this question delivers the content of the norm we are after.

Furthermore, on this picture, we also get an easy way to identify the type of norm at stake: norms will be typed by the corresponding functions, which, in turn, are typed by the produced benefit. The norm ‘hearts ought to beat’ is a biological norm in virtue of the fact that it serves a biological function – pumping blood – which, in turn, produces a biological benefit.

6.2. A Functionalist Account of Assertion

To see how this works in practice, let us return to assertion: our actions too can, and most – hopefully! - will serve etiological functions, which, again, will come with associated norms.
Plausibly, if there’s such a thing as an epistemic norm for assertion out there in the first place, it is likely there to ensure that assertion delivers the epistemic goods we are using it for (Goldberg 2015, Grice 1989, Kelp 2016, Reynolds 2002). What epistemic goods is assertion meant to deliver?

Although not essentially – I can, say, make assertions in a diary, which are usually not intended to affect any audience in any way –, characteristically, assertions will aim at generating testimonial knowledge in the audience. Plausibly, this is the main epistemic function of assertion (see, e.g., (Kelp 2016), (Reynolds 2002), (Turri 2016)). Due to our physical and cognitive limitations, a lot of the knowledge we have is testimonial; thus, assertion is one of our main epistemic vehicles.

Just like hearts were selected for their reliability in generating biological benefit, I submit, the speech act of assertion has been selected for its reliability in generating epistemic benefit, i.e. testimonial knowledge. As such, our assertoric practice acquired the epistemic etiological function of generating testimonial knowledge in hearers. Because it generated testimonial knowledge in our ancestors, it enabled them to survive – find out about the whereabouts of dangerous predators, find food and so on – and reproduce, thereby replicating the same practice with the same function in their descendants. The fact that assertion generates testimonial knowledge in hearers explains the continuous existence of the practice. Dan Sperber puts this point succinctly: “From the point of view of receivers, communication, and testimony in particular, is beneficial only to the extent that it is a source of genuine […] information” (2001, 404). However, if the practice stops being beneficial to the hearers, it will plausibly be discontinued: hearers will stop believing what they are being told, and, eventually, since their assertions remain inconsequential, speakers will stop asserting. Just like your heart’s pumping blood keeps you alive which, in turn, contributes to the explanation of the continuous existence of the heart, the function of assertion is a stabilizing one, for it “encourages speakers to keep using the device and hearers to keep responding to it with the same (with a stable) response” (Millikan 2005, 94).

The speech-act of assertion will reliably generate testimonial knowledge in hearers in normal conditions, i.e., conditions similar to those in which it was selected, when functioning normally, that is, when functioning in the way in
which it was functioning when it was selected for its beneficial epistemic effects. When functioning normally, the speech act of assertion will fulfill the epistemic norm constitutively associated with its epistemic e-function of reliably generating testimonial knowledge; it will work the way it is supposed to work, where the right way of working is partly constituted by reliably delivering the epistemic goods in normal conditions. Thus, an epistemically proper assertion will be one that, in normal conditions, generates knowledge in the hearer in the way it did back when it acquired its epistemic function.

The question to ask, then, if we want to know the content of the epistemic norm we are after is: how did assertion fulfill its function of generating knowledge in hearers at the moment of function acquisition?

I submit that the overwhelmingly plausible answer is: by being knowledgeable.\textsuperscript{44} And here are some reasons that, in my view, leave room for very little doubt that this is so: first, on most if not all accounts of testimony in the literature,\textsuperscript{45} in the vast majority of cases, the speaker needs to know in order to be able to generate knowledge in the hearer. Furthermore, knowledge is all the speaker needs to this effect when it comes to her epistemic standing vis-à-vis p.\textsuperscript{46}

Also, exceptions to this rule describe extremely unusual scenarios,\textsuperscript{47} which renders them highly unlikely to affect the argument from testimony to the knowledge norm in any way. After all, if the function of assertion is generating testimonial knowledge, and in the vast majority of the cases knowledge on the part of the speaker is both needed and enough for

\textsuperscript{44} Contra the account defended in this thesis, Ruth Millikan (1984) and Peter Graham (2010) take the function of assertion to be generating true belief rather than knowledge in one’s audience. If they are right, one could wonder, would it not be reasonable to suppose that assertion is governed by a corresponding truth norm? The short answer is ‘no’: even if Graham and Millikan are right, and the function of assertion is generating truth, proper functioning will still amount to asserting knowledgeably; after all, given that knowledge is easily available, very plausibly, at the moment of function acquisition, assertion generated true belief in hearers by being knowledgeable.

\textsuperscript{46} See Lackey (2008) for a nice overview.

\textsuperscript{47} Exceptions are few, and they roughly boil down to two types of cases: first, we have, again, ‘selfless asserters’, asserting on knowledge-level justification without belief (Lackey 2007). These speakers assert to what is best supported by evidence, although they cannot get themselves to believe it due to some rationality failures. Secondly, we have ‘Compulsive Liar’ cases (Lackey 2008). Roughly, what happens in these cases is that, although the speaker intends to lie on a regular basis, some external intervention makes it so that she safely asserts the truth.
generating testimonial knowledge in the hearer, it makes sense to have a knowledge norm governing assertion. To see this, consider driving: norms regulating speed limit within city bounds are presumably there to make it so that we arrive safely at our destination. Surely, though, driving 50 km/h within city bounds is not always the ideal speed; there are instances when, for instance, overtaking at 80 km/h will avoid a major accident. However, presumably, the reason why the norm says ‘Drive at most 50 km/h within city bounds!’ is because, most of the time, that is the ideal speed for safety purposes.

On top of all this, note that, in the friendly epistemic environment we inhabit, knowledge is readily available (Kelp & Simion 2015). All we have to do to acquire knowledge is open our eyes, listen to what other people tell us, attend to our feelings, etc. As such, KNA is not a very stringent norm, it amounts to a fairly user-friendly way to ensure reliable function fulfilment. If that is the case, again, it is plausible that, back at the time of function acquisition, assertion fulfilled its function of generating knowledge in hearers by being knowledgeable.

In sum, things seem to stand as follows: In the friendly epistemic environment we inhabit, knowledge is readily available. On top of this, knowledge on the speaker side is both necessary and sufficient for generating knowledge on the hearer’s side in the vast majority of the cases. Very plausibly, the way in which assertion generated knowledge in hearers at the moment of function acquisition was by being knowledgeable. As such, KNA is vindicated: an epistemically proper assertion will be one that, in normal conditions, is able to fulfil its epistemic function of generating knowledge in hearers by being knowledgeable.

6.3 Overriding Functions

Let us now return to DeRose’s argument for the Incompatibility Claim, and see how the functionalist account proposed here deals with it. To begin with, note that a trait/artefact/act can have several e-functions simultaneously, even several e-functions of different types; take, for instance, the functions served by food for humans. One important such function will surely be a biological one, a nourishment function. Plausibly enough, though, on top of this, food
also serves an aesthetic function, that of generating pleasant gustatory experiences. Now, normally, the aesthetic function complements the nourishing function. It serves, as it were, the greater goal of survival, by increasing the probability of us ingesting nourishing substances. This need not be the case, however; there can be situations where the two functions come in conflict, at which point the more stringent requirement will take precedence and dictate what’s the all-things-considered good to observe. Think about a case where I am on a deserted island and all I can eat in order to stay alive are my boots; surely, against my aesthetic well being, that is exactly what I should do, all-things-considered.

Similarly, it is highly plausible that the epistemic function is merely one of the many functions served by assertion. Surely, when I tell you that the weather is nice while sitting with you in a café, generating testimonial knowledge in you with regard to meteorological states of affairs is hardly among my chief concerns. In this case, assertion rather serves a social bonding function.

One of the most important functions of assertion, as with action in general, will be a prudential one, serving our survival. Again, just like in the case of food, the epistemic function will, in most cases, complement this prudential function. Generating testimonial knowledge in one’s hearer with regard to an imminent threat, or about the whereabouts of resources are paradigm cases. However, again, this need not be the case. For instance, even if one knows that one’s boss is bald, it may not be polite, prudent, or relevant to point this out to him ((Jessica Brown 2010, 550): surely, here, the requirement triggered by the prudential function comes in conflict with the one corresponding to the epistemic function and overrides it.

Here is, then, my proposal: both Classical Invariantism and KNA hold. In virtue of the function of assertion of generating knowledge in hearers, one is in a good enough epistemic position to make an epistemically proper assertion that p if and only if one knows that p. In turn, where whether one knows (or ‘knows’) that p is insensitive to practical matters. Crucially, on the account defended here, what KNA claims is mere epistemic propriety. The standards for all-things-considered propriety of assertion will vary with context, while standards for both epistemically proper assertion and knowledge
will remain fixed. The way to ascertain whether the requirements at work in one case or another are genuinely epistemic requirements is by looking at the function that is plausibly being served. An epistemic function will be associated with an epistemic norm.

To see how this works, consider Williamson’s TRAIN case:

**TRAIN**: Suppose that I, knowing that it is urgent for you to get to your destination, shout “That is your train” upon seeing a train approach the station, although I don’t know that is the case; I merely believe there is some chance that is the case, and I think you should check it out. (Williamson (2000)).

According to the present proposal, the assertion in TRAIN is epistemically defective, but all-things-considered proper, due to prudential considerations stepping in and requiring a lower degree of warrant. In view of the epistemic function of generating testimonial knowledge, this assertion is not permissible. However, in view of the prudential function of raising your chances at catching the train, the assertion in TRAIN is perfectly fine. Given that the prudential constraint overrides the epistemic constraint in this case (as in most), by lowering the degree of (all-things-considered) necessary warrant, the assertion is all-things-considered proper, which is what triggers our relevant intuitions.

Similarly, in high stakes such as DeRose’s BANK CASE B, strictly epistemically speaking, speakers are permitted to assert. They are in a position to make an assertion that, in normal conditions, will fulfil its epistemic function of generating testimonial knowledge in his hearer. However, prudential constraints referring to the tragic consequences their assertion might have (the check might bounce!) override the epistemic constraint, raise the necessary degree of warrant, and make the assertion all-things-considered

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48 At this point, the reader might worry that the functionalist account defended here, in virtue of being a variety of epistemic consequentialism, suffers from the classical problems associated with this view. Fortunately, this is not the case: in a nutshell, that is because while functionalism is, indeed, a variety of consequentialism, crucially, it is a rule consequentialism. The classical cases against epistemic consequentialism, however, arguably, only affect act consequentialism.
improper. As such, again, it is all-things-considered propriety that varies with context, not epistemic propriety.49

6.4. Contextualist Rejoinders

In what follows, I would like to take a brief look at what I take to be the main two objections that the champions of the Shiftiness Dilemma are likely to press when presented with my account, i.e. objections from knowledge denial in high stakes cases and from shifty data for belief.

Objection #1: Knowledge Denial Data

On the view defended here, the contextualist data are explained by normative overriding: while epistemically fine, it is prudentially impermissible for DeRose to assert ‘The bank will be open tomorrow’ in the high stakes scenario.

Recall, however, that, according to DeRose, not only can he not assert ‘The bank will be open’ or the corresponding ‘I know that the bank will be open’ in high stakes cases, but it is even appropriate for him to deny knowledge to himself. Now, what does the functionalist picture have to say about this?

Two things: first, several people (e.g. Pritchard 2005) have expressed serious doubts about the plausibility of the knowledge denial data. I tend to agree. Here is why: note that, if at all, it looks as though the natural way to deny knowledge to oneself in high stakes scenarios rather goes along the lines of ‘All right, I guess I don’t really know the bank will be open tomorrow!’, rather than the bare: ‘I don’t know that…’. But it is fairly plausible that the epistemic standing at stake in this assertion—i.e. ‘really knowing’—is but a different epistemic standing than knowledge—plausibly something stronger, closer to certainty. To see this, compare, for instance, with ‘liking John’ and ‘really liking (in the sense of having a crash on) John’. It looks as though ‘really liking’ is but a different state than liking. It is, I submit, not completely

49 Note that it is not in my intention to suggest that practical concerns will always override epistemic ones (or aesthetic ones, for that matter). The claim made by this paper (and needed here) is weaker than that: practical requirements will, on occasion, do so. I gather that this is a fairly plausible thought.
implausible that the same is true for ‘really knowing’, in which case DeRose’s denial does little to prove the invariantist wrong.

Second, even if we buy the knowledge denial data, they are hardly problematic for the functionalist. After all, recall that DeRose’s denial comes as a reply to his wife’s question: “Do you know that the bank will be open tomorrow?.” It looks as though, then, at that point in the conversation, DeRose is faced with a choice between (1) Attributing knowledge to himself – which would, plausibly, in the absence of any qualification, result in a risky course of action, (2) Saying something along the lines of: ‘I guess we should check, just to make sure!’ or (3) Denying knowledge to himself in order to stay on the safe side. Of course, one of the latter two options will be the (prudentially!) preferable one. To my ear, the first is the most natural one. Whichever it is, however, it will not hurt the view defended here, since, again, it is fairly clear that prudential constraints are at work in the choice of speech act.

Objection #2: Shifty Data for Belief

What about belief? After all, one could think that the relevant shiftiness seems to also be present at this level. It looks as though, in high stakes, after his wife raises the possibility of the bank having changed its hours, DeRose is not warranted in holding an outright belief that he knows that the bank will be open on Saturday. Similarly for the generalized data - an outright belief that the bank will be open also seems impermissible. What does the account defended here have to say about this? After all, while it is plausible that DeRose’s assertion might trigger a prudentially risky course of action, that seems less plausible about his belief. Also, if belief turns out to be governed by a shifty norm, this is fairly bad news for the invariantist picture defended here – insofar as we take belief to be justified if and only if permissible.

It is less than clear to me however that, insofar as the intuition of impropriety extends to belief, it is not prudential impropriety that is at stake in this case also. To see why, note that, as the case is built, plausibly, DeRose’s outright belief that the bank will be open on Saturday in BANK CASE B is as likely to be conducive to risky behaviour as is his corresponding assertion. Furthermore, it looks as though one easy way to ascertain whether my account
gets things right here – when it goes to both assertion and belief – is to try to build a case where asserting/believing the relevant proposition is not likely associated with any risky action. If the shiftiness intuition is preserved, this raises serious worries about the prudential nature of the permissibility at stake. Note, though, that building such cases will not be a trivial affair. One way to try and do this will be by removing practical stakes altogether from the picture, and relying on the mere tabling of error possibilities. It is not clear, however, that the Shiftiness Intuition survives this move. After all, I seem to be perfectly warranted in both my belief and the corresponding assertion I am just about to make that there is a computer in front of me, in spite of, say, sceptical scenarios being tabled.50

Alternatively, one can try to build a case where the subjects falsely believe high stakes are present, but, by stipulation, no risky action is likely to follow from DeRose’s assertion/belief. Say that, unbeknownst to DeRose, his rich grandmother deposited a large sum of money in his account as a present for his birthday, which will be more than enough to cover the check. Doesn’t the Shiftiness Intuition survive this alteration of the case? First, I am not sure it does, as a matter of fact. I can get myself to think both ways. Also, I suspect the intuition is not stable because it depends on how the case is spelled out. Surely not all cases in which subjects attach false stakes to the situation will trigger impermissibility for assertion/belief. After all, it does not look as though, if I lose my mind and start thinking that if I believe or assert that it will be raining tomorrow, three Martians are going to come and kidnap me from my office, my belief/assertion that it will be raining tomorrow is rendered impermissible.

Second, more importantly, even if we find a way to build the cases such that the Shiftiness Intuition is preserved, the explanation in terms of prudential propriety is still not out of the picture. After all, many people in the literature think of the latter as a subjective affair. On a Bayesian picture, for instance, what matters for prudential propriety is not the actual state of the world, but the subjective probability assigned to the relevant outcome. As such, it is not clear that building such cases will do the intended job against my view to begin with.

50 See also Turri (2010) for a similar argument.
Conclusion

This chapter has argued that the classical invariantist can escape DeRose’s incompatibility claim by defending a functionalist account of assertion. According to this view, knowledge is the norm of assertion in virtue of assertion’s function of generating knowledge in hearers. Requirements generated by other functions of assertion, though, such as its prudential and moral functions, can override the constraints imposed by the epistemic function, and render the knowledge requirement either too strong or to weak for all-things-considered permissible assertion. As such, all-things-considered permissible assertion can vary with practical stakes; epistemically permissible assertion does not.
Chapter VII: Knowledge Norms for Constative Speech Acts

Assertion is hip, and it has been so for a while now: a lot of ink has been spilled in the literature discussing its nature and normativity. This is hardly a historical contingency: in philosophy of language, we care a lot about assertion because the default use of declarative sentences is to make assertions (Williamson 2000, 258). In epistemology, it is somewhat unsurprising that we care so much about the speech act that is our main vehicle for testimonial knowledge acquisition, which, in turn, constitutes the vast majority of the knowledge we have: we are psychologically and physically limited creatures, we know most of the things we know from the epistemic labour of others.

In contrast, other constatives have enjoyed far less attention in the philosophy of language literature, and, it is fair to say, next to none in epistemology.\(^5^1\) I think this is a lack that needs supplying for many reasons; but most importantly for our purposes here, I think we need to understand the epistemic normativity of constatives in an integrated manner if we are to offer a unified response to the threat of the Shiftiness Intuition in its full generality. After all, we have seen that we’ve seen that the Shiftiness Dilemma threatened to generalise beyond assertions, to all constatives. If this is so, a full answer to the Shiftiness Dilemma requires a full epistemic normative account for constatives.

This chapter is up to two ambitious tasks: it argues for a generalised knowledge-based account of the epistemic normativity of constative speech acts, and it puts forth the corresponding accounts for, respectively, assertives, predictives, retrodictives, descriptives, ascriptives, informatives, confirmatives, concessives, retractives, assentives, dissentives, disputatives, responsives, suggestives and suppositives.

7.1 Bach & Harnish’s Taxonomy

\(^{51}\) One notable exception is the speech act of telling. See Chapter IX for discussion.
For the reader that is well versed in speech act theory, it might have already become clear that I follow Bach and Harnish’s (1979, 42) excellent taxonomy of communicative speech acts. Not a lot will hinge on this particular taxonomy eventually, but I will flag the theoretically-loaded issues as they come up.

For now, here it is:

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For our purposes here, we will only be concerned with the taxonomy for constatives. Bach & Harnish individuate speech acts by the attitudes they express: according to them, a speech act is a constative just in case it expresses a belief and an intention that the hearer form or continue to hold the like belief. Here is the view in full:

32 Importantly, though, Bach & Harnish’s constatives correspond (roughly, but closely enough for our purposes) to e.g. Austin’s expositives and Searle’s representatives.
**Constatives**: expressions of a belief, together with the expression of an intention that the hearer form (or continue to hold) a like belief.

1. **Assertives** (affirm, allege, assert, aver, avow, claim, declare, deny (assert ... not), indicate, maintain, propound, say, state, submit): In uttering e, S asserts that \( p \) if S expresses: i. the belief that \( p \), and ii. the intention that H believe that \( p \).

2. **Predictives**: (forecast, predict, prophesy): In uttering e, S predicts that \( P \) if S expresses: i. the belief that it will be the case that \( p \), and ii. the intention that H believe that it will be the case that \( p \).

3. **Retrodictives**: (recount, report) In uttering e, S retrodicts that \( P \) if S expresses:
   i. the belief that it was the case that \( p \), and ii. the intention that H believe that it was the case that \( p \).

4. **Descriptives**: (appraise, assess, call, categorize, characterize, classify, date, describe, diagnose, evaluate, grade, identify, portray, rank): In uttering e, S describes \( 0 \) as \( F \) if S expresses: i. the belief that \( 0 \) is \( F \), and ii. the intention that H believe that \( 0 \) is \( F \).

5. **Ascriptives**: (ascribe, attribute, predicate): In uttering e, S ascribes \( F \) to \( 0 \) if S expresses: i. the belief that \( F \) applies to \( 0 \), and ii. the intention that H believe that \( F \) applies to \( 0 \).

6. **Informatives**: (advise, announce, apprise, disclose, inform, insist, notify, point out, report, reveal, tell, testify): In uttering e, S informs H that \( p \) if S expresses: i. the belief that \( p \), and ii. the intention that H form the belief that \( p \).

7. **Confirmatives**: (appraise, assess, bear witness, certify, conclude, confirm, corroborate, diagnose, find, judge, substantiate, testify, validate, verify, vouch for): In uttering e, S confirms (the claim) that \( p \) if S expresses: i. the belief that
\( p \), based on some truth-seeking procedure, and ii. the intention that \( H \) believe that \( p \) because \( S \) has support for \( p \).

(8) **Concessives**: (acknowledge, admit, agree, allow, assent, concede, concur, confess, grant, own): In uttering \( e \), \( S \) concedes that \( P \) if \( S \) expresses: i. the belief that \( p \), contrary to what he would like to believe or contrary to what he previously believed or avowed, and ii. the intention that \( H \) believe that \( p \).

(9) **Retractives**: (abjure, correct, deny, disavow, disclaim, disown, recant, renounce, repudiate, retract, take back, withdraw): In uttering \( e \), \( S \) retracts the claim that \( P \) if \( S \) expresses: i. that he no longer believes that \( p \), contrary to what he previously indicated he believed, and ii. the intention that \( H \) not believe that \( p \).

(10) **Assentives**: (accept, agree, assent, concur) In uttering \( e \), \( S \) assents to the claim that \( P \) if \( S \) expresses: i. the belief that \( p \), as claimed by \( H \) (or as otherwise under discussion), and ii. the intention (perhaps already fulfilled) that \( H \) believe that \( p \).

(11) **Dissentives**: (differ, disagree, dissent, reject): In uttering \( e \), \( S \) dissents from the claim that \( P \) if \( S \) expresses: i. the disbelief that \( p \), contrary to what was claimed by \( H \) (or was otherwise under discussion), and ii. the intention that \( H \) disbelieve that \( p \).

(12) **Disputatives**: (demur, dispute, object, protest, question): In uttering \( e \), \( S \) disputes the claim that \( P \) if \( S \) expresses: i. the belief that there is reason not to believe that \( p \), contrary to what was claimed by \( H \) (or was otherwise under discussion), and ii. the intention that \( H \) believe that there is reason not to believe that \( p \).

(13) **Responsives**: (answer, reply, respond, retort) In uttering \( e \), \( S \) responds that \( p \) if \( S \) expresses: i. the belief that \( p \), which \( H \) has inquired about, and ii. the intention that \( H \) believe that \( p \).
(14) **Suggestives**: (conjecture, guess, hypothesize, speculate, suggest) In uttering e, S suggests that P if S expresses: i. the belief that there is reason, but not sufficient reason, to believe that p, and ii. the intention that H believe that there is reason, but not sufficient reason, to believe that p.

(15) **Suppositives**: (assume, hypothesize, postulate, stipulate, suppose, theorize): In uttering e, S supposes that P if S expresses: i. the belief that it is worth considering the consequences of p, and ii. the intention that H believe that it is worth considering the consequences of p.

### 7.2 Normative Transfer

Now, in is crucial to note that, on the Bach&Harnish taxonomy, all constatives are actually species of assertion. Several of them are species of assertion in a straightforward way that is not particularly interesting, nor should it be a matter of much controversy: predictives, for instance are assertions about the future, while retrodictives are assertions about the past. Informatives are a particular species of assertion that is characterized by a narrower intention – that of bringing about the belief in question in the hearer (as opposed of the disjunctive intention of either bringing it about or maintaining it, in the case of assertion). Similarly, ascriptives and descriptives are species of assertion that are concerned with property attribution. And so on, from (2) to (13.) Bach and Harnish themselves point out (1979: 46) that most of the specialized types of constatives satisfy the definition of assertives. This type then stands out as a higher category.

The harder cases to see are those of lesscommittal constatives, such as suggestives (14). On the Bach& Harnish model, suggestives are expressions of i. the belief that there is reason, but not sufficient reason, to believe that p, and ii. the intention that H believe that there is reason, but not sufficient reason, to believe that p. Interestingly, though, if this account is correct, suggestives will also be a species of assertion. To see this, let us dub q the proposition ‘There is reason, but not sufficient reason, to believe that p.’ The above account of suggestives then becomes: Suggestives are expressions of (i) the belief that q, and (ii) the intention that H believe that q. As such,
suggestives with content \( p \) collapse into assertions with content \( q \). In this, suggestives under the Bach \& Harnish’s model are, indeed, a species of assertion: assertions about there being reason, but not sufficient reason, to believe that \( p \).

If the Back and Harnish taxonomy is correct, then, we can easily spell out all constatives as species of assertion. Here it goes:

(2)* **Predictives**: Assertions that \( q \): ‘It will be the case that \( p \).’

(3)* **Retrodictives**: Assertions that \( q \): ‘It was the case that \( p \).’

(4)* **Descriptives**: Assertions that \( q \): ‘\( 0 \) is F.’

(5)* **Ascriptives**: Assertions that \( q \): ‘F applies to \( 0 \).’

(6)* **Informatives**: Assertions that \( p \) expressing the intention that \( H \) form the belief that \( p \).

(7)* **Confirmatives**: Assertions that \( p \) based on some truth-seeking procedure.

(8)* **Concessives**: Assertions that \( p \), where \( p \) is contrary to what he would like to believe or contrary to what he previously believed or avowed.

(9)* **Retractives**: Assertions that non-\( p \), contrary to what \( S \) previously indicated he believed.

(10)* **Assentives**: Assertions by \( S \) that \( p \), as claimed by \( H \) (or as otherwise under discussion).

(11)* **Dissentives**: Assertions that non-\( p \), contrary to what was claimed by \( H \) (or was otherwise under discussion).

(12)* **Disputatives**: Assertions that \( q \): ‘There is reason not to believe that \( p \),’ contrary to what was claimed by \( H \) (or was otherwise under discussion).
(13)* **Responsives**: Assertions that p, which H has inquired about.

(14)* **Suggestives**: Assertions that q: ‘There is reason, but not sufficient reason, to believe that \( p \).’

(15)* **Suppositives**: Assertions that q ‘It is worth considering the consequences of \( p \).’

Let’s take stock: we have seen that the etiological function of assertion of generating knowledge in hearers gives strong support to a biconditional knowledge norm of assertion. We have also seen that, on the Bach & Harnish taxonomy of communicative speech acts, all constatives are species of assertion. If that is so, we should expect some variety of normative transfer from assertion to all constatives.

Analytically, species enjoy all properties of the corresponding type (plus further properties). What this means for normative correspondence between type and species is that the species will be governed by a norm that is at least as strong as that governing the type (e.g. Simion 2018c). To see this, think, for instance, about dancing: if there is a norm requiring one to wear light shoes for dancing, one must, thereby, also wear light shoes for waltzing, in virtue of the latter being a species of dancing.

That being said, normative transfer need not imply normative commonality (Simion 2018c): To see why, note that the relevant norm for the kind of shoes required for waltzing may be more demanding than the one governing dancing *simpliciter*. After all, what distinguishes waltzing from just any dancing is the fact that it is governed by some distinctive norms on top of the ones governing the type it belongs to. Thus, it can be that the relevant norm for waltzing is stronger than the one for mere dancing; and, as a matter of fact, waltz shoes are not just any light shoes, but medium heel, pointy, cross-strapped light shoes.

What follows from all this is that KNA, together with the Bach & Harnish taxonomy of constatives, delivers the necessity, but not the sufficiency direction of a knowledge norm for constatives. Knowledge will be necessary
for the epistemic permissibility of constatives in virtue of them being species of assertion, but it may not be sufficient in virtue of their respective specific features. Here are, respectively, the knowledge norms for constatives delivered by the framework so far:

**KN(2): KN-Predictives**: One’s predictive with content $p$ is epistemically permissible only if one knows that it will be the case that $p$.

**KN(3): KN-Retrodictives**: One’s retrodictive with content $p$ is epistemically permissible only if one knows that it was the case that $p$.

**KN(4): KN-Descriptives**: One’s descriptive with content $0$ is $F$ is epistemically permissible only if one knows that $0$ is $F$.

**KN(5): KN-Ascriptives**: One’s ascriptive with content $F$ applies to $0$ is epistemically permissible only if one knows that $F$ applies to $0$.

**KN(6): KN-Informatives**: One’s informative with content $p$ is epistemically permissible only if one knows that $p$.

**KN(7): KN-Confirmatives**: One’s confirmative with content $p$ is epistemically permissible only if one knows that it $p$ based on some truth-seeking procedure.

**KN(8): KN-Concessives**: One’s concessive with content $p$ is epistemically permissible only if one knows that $p$, where $p$ is contrary to what he would like to believe or contrary to what he previously believed or avowed.

**KN(9): KN-Retractives**: One’s retractive with content $p$ is epistemically permissible only if one knows that non-$p$, contrary to what one previously indicated he believed.
**KN(10):** KN-Assentives: One’s assentive with content \( p \) is epistemically permissible only if one knows that \( p \), as claimed by H (or as otherwise under discussion).

**KN(11):** KN-Dissentives: One’s dissentive with content \( p \) is epistemically permissible only if one knows that non-\( p \), contrary to what was claimed by H (or was otherwise under discussion).

**KN(12):** KN-Disputatives: One’s disputative with content \( p \) is epistemically permissible only if one knows that there is reason not to believe that \( p \), contrary to what was claimed by H (or was otherwise under discussion).

**KN(13):** KN-Responsives: One’s responsive with content \( p \) is epistemically permissible only if one knows that \( p \), which H has inquired about.

**KN(14):** KN-Suggestives: One’s suggestive with content \( p \) is epistemically permissible only if one knows that there is reason, but not sufficient reason, to believe that \( p \).

**KN(15):** KN-Suppositives: One’s suppositive with content \( p \) is epistemically permissible only if one knows that it is worth considering the consequences of \( p \).

What we have now is the first proposal in the literature for an integrated view of the epistemic normativity of constative speech acts. To be clear, one can come and dispute the particulars of the above knowledge norms: that’s fine. We need to start somewhere, though. If we are to make progress towards the *correct* integrated account of constatives, having *one* integrated account like the one I developed above, which relies on one of the best available taxonomies of communicative speech acts on the market, is a first crucial step in this direction.

**7.3 Suggestives**
Defending the knowledge account for each and every constative in detail all falls beyond the ambitions of this book. One case that I find particularly interesting, though, and which I expect to be the main source of disagreement with my account, is the case of suggestives. While I don’t aim to develop a full defence of KN(14) here, in what follows, I will try to say more about why I take it to be the correct account of the epistemic normativity of conjecture. On the view above, the norm for conjecturing asks for knowledge of there being reason but not sufficient reason to believe that \( p \). I worry the account can be thought by some to be too strong. People might, for instance, prefer a view on which knowledge is not required for epistemically permissible conjecturing. Rather, what is needed is an appropriate warranted credence (perhaps above .5, but below the threshold needed for knowledge).

One could think that the view is too strong on speech-act theoretic grounds. That is, one could think that, instead of expressing a full belief that something is the case – i.e. that there’s reason, but not sufficient reason to believe that \( p \) – , rather, conjecturing expresses a degree of belief that is e.g. higher than .5 but lower than what is required for full belief, say .6. The defender of this view will thus reject the Bach & Harnish view for suggestives (although she might well find it plausible for other constatives, i.e. constatives that exhibit full level of commitment to the content). Indeed, what would make this account attractive is the intuitive thought that what essentially distinguishes conjecturing from asserting is what Searle and Vanderveken (1985) dub the “degree of strength of the sincerity conditions.” According to Searle and Vanderveken, two speech acts might be the same along other dimensions, but express psychological states that differ from one another in the dimension of strength. Requesting and imploring both express desires; however, the latter expresses a stronger desire than the former. If this view is right, it is plausible to conceive of suggestives as expressing a less strong belief than assertives, and thereby reject the Bach and Harnish model, and the corresponding derivation of the knowledge norm above altogether.

Alternatively, one might not like the knowledge view of conjectures on epistemological grounds. To my knowledge, no definite proposal concerning the epistemic normativity of conjecturing has been developed in the literature.

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53 See (Simion 2020) for an extensive defence.
to date. However, the issue does often come up in passing in the assertion literature; when it does, conjecturing is often used as a **contrast case** in defence of KNA, as the paradigmatic speech act that requires **less than knowledge** (i.e. weaker evidential support) for its epistemic propriety (e.g. Williamson 2000, Fassio 2016, Turri 2010, Smithies 2012). Here is Tim Williamson: “There is, for example, a speech act of conjecturing P, for which the evidential norms are more relaxed than they are for assertion” (2000: 244). According to John Turri, as well, different speech acts come at different ‘epistemic costs’: guessing is cheap, conjecturing requires some epistemic support, assertion asks for knowledge and swearing and guaranteeing are the most ‘epistemically expensive’ speech acts in that they require second-order knowledge.

A few things about all this: first, crucially, neither of the two motivations above will serve to support a warranted credence norm over my knowledge norm; the knowledge account proposed here is perfectly compatible with - indeed it can be read as an incarnation of - the view that conjecturing requires less epistemic support than assertion, insofar as the claim is restricted to a particular proposition (which is, I’m fairly certain, what is meant by the people cited above). After all, on my view, while assertion requires knowledge that p, conjecturing merely requires knowledge of there being reason but not sufficient reason to believe that p. As such, the epistemic support required for the proposition at stake - p - is much weaker for proper conjecturing than for proper assertion.

The view proposed here is also compatible with the Searle and Vanderveken speech act theoretic picture, in that even if it turns out that conjecture expresses a degree of belief that is lower than full belief, it may still be that what is epistemically required for permissibly conjecturing is what KN(14) requires, i.e. knowledge of there being reason, but not sufficient reason to believe that p.

Second, while it falls beyond the scope of this book to offer a detailed defence of KN(14), I would like to gesture towards some of its advantages over a warranted credence view: (1) KN(14) is weaker than the warranted credence view, it that it does not require the speaker to entertain any degree of belief with p content. This seems right: plausibly, the main function of conjecture in our epistemic life is to make progress in inquiry. It is plausible,
however, that while inquiry is still ongoing, it is permissible for the subject to withhold on \( p \) altogether. KN(14) neatly accommodates this intuition. (2) KN(14) is stronger than the warranted credence view, in that it requires epistemic access to one’s reasons for \( p \). Again, this seems right: conjecturing, as opposed to asserting, is an epistemically high brow affair. Small children and animals don’t engage in this practice: over intellectualisation is a feature of the view, not a bug. To see this, note that if I assert e.g. that Berlin is the capital of Germany, and you ask me how I know this, it’s fine for me to say something along the lines of: ‘I don’t remember, I must have learnt it in school.’ However, if I conjecture that the butler is the murderer, and you ask me ‘What makes you say that?’, a parallel reaction seems intuitively impermissible.\(^{54}\) This seems to suggest that access to one’s reasons or conjecturing, but not for asserting, is epistemically required for permissible performing the corresponding speech act. Again, conjecture is a highbrow affair.

Last, and most importantly, remember the motivation we started with for looking at the epistemic normativity of constatives: we’ve seen that the Shiftiness Dilemma threatened to generalise beyond assertions, to all constatives. Now, importantly, if one rejects the Bach & Harnish view for suggestives as expressing full beliefs, it is not clear that the dilemma will still generalise to suggestives: after all, the Shiftiness Dilemma, in its current shape, is a dilemma for states involving full belief (which is not to say that it can’t be generalized even further)\(^{55}\). As such, if the knowledge view of the normativity of conjecturing is incorrect, SD is likely less a threat to the independence of thought on this front – in that it does not generalise to conjectures - and thus the epistemic normativity of conjecturing is less our business in this book to begin with. For this reason, I will henceforth bracket worries related to the case of suggestives for the purposes of this chapter.

\(^{54}\)Crucially, also, note that the intuitive plausibility of this diagnosis does not rely on the particular content chosen for the examples. To see this, consider, e.g. the assertion “Berlin is the capital of Germany,” in contrast to the corresponding explicit conjecture: ‘I conjecture that Berlin is the capital of Germany.’ In this case too, it seems appropriate to not have access to the reasons supporting the assertion, but inappropriate in the case of conjecture.

\(^{55}\) Indeed, a warranted credence norm of assertion will likely generate a corresponding Shiftiness Dilemma featuring proper level of warrant for a particular degree of belief, instead of knowledge. This discussion, however, falls beyond the scope of this book: I am only concerned with incarnations of SD for full belief here..
7.4 Two More for Knowledge Norms for Constatives

The derivation above relies on Bach&Harnish’s taxonomy of communicative speech acts; that’s not particularly theoretically loaded: Bach&Harnish’s taxonomy is roughly translatable to e.g. Austinian and Searlian taxonomies as well.

The derivation also relies, however, on Bach&Harnish’s preferred way to individuate speech acts, by the attitudes that they take these speech acts to express. Since some readers might not endorse the Bach&Harnish way to do things in speech act theory – in particular, their individuation recipe – this section will provide two arguments for an integrated knowledge account of constatives that do not rely on their framework. In particular, I expect normativists about the nature of speech acts – who take speech acts to be constituted by norms in the same way in which games and languages are (e.g. (Searle 1965, 1969), (Williamson 2000)) – will more likely to be convinced by the second argument below than by the Bach & Harnish-based derivation.

The first argument is pretty straightforward: it relies on the independently plausible claim that constatives are all species of assertion, however we choose to individuate speech acts. They are e.g. assertions about the past, assertions about the future, assertions about something having particular properties, assertions about some proposition being false against what the hearer claims, and so on. I find the type-species claim to be eminently plausible no matter one’s theoretical commitments with regard to the nature of speech acts for cases (2) to (13) and (15), and likely more controversial for (14), which I’m bracketing. If that is the case, though, the corresponding knowledge norms will follow directly from the type-species claim as shown above, independently of the Bach & Harnish individuation recipe.

Second, we can derive the integrated knowledge account for constatives independently of both the Bach&Harnish individuation model and the type-species claim, on functionalist grounds. Here is a claim that I find eminently plausible:
Characteristically, constatives aim to generate beliefs in the hearer (henceforth CGB for short).

CGB is a weak and, I submit, extremely plausible empirical claim: it is not an analysis of constatives and has no individuation ambitions.

Now, here is a fairly popular thesis about the epistemic normativity of belief:

**Knowledge Norm of Belief (KNB):** A belief that p is a good belief iff one knows that p.

Crucially, KNB is an evaluative, not a prescriptive norm of belief: it is an ought-to-be, not an ought-to-do. It merely gives correctness conditions for belief. In that, the ‘good’ at stake pertains to the Geach-ian (1965) category of attributive goodness: it describes what it is for a token of a particular type to be a good token of its type. In that, KNB should not be extremely controversial: it merely claims that beliefs that fall short of knowledge are not good as beliefs, i.e. as tokens of their type. It does not, for instance, imply any commitments with regard to the nature of justification or the permissibility of belief formation.\(^\text{56}\)

If CGB and KNB hold, I submit that the following principle is eminently plausible:

Characteristically, constatives aim to generate knowledge in the hearer (henceforth CGK for short).

After all, if the characteristic aim of constatives is to generate beliefs in the audience, it is plausible that the aim is to generate good rather than bad beliefs. Otherwise, it’s a mystery why these speech acts are not discontinued: if hearers were not to be incentivised to take constatives up in virtue of their beneficial effects – knowledgeable beliefs - , they would stop doing so, which, in turn,

\(^\text{56}\) For a defense of KNB form the normativity of assertion see (Williamson 2000). For a defense from the nature of practice of inquiry, see (Simion 2019a). For discussion about KNB as an evaluative, but not a prescriptive norm, and its relation to epistemic justification, see e.g. (Simion et. al. 2016), (Simion 2019a).
would render speakers less likely to engage in making these speech acts to begin with. The practice would disappear.

Note, also, the very high plausibility of the respective incarnations of CGK for other constatives, no matter what one’s view on speech act individuation may be, such as: predictives (characteristically, they aim to generate knowledge about the future), retrodictives (characteristically, they aim to generate knowledge about the past), etc. Again, CGK should be uncontroversial for cases (2) to (13) and (15). I expect the controversial case for CGK to be that of suggestives and I will bracket these cases for the reasons exposed in the previous section.

If CGK is plausible, though, so is a functionalist view of the normativity of constatives that parallels the view of the normativity of assertion defended in the previous chapter. After all, one way to spell out CGK is in functionalist terms, i.e. where we take talk of characteristic aims to track functions:

**Constatives’ Knowledge E-Function (CKE):** Constatives have the etiological epistemic function to generate knowledge in hearers.

Of course, the content of the knowledge claim will vary from one variety of constative to another: predictives will be in charge with generating knowledge about the future, descriptives with knowledge about properties and so on.

CKE is, admittedly, stronger than CEK: as we have seen in the previous chapter, for an aim to become an etiological function it needs to be part of a positive feedback loop: it needs be the case that fulfilling said aim is epistemically beneficial to the system and thus contributes to the explanation of why the relevant practice is not discontinued. Recall E-Function:

**E-Function:** A token of type T has the e-function of type B of producing effect E in system S iff (1) tokens of T produced E in the past, (2) producing E resulted in benefit of type B in S/S’s ancestors and (3) producing E’s having B-benefitted S’s ancestors contributes to the explanation of why T exists in S.
Note, though, that we can now develop parallel arguments to the one put forth in the previous section for the case of assertion, for all constatives (again, maybe with the exception of suggestives, where the corresponding e-function may be plausibly spell out in terms of generating a particular degree of warranted belief, rather than knowledge in the hearer; see above). For instance, plausibly, the practice of prediction (in the technical sense above) meets E-Function: it has generated knowledge about future events in hearers in the past, which was epistemically beneficial, and which, in turn keeps the practice alive. Similarly, the practice of description has plausibly generated knowledge of something 0 being F in the past, which was epistemically beneficial, and which, in turn keeps the practice alive. And so on.

Last, if CKEF holds, KN(2) to KNs(15) follow as straightforwardly as KNA dropped out from the knowledge generating function of assertion. Furthermore, the biconditional versions of KN(2) to KN(15) also hold, on the same functionalist grounds that vindicate KNA. Constatives will reliably generate knowledge in hearers in normal conditions, i.e., conditions similar to those in which they acquired their function, when functioning normally, that is, when functioning in the way in which they were functioning when they were selected for their beneficial epistemic effects. When functioning normally, constatives will fulfil the epistemic norm constitutively associated with their epistemic e-function of reliably generating testimonial knowledge; they will work the way they are supposed to work, where the right way of working is partly constituted by reliably delivering the epistemic goods in normal conditions. Thus, an epistemically proper constative will be one that, in normal conditions, generates knowledge in the hearer in the way it did back when it acquired its epistemic function. Since it is plausible that constatives fulfilled said function via being knowledgeable, the integrated knowledge account drops right out of constatives’ E-Function. As such, what we get is a derivation of knowledge norms for constatives that does not rely on individuating speech acts by the attitudes they express.

Conclusion
This chapter has defended the first integrated account of the epistemic normativity of constatives. I have argued for a knowledge account from three different angles: (1) the Bach & Harnish account of the nature of communicative speech acts, (2) the plausible type-species relation between assertion and other constatives, and (3) the normativity of belief in conjunction with constatives’ epistemic function.

Where does this leave us with regard to the Generalized Shiftiness Dilemma? On one hand, we have seen that the first derivation above (relying on Bach&Harnish’s 1979 taxonomy) only afforded us the necessity direction of KNA for all constatives. Since the Shiftiness Dilemma requires the biconditional version to get off the ground, strictly speaking, the account defended above does not expose Classical Invariantism to the practical stakes threat. That being said, (1) the functionalist derivation that we have looked at in the previous section delivers the corresponding biconditionals, and (2) I must confess that I find the biconditionals quite appealing. For someone like me, then, the Shiftiness Dilemma is still looming in the background. Fortunately, on my view, constatives are governed by knowledge norms in virtue of being species of assertion; as such, the arguments developed in the previous two chapters against the Shiftiness Dilemma and in favour of a conjunction of Classical invariantism and Assertion Functionalism will apply, mutatis mutandis, to the case of all constatives insofar as one likes biconditional knowledge norms for them.

To see this, let’s go back to the example involving speech act of reporting: plausibly, permissible reporting requires more epistemic support in high stakes than in low stakes contexts. This requirement, however, is sourced in its practical function of serving the practical interests of the audience, not in its epistemic function. As such, reporting form knowledge (as the biconditional version of (KN(6)) requires) is epistemically appropriate independently of context; compatibly with this, reporting from knowledge may well be all-things-considered inappropriate in virtue of practical overriding at high stakes contexts. More about this in Chapter X.

The account proposed in this chapter merely sketches knowledge views of the normativity of constatives, without defending each of them in detail: it is aimed as a start of a conversation rather than a final say on the issue. We need
to start somewhere. That being said, in the next chapters, I will look into the epistemic normativity of three constatives that *have* been previously discussed in the literature – moral assertion, telling and reporting – in more detail; in particular, I will examine and account for the contextual variation of their propriety.
Part 3: Constatives in Context
Chapter VIII: Against Special Treatment for Telling

In ‘Assertion, Telling and Epistemic Norms’ (2014), Charlie Pelling rightly notices that, while recent years have featured a vast amount of literature concerned with the epistemic norm for assertion, little attention has been paid to the corresponding norm governing acts of telling.

One plausible explanation of this is that people have generally taken assertion and telling to fall under the same normative constraints. Pelling ventures to show (i) that this assumption is false and (ii) that the epistemic propriety of instances of telling partly depends on what’s at stake for the hearer.

Here is what manly motivates this chapter: arguably, if Pelling is right, the motivation behind the whole debate regarding the epistemic norm of assertion can be seriously called into question. After all, there are very few assertions that are not tellings (i.e., completely isolated, private assertions) and, given their rarity, it is not clear why we should be concerned with the norms governing them and only them to begin with. Since I take it that it would be rather unfortunate if it turned out that all the assertion-concerned ink has been spilled in vain, this paper purports to give Pelling’s case the deserved close scrutiny.

Furthermore, the infelicitous predicament runs even deeper than that; say, for instance, that, even though it turned out that Pelling was right, the results on the norm of assertion could still be used as helpful idealizations from which to further extrapolate to the aim of figuring out the epistemic normativity of what we actually care about, i.e. telling. It is not clear, however, to what extent the results in question remain legitimate, however, in the light of Pelling’s claims. To see this, note that most of the data brought to support one norm of assertion or another pertain to dialogical contexts, and is therefore relevant to tellings rather than assertions that are not tellings.

This chapter argues that Pelling’s case for both claim (i) and claim (ii) fails: tellings are not special at all. In order to do that, I show that Pelling’s case against the normative commonality of assertion and telling rests on a speech
act theoretic inaccuracy, and I employ my preferred, functionalist view of the
normativity of assertion to explain the cases put forth.

8.1. Pelling’s Synchronic Different Stakes

Conversational patterns are usually taken to favour the thought that, just as
assertion, the speech act of telling is governed by a knowledge norm (e.g.
Buckwalter and Turri 2014). First, questions concerning your knowledge
whether $p$ is the case typically function as indirect requests to tell whether $p$ is
the case. Second, one legitimate way of answering questions is by declaring
ignorance. This, of course, suggests that lack thereof was assumed to begin
with. Third, if someone tells you something, it is typically appropriate to ask,
‘How do you know that?’. Forth, Moorean tellings of the form ‘$p$ but I don’t
know that $p$’ come across as paradoxical. Last but not least, plausibly enough,
knowing something seems good enough for (epistemically) appropriately
telling it: if I know that there’s a desk in front of me it looks as though, all else
equal, I’m in a fine epistemic position to tell you as much.

According to Charlie Pelling, however, while a knowledge norm might
be governing assertion, things are not equally straightforward when it comes to
the speech act of telling. Pelling starts by showing that assertion and telling are
different speech acts: while all tellings are assertions, not every assertion is an
instance of telling. In particular, assertions that are not directed at, or
heard/read by anybody will not count as tellings. Thus, telling seems to be a
particular variety of assertion that (1) is directed towards an audience, and (2)
involves an uptake on the part of audience.57

Surely, if assertion and telling are different speech acts, taking for
granted that they are governed by the same epistemic norm seems unjustified.
Plausibility established, Pelling goes on to bring support to his stronger claim:

57 One might be rather skeptical regarding the legitimacy of such an uptake condition; after all,
it looks as though we often say things like: ‘I told you but you would not listen!’; in the light of
this, it might be thought that the mere directedness towards an audience is enough for an
assertion to count as a telling. On the other hand, it seems pretty clear that if I just whisper
something in your direction from three blocks away, independently of what I may have
intended, my assertion will hardly count as an instance of telling.

Fortunately, nothing here hinges on very strictly individuating the speech act of
telling, so I will not rest further on it.
Non-commonality (NC): Assertion and telling are governed by different epistemic norms.

Pelling supports NC from two angles. First, he argues that assertion and telling are characteristically associated with different types of communicative intentions. Thus, while intentions that are characteristic to assertion are also characteristic to telling (taking responsibility for the truth of p), the reverse does not hold; the intention to address one's speech act to a hearer/reader only characterizes telling (2014, 338). Take, for instance, assertions in a secret diary; plausibly enough, these are not directed towards any audience whatsoever, and still count as assertions. Further on, Pelling argues that there is a significant connection between the characteristic intentions behind an act and the norms governing it. Think about any pair of speech acts; take assertion and supposition, for instance. Surely, Pelling argues, the norms regulating the two will not share the same content. Nor are the intentions characteristically associated with them of the same nature (2014, 337).

Second, Pelling argues that KNA is indefensible as a norm governing telling. Consider:

SYNCHRONIC DIFFERENT STAKES: Alf is engaged in two email exchanges about the bank’s opening hours, one with Bev and one with Cat. Alf knows the matter is crucial for Bev, since she needs to urgently deposit her paycheque to cover an impending bill. Alf also knows that nothing hinges on it for Cat. Alf remembers that the bank was open on a Saturday two weeks ago, and purely on that basis he sends an email to both Bev and Cat in which he tells them flat-out that the bank is open on Saturday (adapted from Pelling 2014, 345).

We all feel that it is less appropriate for Alf to tell Bev the bank will be open than for him to tell Cat. How can the supporter of a uniform knowledge account for assertion and telling accommodate this result? Pelling argues that,
in an invariantist framework, \textsuperscript{58} she can’t. As such, he concludes, in an invariantist framework, KNA is implausible as a norm for telling. Notice that, since Alf tells Bev and Cat at the same time that the bank will be open, it seems that Alf knows the bank will be open when he tells Bev if and only if he knows it when he tells Cat. This, Pelling argues, leaves the supporter of a knowledge account of telling unable to explain the difference in propriety. In Pelling’s view, the knowledge account of assertion does not face a similar problem because DIFFERENT STAKES involves two tellings, but only one assertion.

In the light of this, Pelling suggests that, as opposed to mere assertion, one’s entitlement to tell a person that \( p \) depends partly on how much it matters, in the context of one’s relationship to that person, that \( p \) is true (2014, 343). As such, he argues, the norm for telling, as opposed to the norm for assertion, needs to be hearer-oriented and stakes-sensitive.

8.2. Norms and Characteristic Communicative Intentions

In sum, Pelling supports his case for NC by arguing that:

(1) there are different characteristic communicative intentions behind assertion and telling, which suggests that they are governed by different norms and

(2) the invariantist defender of a knowledge norm for both cannot explain SYNCHRONIC DIFFERENT STAKES.

Below, I will argue that both Pelling’s claims above are problematic.

Let us start with (1), and distinguish between two types of communicative intentions associated with speech acts: essential communicative intentions – accompanying every token of the type – and characteristic communicative intentions – often attached to tokens of that type. Now, it is true that telling, but not assertion, has directedness towards an audience as an essential communicative intention. However, the picture looks quite different

\textsuperscript{58} Pelling dismisses contextualism as implausible on independent grounds, and does not discuss pragmatically encroached invariantisms.
when it comes to characteristic communicative intentions: extremely plausibly, the vast majority of assertions are tellings. As such, generating true belief/knowledge in the hearer is a characteristic communicative intention for assertion and telling alike. Furthermore, plausibly enough, as I have argued at length, this is the main epistemic function of both assertion and telling to begin with.

If that is the case, against Pelling, telling and assertion share their characteristic communicative intentions. Of course, this is plausibly so because the vast majority of assertions are instances of telling. If this is right, we can maybe reconstruct Pelling’s case as follows: the essential communicative intention involved in assertion is presenting \( p \) as true; the essential communicative intention involved in telling is presenting \( p \) as true to an audience; therefore, assertion and telling are characterized by different essential communicative intentions, which gives us reason to believe that the norms regulating the two are different too.

This reformulation will not do the intended work, however. Notice that, for actions in general, norms governing them tend to be associated with the characteristic intentions they involve rather than the corresponding essential intentions. Consider any action governed by norms, say for instance driving; the characteristic intention involved in driving is, plausibly, safely getting us at our destination. Norms regulating driving will be associated with this characteristic intention; for instance, the norm regulating speed limit will be there to insure that we get to our destination within a reasonable amount of time, while still being on the safe side. But safely getting to our destination is not an essential intention associated with driving; I might just drive around town for the fun of it. That does not, however, imply that separate norms would apply to me.

Assertion and telling are types of action. In line with other types of action, then, we should expect the norms regulating them to be concerned with the characteristic intentions they involve: generating true belief/knowledge in an audience. If that is the case, it is less than clear that telling and asserting should be governed by different norms, as Pelling would have it.
8.3 The Functionalist Case Against Pelling

We have seen that Pelling’s claim (1) is in need of further defence. Let us now move on to his claim (2). Recall that Pelling’s SYNCHRONIC DIFFERENT STAKES was supposed to create a difficulty for the invariantist defender of the thesis that KNA governs both assertion and telling due to the fact that, according to Pelling, it featured one assertion but two tellings. Since one telling in this case is intuitively appropriate, while the other is not, and since the speaker either knows or he doesn’t at the moment of the utterance, it follows, according to Pelling, that telling does not afford a knowledge norm. In contrast, Pelling argues, KNA may still be true, since the case only features one assertion.

The first problem with this way to describe the case is speech act theoretic: just because assertion and telling are not the same speech act, it does not follow that telling can be instantiated separately. To see why this is the case, note that, uncontroversially, telling is a species of assertion – i.e., an assertion that is directed at an audience, maybe with an uptake condition etc. If that’s so, telling cannot be instantiated without assertion being instantiated. Similarly, for instance, waltzing is a species of dancing; as such, waltzing cannot be instantiated without dancing being instantiated.

From this it follows that Pelling’s speech act theoretic description of the case is mistaken: there are no possible cases in which two tellings but only one assertion are instantiated, just as there are no possible cases in which two instances of waltzing but only one instance of dancing occur.

As such, we are left with two ways to describe SYNCHRONIC DIFFERENT STAKES: either it features two instances of telling (and the corresponding two assertions) – one to Bev and one to Cat – or one instance of telling (and the corresponding assertion) – to Bev and Cat. It also follows that, whatever the case is meant to illustrate, one thing that it cannot offer support for is a picture on which assertion and telling are governed by different norms: if the telling is appropriate, so is the corresponding assertion, and, conversely, if the telling is inappropriate, so is the corresponding assertion.
In what follows, I will look at the two options identified above in turn, and show how the champion of Classical Invariantism and functionalism about the knowledge norm for telling can easily make sense of them. First, let’s formulate the norm for telling that is the subject of Pelling’s attacks:

**KNT:** An instance of telling is permissible iff knowledgeable.

Note that KNT is stronger than the norm for informatives I put forth in the previous chapter, in that it is a biconditional. Since Pelling’s attack requires the sufficiency direction, in what follows, I will work with KNT. Furthermore, I find KNT extremely plausible anyway, for precisely the same functionalist reasons why I support KNA.

If Pelling is right and there are two instances of telling at stake in **SYNCHRONIC DIFFERENTSTAKES**, the CI&KNT champion can easily explain why one instance of telling is intuitively inappropriate and the other is not: just like in the **ASPIRIN** cases, the intuition tracks all-things-considered permissibility. Epistemically – i.e. pertaining to the epistemic function of telling – both tellings are permissible. Prudentially – i.e. pertaining to the prudential function of telling – telling Cat that the bank will be open is permissible, while telling Bev is not. Since prudential normativity overrides epistemic normativity at the context, telling Cat that the bank will be open is all-things-considered permissible, while telling Bev is not.

Alternatively, one might think that the case does not plausibly involve two separate instances of telling. After all, the utterance in this case seems to consist in pressing the ‘send’ button in Alfs email programme. But that action is, of course, one and only one. To see the plausibility of this way to look at things, consider a politician giving a speech in front of thousands of people, or a journalist delivering a piece of news on TV. Analysing these speech acts as composed out of thousands of tellings seems absurd. Rather, what seems to be the case is that there is only one telling going on, directed at a big audience. Also, the propriety of this telling is hardly going to depend on the different stakes involved for each and every one person in the audience; rather, the stakes generally associated with the context are going to matter.
One might think that this is exactly what is going on in SYNCHRONIC DIFFERENT STAKES, only on a smaller scale: the case describes one instance of telling, towards an audience made out of two people, Cat and Bev. If so, Alf's telling – i.e. pressing the ‘send’ button – is all-things-considered inappropriate, just like above, on prudential grounds, pertaining to the prudential function of his speech act. Of course, had he only told Cat, the stakes of that particular context would have been lower, which would have rendered his telling permissible.

Conclusion

I have argued that Pelling’s case for Non-Commonality fails. Contra Pelling, I have shown that assertion and telling share the same characteristic communicative aim, which suggests that they are governed by a common norm. Secondly, I have argued that the invariantist defender of a knowledge norm for telling is perfectly well positioned to explain the case put forth by Pelling. In a nutshell, then, contra Pelling, there’s nothing special about telling.
Chapter IX: Epistemic Norms and ‘He Said/She Said’ Reporting

Traditionally, objectivity in collecting and delivering information to their audience figures on the top of the list of values that should be observed by journalists. Recently, though, a number of authors in media and journalism studies take it that traditional understandings of journalistic objectivity are in need of rethinking if they are to sustain ethical action. As such, they challenge the traditional claim to ‘substantive objectivity’ – roughly put, aiming towards getting and delivering the truth – as being epistemologically implausible, by presupposing a ‘view from nowhere’, a ‘non-perspectival perspective’. Furthermore, ethical concerns have been put forward as to the potentially authoritarian connotations of the concept.

The thought is not to abandon the concept altogether, however, but to redefine it; in recent years, one proposal that enjoys a significant degree of popularity in media studies is that practitioners should rather aim towards ‘procedural objectivity’. That is, roughly, traditional epistemic values like truth are now to be replaced by fairness or balance.

One aspect of procedural objectivity translates into what is usually referred to in the literature as ‘He Said/She Said reporting’; roughly, the procedure involves quoting left-wing politician A, and then quoting right-wing politician B, about subject matter X. The thought is that, by presenting competing voices, the journalist informs the reader about a particular controversy without thereby presenting her own take on the truth value of the statements of either politician A or politician B.

There is, of course, comfort in this formula for the practitioners; the reporter never risks being wrong. Also, at least at first glance, it looks as if procedural objectivity ensures a fair treatment of the sources.

This chapter is concerned with looking into the permissibility of He Said/She Said reporting from the perspective of the normativity of informative

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60 E.g. (Poerksen 2011).
speech acts. I will argue that it is only in urgency situations that He Said/She Said is, all-things-considered, proper reporting.

9.1. Norms for Reporting

However, several specialists have expressed worries with regard to procedural objectivity only obscuring issues and frustrating political accountability; it is argued that reporters’ comfort comes at the expense of public understanding of what is factual and what is not and of who is responsible for what.61

The paradigm case quoted in support of these objections is the so-called ‘Sarah Palin’s death panels’ case. In short, in August 2009, Sarah Palin writes on her blog: “The America I know and love is not one in which my parents or my baby with Down Syndrome will have to stand in front of Obama’s ‘death panel’ so his bureaucrats can decide whether they are worthy of health care” (Lawrence and Schafer 2010, 676). More than 60 percent of the mainstream American media channels present the piece of news merely in a He Said/She Said format, by also citing sources from the opposite camp – Obama’s chief of staff, or even Obama himself – accusing Palin of misleading the voters; on the 12th of August, for instance, LA Times cites Barack Obama taking the stand on the issue:”There are no such measures in any of the bills under consideration.”

Palin’s claim turns out to be false: there was nothing even close to the procedure Palin referred to in Obama’s proposal. However, one poll released a month later reported that 30 percent of the interviewees believed that the proposed health care legislation would “create death panels.” Furthermore, the same survey found that the percentage calling the claim true among those who said they were paying very close attention to the health care debate was significantly higher than among those reporting they were not following the debate too closely. As such, it is argued, He Said/She Said reporting seems to come with the risk of producing wide spread false beliefs in the audience (Lawrence and Schafer 2010, 778).

Another worry often expressed in the literature is that the practice of presenting both sides of the story without checking the facts renders both the journalists and the public more vulnerable to propaganda. Furthermore, studies

61 See, e.g. (Rieder, 2007), (Sparrow, 1999), (Pingree, 2011).
also suggest that it may contribute to declining “epistemic political efficacy” (Pingree, 2011), that is, a diminished confidence among citizens in their ability to separate truth from fiction.

In order to check the normative plausibility of the case against He Said/She Said reporting, let us start by identifying the relevant normative framework. Reporting is a retrodictive informative speech act. By this I mean an act primarily aimed at informing the hearer that proposition \( p \) was the case. Performing a retrodictive informative speech act with content \( p \) is a particular species of asserting that \( p \): asserting that \( p \) was the case with the characteristic aim of informing the hearer.

Many philosophers, in line with the view defended here, support a knowledge norm of assertion. Although the view has a lot going for it, KNA is taken by some to be too strong a requirement. The most prominent competing account on the market imposes a weaker, justification norm on assertion, (henceforth, JNA), where ‘\( J \)’ is taken to stand for the type of justification which, in favourable conditions, turns true belief into knowledge, and has been notably defended in (Douven 2006) (Lackey 2008) and (Kvanvig 2009).

For my purposes in this chapter, I need not take a stance in this debate; in order for the argument this chapter is making to go through, nothing hinges on KNA; the weaker JNA will do just fine.

I will also take it that, apart from the JNA, assertion is also governed by Gricean (1989) conversational maxims:

*Quality:* Try to make your contribution one that is true;
*Quantity:* Be as informative as required;
*Relation:* Be relevant;
*Manner:* Be perspicuous; avoid obscurity and ambiguity, and strive for brevity and order.

That said, this chapter will mostly focus on the maxims of Relation and Quantity; that is because, given that we are talking about news reporting,

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62 For an excellent exegesis of how the Gricean maxim of Quality relates to the normativity of assertion, and a defence of a view according to which it supports a constitutive KNA, see (Benton 2016).

63 See, also, Wilson and Sperber (2004) for an alternative account.
relevance and informativeness requirements are plausibly going to be at work most of the time.

Also, this chapter assumes that whatever norm applies to assertion also applies to the implicatures generated by it. Elisabeth Fricker (2012) brings several objections to this thought; while I find Fricker’s argument successful, I think that the case this chapter is making is not affected by it. Here is why: roughly, Fricker takes it that we might not be able to hold the speaker responsible for lack of warrant for the generated conversational implicatures, because in many contexts it is not clear whether the hearer gets the implicature right. I agree with this; however, importantly, in the institutional context of news reporting that \( p \), the implicatures regarding, for instance, the relevance of \( p \), or the fact that \( p \) is all the reporter can say about the subject matter, need not be ‘guessed’ by the hearer, as they are generated by the institutional context itself. Conventionally, that is, news bulletins are there to give us all available information about matters that are relevant to us – given, of course, limitations of space and time.\(^6\) Therefore, we need not guess that this is the case, we are at liberty to assume it.

In addition, I will also take it that, in light of its being an action, assertion will also be governed by several other norms governing actions in general; prudential norms will be the most obvious candidates. These might come in conflict with and override the epistemic norm. In the light of this, it might be that, by other norms stepping in, being in the epistemic position required by JNA for asserting that \( p \) is too strong a requirement, all-things-considered: if my life is at stake, I will assert whatever is required for staying alive, no matter how unwarranted my assertion might be. So the prudential concerns of the speaker can override the epistemic requirements and affect the all-things-considered propriety of assertion. Also, when the assertion will be directed towards a hearer \( H \), plausibly, \( H \)’s prudential concerns will act in a similar way. This will, for instance, be the case in urgency situations. Recall Tim Williamson’s (2000) TRAIN case: Suppose that I, knowing that it is urgent for you to get to your destination, shout “That is your train!” upon seeing a train approach the station. That looks like the prudentially right thing

\(^6\) In support of this, see, for instance, (McKanne 2006, chapter 1) for an extensive discussion about what makes the news. See also (Grice 1989) for a distinction between mere conversational and conventional conversational implicatures.
to do, even though I do not have knowledge-level justification for believing that that it is your train; I merely believe that it is likely so. Again, notice that it is the prudential constraint that makes my action permissible: it is in view of the prudential goal of maximizing your chances of catching your train that my assertion is permissible, not in the light of any epistemic goal like getting at truth or knowledge.

In the light of all this, let us see now what happens in the normativity of reporting. First, we have seen that, by being a species of telling, reporting will always be directed towards, and, in turn, affect an audience. As such, it is plausible that, apart from the epistemic norm governing assertion and the prudential concerns of the speaker, the prudential concerns of the audience will affect the all-things-considered propriety of reporting too.

In sum, the all-things-considered propriety of an instance of reporting that $p$ will be affected by (at least) requirements pertaining to: 1. the epistemic norm for proper assertion, 2. The Gricean maxims 3. S’s prudential concerns and 4. H’s prudential concerns.

9.3. Procedural Objectivity and Unjustified Implicatures

In what follows, I will apply the framework sketched in the previous section; the aim is to see whether there is anything in the framework that makes He Said/She Said reporting impermissible.

Notice, first, that what a particular person A says about matter of fact $X$ can constitute a piece of news in two major ways: (i) directly, by informing the reader about fact $X$ itself, or (ii) indirectly, by informing the reader about person A’s moral/social/political etc. profile, in the light of her statements about $X$, which, in turn, can be informative for, say, predicting how she would act if she were to be elected for office etc.

Notice also that the latter will only constitute a genuine piece of news granted that (ii.1) A is a person of interest for the audience in a way that turns

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65 Given that, arguably, discussions pertaining to the normativity of news reporting can afford this restriction, I would like to restrict this argument such that reportings about matters of aesthetic taste, moral issues, predictions and the like, due to the controversies surrounding the corresponding truth claims, will not make the subject of this paper. See e.g. Lackey (2013) for discussion.
data about the quality of A’s profile into an interesting piece of news, and, crucially (ii.2) the audience either already has (shared background) or, alternatively, is offered independent information as to the truth or falsity of the content of that person’s testimony, so as to be able to judge her moral/social/political profile. I take it that (ii.1) is fairly uncontroversial; to see why (ii.2) is the case, notice that, no matter how prominent person A is, informing one’s audience about A’s beliefs about the world in the absence of independent information about their truth value will not make the proper subject of a news bulletin, but, if at all, of a profile feature story. In support of this, here is Anna McKane on ‘personalizing’ the news, i.e. presenting stories in terms of what people have to say about the subject matter:

Politics is often seen as a clash between individual party leaders {…}. This is often the way news is reported now […]. The fact remains, though, that it is […] the conflict in Iraq itself which is the essence of the news (emphasis added); the personalization is simply a way of illustrating that story (emphasis added) (McKane 2006, 6).66

Secondly, notice that, in cases where there is access to the relevant data, it might be that it is not trivial to get there. In some cases, of course, the journalist will just have to make a phone call to a very reliable source in order to check the facts. In many cases, however, research into a particular matter of fact might take weeks.

Also, thirdly, in the light of the prudential constraints stepping in, a particular urgency rating will be attached to each piece of news.67 Reporting to

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66 Notice, also, that when it comes to ‘he said/she said’ reporting, the fact itself that both opposite camps are cited on subject matter p suggests that the subject of the piece of news is p rather than the profile of one of the cited parties.

67 One interesting question is, of course, what should and what should not enter the calculus of the urgency rating of a piece of news to begin with. At a first glance, we should expect the urgency rating to mirror the public interest of the story, how important it is for the public to have the relevant piece of information and how soon does it need to be delivered to the best interest of the public. Thus, the prudential concerns of the audience will play an important part in calculating the urgency rating. One substantive ethical question, however, is to what extent should matters pertaining to the prudential interests of the reporter herself, or the media channel she represents, partake in the relevant urgency calculus; may, for instance, the likelihood that a competing media channel might come across and distribute the relevant piece of news affect its urgency rating? These are important questions, and neither the scope of this paper nor the space permit properly diving into them. For discussion, see, for instance, (Foreman 2010).
the fact that the circus is in town will most likely come with a lower urgency rating than, for instance, a piece of news about the main bridge in town being on the verge of collapsing.

As such, it is important to distinguish between situations where the accessibility of the relevant data matches the urgency rating, and situations in which this is not the case. Roughly put, it might be that the time needed for the journalist to access the data does not exceed the urgency of delivering the piece of news (henceforth, Match), or that the opposite is the case (Non-Match).

That being said, let us see how these three factors interact with the normativity of informative speech acts, and what can be said about the propriety of He Said/She Said reporting in the light of this.

Let us first look at what happens when there is no prudential constraint there to override the epistemic norm for proper reporting (what we have labelled Match above). That is, when the time frame needed for the reporter to get a hold of the relevant data does not exceed the time frame available given the urgency rating of delivering the relevant piece of news.

Say we are weeks away from the elections day and Sarah Palin writes on her blog \( p \): “Obama’s health policy will oblige people with serious illnesses to stand before a ‘death panel’ and argue for their right to medical assistance”. Also assume that it would only take a few days for the reporter R to actually check Obama’s policy to see whether what Palin says is true. However, instead of doing the research, R calls Obama’s chief of staff; the latter contradicts Palin’s claim, and R goes live and reports that \( q \): Palin says that \( p \), but Obama’s chief of staff says that non-\( p \).

Now notice that, according to Relevance and Quantity, the audience is hereby entitled to assume that:

1. \( q \) is relevant to the context of utterance, which is news reporting. So it is either relevant for whether \( p \) is true, or for Sarah Palin’s/Obama’s chief of staff’s moral profile. Given that the audience is not presented with any additional information regarding the truth or falsity of \( p \), it cannot be that \( q \) is relevant to the moral profile of the relevant testifiers. So it must be that it is relevant for the truth of \( p \).
2. \( q \) is in accordance with Quantity; that is, \( q \) is all the reporter can say about the subject matter given the urgency rating attached to this particular piece of news.

If these are the implicatures generated, however, it becomes clear that, in this particular situation, He Said/She said reporting is, indeed, both epistemically and all-things-considered problematic.

The reporter has little justification for either of these implicatures. To see this, notice that the testimony of both Palin and the chief of staff come with serious defeaters: they are both plausibly interested in obscuring the truth about \( p \) to their own advantage. Notice that this is not to say that one has to discount the testimony of every speaker who has something to gain from saying what they do. If, for instance, I tell you that I like dark chocolate in the hope that you would buy some for me, my testimony seems perfectly worthy of trust. Notice, though, that in the Palin case we are dealing with speakers who (notably) both have a great deal to earn from lying, not from merely testifying.\(^{68}\)

To see why this speech act is in breach of JNA, note that the defeaters at play are undercutting, i.e. they are reasons to believe that the relevant ground for believing \( p \) is not indicative of the truth of \( p \). As such, they render the two testimonial sources unable to offer (enough) support for either \( p \) or not \( p \).\(^{69}\) If that is the case, it looks as though, even on the weakest account of testimonial justification, \( R \) is not justified in believing their testimony is relevant to whether \( p \) is true.

\(^{68}\) Notice, also, that the fact that Palin or Obama’s chief of staff might be reliable testifiers in general, or, furthermore, that the reporter on case might know either of them to be a reliable testifier, would not do much to avoid turning their interest in lying on this particular occasion into a serious defeater. To see this, consider, for instance, your otherwise extremely reliable biology teacher. Say you find out someone offered her one million dollars for lying to you about the time the natural history museum will open tomorrow. Surely you are not justified in believing her when she tells you the museum will open at 11AM.

\(^{69}\) One could worry that it is still not clear why this speech act needs be in breach of JNA. After all, can’t relevance be quite minimal, e.g. would it not suffice if the probability that \( p \) conditional on Palin saying that \( p \) increases, even if only marginally? Notice, though, that, at least when it comes to communication, relevance seems to be more a matter of quality rather than quantity; Here are Wilson and Sperber (2004, 253) on this: “While quantitative notions of relevance can be worth exploring from a formal point of view, it is the comparative rather than the quantitative notion that is most likely to provide the best starting point for a psychologically plausible theory”. To see this more clearly, note that even if, for instance, the fact that I had eggs this morning, due to some weird chemical reaction, marginally raises the probability of my wearing my red dress tonight, it is still hardly conversationally proper to tell you I had eggs this morning when you ask me what I’m going to wear tonight. For different accounts of explanatory relevance, see (Woodward 2014).
Furthermore, given that, by assumption, the access to the relevant data is relatively smooth (Match), the implicature as to \( q \) being all the reporter can say about the subject matter given the urgency rating is plainly false, and known by the reporter to be so, by stipulation: the reporter himself is justified in believing the contrary.

### 9.4 Procedural Objectivity and Urgency

Let us now look at what happens when urgency considerations step in and override the epistemic norm. That is, when the time frame needed for the reporter to get at the truth about \( p \) exceeds the time frame available due to the urgency rating of delivering the piece of news.

Let us say that the elections are tomorrow, and Sarah Palin writes that \( p \) on her blog, while Obama’s chief of staff testifies as to \( \text{non-}I \). Like before, \( R \) goes live and reports that \( q \): Palin says that \( p \), but Obama’s chief of staff says that \( \text{non-}p \). And again, for the reasons presented above, and according to Relevance and Quantity, the audience is hereby entitled to assume that:

\[
\begin{align*}
(1) & \quad q \text{ is relevant to the truth of } p. \\
(2) & \quad q \text{ is all the reporter can say about the subject matter given the urgency rating attached to this particular piece of news.}
\end{align*}
\]

Notice, though, that in this case, the all-things-considered propriety of reporting that \( q \) changes dramatically. First, with regard to (2), JNA is respected. \( R \) is perfectly justified to believe that, given that it would take her several days to get access to the relevant data, \( q \) is all she can say about the subject matter in this short time frame.

Second, in what (1) is concerned, although \( R \) is in breach of JNA, similarly to the ‘train’ case, her speech act is all-things-considered proper, due to prudential requirements stepping in. To see this, imagine a situation in which an expert engineer \( E_1 \) calls \( R \) and tells him that the bridge in centre town, which is taken daily by thousands of people on their way to work, is about to collapse. Due to the urgency of the situation, \( R \) only has time to call expert \( E_2 \) and ask what he thinks about this. \( E_2 \) claims that what \( E_1 \) says is false. Now say that neither \( E_1 \) nor \( E_2 \) are amongst the most reliable of \( R \)’s sources; however, as it so happens, they are the only bridge experts in town.
Surely, if R, as a good JNA follower, abstains from mentioning anything about this to his audience, and the bridge does collapse and kills thousands of people, we would find R’s decision to withhold information all-things-considered improper. Just like in the train case, the epistemic requirement is overridden here by the prudential constraints stepping in.

With regard to this though, some qualifications are needed. The literature (e.g (Zimmerman 1997)) distinguishes between direct and indirect blameworthiness for performing an action. One is indirectly blameworthy for something x, if and only if one is blameworthy for it by way of being blameworthy for something else, y, of which x is the consequence.

One could be indirectly blameworthy for performing an action out of ignorance, for instance, by being directly blameworthy for being ignorant. On a similar line of thought, it looks as if, in many cases, although not, strictly speaking, in breach of the norm – again, it looks as if the piece of news about the bridge just needs to be out there as soon as possible – this does not imply that the respective reporter or leadership of media channel walks free of blame.

To see this, consider a situation in which the only reason why our reporter only has two unreliable sources at his disposal on the bridge issue is because he is lazy and did not bother to insure a proper source net for himself. A good reporter should cultivate reliable sources. Thus, surely, although not in breach of the norm for this particular instance of reporting, our reporter is blameworthy for being in this poor epistemic situation to begin with.

Or say that, in fact, more sources would have been available, but there was no time for the only reporter in charge to call them all; and all this, due to the fact that the cheap owner of the media channel was not willing to pay for having more than one reporter on call. Again, it looks as though there is indirect blameworthiness on the part of the ownership at stake here, in spite of

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70 One might wonder whether a panic response is really necessary when it comes to mainstream media; after all, isn’t the blog industry there to do just that, i.e., to offer unverified fast piece of information? Shouldn’t mainstream media act as a watch dog and not go on air unless the information is properly verified?

Notice, though, that while this is definitely the case in Match situations, Non-Match suggests that the ‘watchdog’ role of the mainstream media itself will require taking a stance on the issue. After all, if rumors about the instability of the bridge flood the internet, most people will turn to mainstream media for clarification, which renders taking no stance on the issue confusing, to say the least. Furthermore, the media channel in question has a responsibility to keep its audience informed independently of what other sources the latter might make use of – if any.
the fact that delivering this particular piece of news is in no breach of the relevant norms.

Conclusion

This chapter has looked into the propriety of He Said/She Said reporting from the viewpoint of the normativity of informative speech acts. I have argued that He Said/She Said reporting only scores all-things-considered well in urgency situations, where the available time frame does not permit the reporter to check into the state of the world herself. When there is no prudential constraint there to override the epistemic norm for proper reporting, however, He Said/She Said was shown to be all-things-considered impermissible.
Chapter X: A Special Case: Moral Assertion

In recent years, much attention has been given to the epistemic credentials of belief based on moral testimony. Some people think pure moral deference is wrong, others disagree. It comes as a surprise, however, that while the epistemic responsibilities of the receiver of moral testimony have been closely scrutinized, little to no discussion has focused on the epistemic duties of the speaker. As far as I can see, the reason why this might be is that people have generally assumed that whatever the norm for assertion in general turns out to be, it will also govern moral assertions. This, however, of course, need not be the case: just because waltzing is a species of dancing, it need not follow that it is merely governed by norms pertaining to dancing in general. To the contrary, what makes waltzing into a particular species of dancing to begin with is the fact that is governed by extra-norms, on top of the ones governing general dancing. Similarly, the norm for moral assertions can be stronger than the norm for assertion in general: more can be required in terms of epistemic support for proper moral assertion.

This chapter aims to supply this lack: it defends a functionalist account of the normativity of moral assertion. According to this view, in virtue of its function of reliably generating moral understanding in the audience, a moral assertion that \( p \) needs be knowledgeable and accompanied by a contextually appropriate explanation why \( p \).

10.1. Testimony and Moral Understanding

Consider the following case from Alison Hills (2009, 94):

ELEANOR: Eleanor has always enjoyed eating meat, but has recently realized that it raises some moral issues. Rather than
thinking further about these, however, she asks a friend who tells her that eating meat is wrong. Eleanor knows that her friend is normally trustworthy and reliable, so she believes her and accepts that eating meat is wrong.

Many people in the literature have the intuition that there is something wrong with the way in which Eleanor proceeds; that rather than taking her friend’s testimony for granted, she should reflect on the issue herself. Call these people ‘pessimists’\(^{71}\) about moral testimony. Now, importantly, there are two ways in which one can be a pessimist: a weak and a strong way.\(^{72}\) According to the strong pessimist, one should not form moral beliefs on the mere say-so of others, because the latter cannot generate knowledge. This fellow takes it that knowledge of moral matters is too highbrow an affair to be gained second hand: more work than that is needed. Furthermore, he generally takes it that the function of testimonial exchanges is to generate the corresponding knowledge in the audience. Since moral testimony cannot do that, according to the pessimist, one should not form beliefs about moral issues from mere testimonial sources.

Now, a lot of ink has been spilled on disputing the claim that one cannot gain knowledge from moral testimony, and with some degree of success too. It is fair to say that, in recent years, the state of the art is such that most people would agree that moral testimony can generate knowledge ((Driver 2006), (Hills 2009), (Jones 1999)). As such, for the purposes of this chapter, I will set strong pessimism aside. At the same time, a new variety of pessimism is born: weak pessimism. What these philosophers want to say is that, even though one can get knowledge of moral facts from testimony, this is still not good enough; there is still something wrong about forming moral beliefs on mere say-so, even though they are knowledgeable beliefs.

According to weak pessimists, first, when it comes to moral matters, our epistemic goals are more highbrow affairs than just merely gathering a fair number of knowledgeable beliefs: what we are after is understanding the relevant

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\(^{71}\) I borrow the ‘pessimism/optimism’ terminology from Hopkins (2007). The further distinction between weak and strong pessimism is mine.

\(^{72}\) For people who think moral testimony can generate knowledge, see e.g. Jones (1999), Driver (2006), Hopkins (2007). For strong pessimism, see e.g. Wolff (1990), Lackey (2013).
matters (e.g. Nickel (2001), Hills (2009) Hopkins (2007), Howell (2014), McGrath (2011)). Alison Hills, for instance, argues that there are at least two reasons why this is so: moral understanding is an essential mean to morally good character and morally worthy action.

The further assumption is that understanding is more than just knowledge of the relevant matter. Hills (2010) suggests that understanding is constituted by a set of abilities that allow one to employ the relevant piece of information beyond the issue at hand: “To understand why p you must have an ability to draw conclusions about similar cases, and to work out when a different conclusion would hold if the reasons why p were no longer the case.” (194). For this, it is argued, mere knowledge is not enough.

One possible reply that easily comes to mind, however, is that maybe what is actually needed is, well, more knowledge. To see this, think again about Eleanor: it looks as though, if on top knowing that eating meat is wrong, she were to also know why this is so, her moral beliefs would be beyond criticism. In reply to this worry, pessimists rely on views taking understanding to be a sui generis epistemic state; according to these views, there is more to understanding that p than merely having knowledge why p. In line with people like Stephen Grimm (2006), for instance, Sarah McGrath suggests that understanding is a matter of possessing a particular skill of grasping the relevant connections between your pieces of knowledge, and, in this, it works a lot like a priori insight. There seems to be a clear difference between knowing that a conclusion is entailed by a set of premises and being able to see the entailment relation. Similarly, according to McGrath, moral understanding requires not only knowing that an action is wrong, or even why it is wrong, nor simply the ability to make inferences about its moral status based on information about its morally relevant properties, but also seeing or grasping the connection between its having those features and its being wrong. As such, McGrath argues, merely relying on moral testimony cannot and will not get you far enough, epistemically; what needs be the case is that you come to grasp the relevant relations yourself.

Now, there is a lot to be said here. First, the sui generis view about understanding that pessimists employ is hardly the sole view on the market: many people in the relevant epistemological literature believe that, to the
contrary, understanding that p is, eventually, reducible to one form or another
of knowledge that p (Kelp (2015) Riaz (2015)). Furthermore, several optimists
about moral testimony, such as, notably, Julia Driver (2006) and Paulina Sliwa
(2012), disagree about the limited capacities of testimony to generate
permissible belief or built good moral character. According to them, this is a
mere contingent feature associated with most cases of moral testimony, but
not with all. In particular, according to Sliwa, when we (justifiably) take the
speaker to be more reliable than us on the matters at hand – maybe because we
are concerned that our judgment is compromised by bias or self interest, or
because the other person is generally better at making moral judgments – it
looks as though not only is it perfectly permissible to reply on their testimony;
the contrary, it is the responsible thing to do. Similarly, it seems perfectly
fine for one to seek and follow moral advice when not able to make up one’s
own mind on a particular moral matter. As such, Sliwa argues, it is not the case
that there is something essentially wrong about relying on moral testimony.

Furthermore, Sarah McGrath puts forth cases featuring agents who, against
their own beliefs on the matter, take good moral advice from others, to
to show that there are instances where pure moral deference is not only
permissible, but quite a good idea. According to McGrath, this faces us with a
puzzle: what is it that explains the fact that, in some cases (e.g., ELEANOR),
pure moral deference seems criticizable, while in others it seems the right thing
to do?

Whether weak pessimists or optimists are right about these issues will
fortunately be irrelevant for our purposes here. Note, however, that there are a
few things that most actors in the debate - both friends and foes of moral
testimony - seem to agree upon: in most cases, moral testimony that p is
deficient in generating the right epistemic standing with regard to p in the
hearer; the right epistemic standing is moral understanding, which, in turn, is
reliably conducive to morally worthy actions and character traits.

Now, recall the rough lines of the derivation of KNA in the previous
chapters: the function of assertion is to generate testimonial knowledge in
hearers; since in the vast majority of cases, knowledge on the side of the
speaker is needed for generating knowledge on the side of the hearer, KNA
holds.
One question that arises at this point is: how about moral assertion? What is the function of moral assertion? After all, the phenomenon does seem to be fairly ubiquitous, so it would be fairly surprising if it turned out to be a pointless endeavor. If the literature is right, and, in most cases, moral testimony cannot generate moral understanding in hearers, why are we engaging in it to begin with? To what aim?

We have seen above that most people take it that the goal of moral inquiry is understanding. The next section will defend the norm for moral assertion that drops out of this picture. For the reader who favours different accounts of the goal of moral inquiry, this chapter should be read as making a conditional claim: if understanding is the goal of moral inquiry, then the norm defended here governs moral assertion.

10.2. The Function and Norm of Moral Assertion

Importantly, note that my functionalist KNA does not claim that the speaker’s asserting from knowledge is all there needs to happen for knowledge to be generated on the hearer’s side; on top of this, the speaker needs be decently reliable, the hearer needs to accept the testimony and display minimal non-gullibility when doing so and so on. What is of central concern to us, though, given that we are after the norm for assertion is what epistemic features the assertion involved in the relevant testimonial exchange needs to display for the relevant function to be fulfilled, independently of whatever else needs be present on top of a proper assertion to this effect. As such, the question is, ceteris praeantibus, what should assertion (epistemically) bring to the table in order for the function to be reliably fulfilled? And, importantly, the answer to this question is: knowledge.

We have also seen above, however, that many people think that in some domains knowledge is not enough: the domain-specific central epistemic goal is, rather, to understand the issue at hand. Morality is such a domain: according to many, to be able to engage in morally worthy action, build a morally virtuous character and so on, one needs more than to know the relevant moral matters of fact: one needs moral insight into how they hang together.
Now, importantly, just as in the case of general testimony, it is hardly surprising that, no matter how epistemically endowed one’s moral assertion might be, it might still fail to generate the relevant epistemic standing in the hearer in isolation: other features need be in play to this effect. According to pessimists, on top of the requirements for general testimony, when it comes to moral affairs, the hearer also needs to actively participate in the exchange and think through the relevant matters herself, in order to achieve moral understanding. However, this does not mean that the moral assertion at work does not have its role to play in this affair: we should expect that, just as in the case of testimony in general, moral assertion should meet the strongest epistemic standard needed for generating the target epistemic standing in the hearer, ceteris praeceptibus.

Since in the case of moral matters, the widely agreed target epistemic standing is moral understanding, here is, on a first approximation, the proposal made by this paper:

The Explanation Proffering Norm of Moral Assertion (EPNMA): One’s moral assertion that p is epistemically permissible only if (1) one knows that p and (2) one’s assertion is accompanied by an appropriate explanation why p.

The intuitive thought behind EPNMA is the following: say that pessimists are right, and no amount of knowledge will get the hearer to understand the moral matter at hand, unless she also ‘runs’ the relevant issue through her own rational capacities in order to ‘grasp’ how things hang together. Now, take a hearer who is perfectly disposed to do the relevant grasping work; what is the most reliable way to generate moral understanding in this particular hearer? It looks fairly intuitive that the answer is: by asserting to the relevant matter of fact (‘p’) and offering the appropriate explanations as to why p is the case. Recall Eleanor, and ask yourself: what would have to be the case on the speaker’s side in order to reliably generate understanding why eating meat is wrong on Eleanor’s side, granted that she would be well disposed to do the needed ‘grasping’ work? Presumably, her friend would need to say something along the lines of: ‘eating meat is wrong because animals are living beings just like you and they deserve to be treated with equal respect …’. In this case, it
looks as though, if Eleanor runs the entailment relation through her own rational mechanisms, she comes to understand why eating meat is wrong. Also, it does not look as though there is anything wrong with her corresponding belief.

Now, this being said, one pressing question that arises is: what will count as an appropriate explanation? First, importantly, I take it that it will not be a merely quantitative matter: to the contrary, appropriateness will refer to both amount and kind of reasons brought I support of the target moral claim. Second, importantly, the running hypothesis of this paper is that this will be a contextually variant matter: more/stronger reasons will need to be brought in support of some assertions, and less/weaker for others. One motivation for this is that I take it, together with many people in the relevant literature,\(^33\) that understanding is a contextually sensitive matter itself: it looks as though it is one thing for my ten year old to count as understanding physics, and quite another in the case of myself: different standards seem to apply.\(^74\) Also, according to many, explanation itself is a highly context sensitive matter.\(^75\)

This is not all there is to the context-sensitivity of EPNMA, however; even if it turns out that understanding is invariant, some contexts seem to require more than others in the way of explanation for understanding to be generated in hearers, depending on several contextual determiners such as: the previous knowledge and level of general intelligence of the hearer, the general assumptions about morality present at the context, the level of difficulty and controversy of the subject matter, how much (morally)\(^76\) hinges on the issue, the urgency of the situation etc. As such, we should reformulate our norm as follows:

**The Explanation Proffering Norm of Moral Assertion* (EPNMA*):** At a context C, one’s moral assertion that p is epistemically permissible only if (1)

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\(^33\) See, e.g., (Kelp 2015), (Wilkenfeld 2013).  
\(^74\) If one is inclined towards a virtue-theoretic account of understanding, in terms of some skill to grasp the relevant relations, it makes sense to have a contextualist view: after all, standards for what counts as skilled action also seem vary with context. Here is John Greco: “[W]hen I say that S has the ability to hit baseballs, the practical reasoning context helps to determine what I am claiming here. If I am a baseball executive in a discussion about whether to trade for Jeter, I will be claiming something very different than if I am a Little League coach trying to decide where to put the new seven year-old in the line-up” (Greco 2009, 21).  
\(^75\) See e.g. van Fraassen (1980).  
\(^76\) Importantly, this account does not take practical considerations to encroach upon the epistemic normativity of moral assertion.
one knows that p and (2) one’s assertion is accompanied by a C-appropriate explanation why p.

EPNMA* nicely drops out of the widely accepted epistemic goal with regard to moral matters – i.e., moral understanding - and it is, as such, nicely motivated. Note, also, that this result should be fairly uncontroversial, no matter what side of the moral testimony debate one prefers. After all, note that even if the sui generis view about understanding turns out to be false, EPNMA is unaffected: it would only mean that there’s not much ‘grasping’ work lying on the shoulders of the hearers: all they need to do is listen, comprehend and believe what they are being told.

Also, the view nicely explains what is intuitively wrong about the initial Eleanor case: in general, it is impermissible to believe based on epistemically impermissible sources. Unreliable testifiers, misleading evidence, wishful thinking are just a few cases in point. Similarly, one should not believe based on epistemically impermissible assertions. Eleanor should not form a belief based on her friend’s assertion because the latter misses an appropriate explanation.

Furthermore, at a more general level, the account offers a nice solution for Sarah McGrath’s puzzle about moral deference: what is it that explains the fact that, in some cases pure moral deference seems criticizable, while in others it seems the right thing to do? According to the present account, in some cases, contextual determiners are such that little to no explanation is needed for proper assertion and, therefore, for generating the relevant stance in the hearer. This will, for instance, be the case in urgency cases: if I shout ‘Don’t kill!’ and thereby stop a murder from happening, my assertion will be perfectly fine in the absence of much explanation.\footnote{Note that this case nicely maps on to Tim Williamson’s ‘Train’ urgency case for general assertion.} Similarly, the Sliwa (2012) cases featuring worries about one’s own reliability being affected by bias and moral advice are cases in point. To the contrary, in contexts where the hearer, like Eleanor, has never given the subject matter any thought, and there’s nothing keeping the speaker from going more into depth about the subject matter, more and better explanatory support is needed for proper assertion.
10.3. Response to Critics

In the previous sections, I have been arguing that, if it is plausible to think that knowledge is the norm of assertion in general, in virtue of assertion’s function of generating knowledge in hearers, and since in the case of moral assertion, the epistemic function at stake is moral understanding, the norm governing assertion will be something in the vicinity of EPNMA*. That is, epistemically permissible moral assertion will be knowledgeable and accompanied by a contextually appropriate explanation, since this will maximize its reliability in fulfilling its epistemic function: generating moral understanding on the hearer’s side.

The aim of this section is two fold: first and foremost, I will try to answer a few possible objections as well as objections that have been made in print against my proposed account. Secondly, while doing so, I will show whether and how the account can be extended to other domains of interest concerning the normativity of assertion.

Objection #1. How about non-sophisticated cognizers? Uncontroversially, small children do not have much in the way of reflective capacities. However, many people believe that they are knowers, and therefore able to perform perfectly fine assertions. Furthermore, it does not look as though they cannot assert when it comes to moral matters: surely, it is fine for a three-year-old to tell his mother that lying is wrong, for instance. Where does EPNMA* leave them?

Note, first, that the child’s assertion in this case does not have much in the way of potential to generate moral understanding on hearer’s side. If that is the case, EPNMA* aside, according to any function-first view, strictly speaking, the assertion is not a permissible moral assertion. There is a different question, however, whether the asserter is blameworthy for making an assertion that has little potential to fulfill its epistemic function. In the case of the child, of course, the answer is no, in virtue of her limited cognitive capacities. This, however, does not make her assertion, as such, a good one. To see the
plausibility of this, note that just like Eleanor, the mother should definitely not base her beliefs on the child’s testimony taken in isolation.

Note, too, that treating non-sophisticated cognizers like a special case is hardly uncommon in the epistemology of moral testimony, and therefore not easily imputable to EPNMA*; for instance, both pessimists and optimists will agree that pure moral deference is perfectly fine in the case of unsophisticated hearers, such as small children. This suggests that, when it comes to highbrow moral matters, unsophisticated cognizers just require special treatment both as receivers and as producers of testimony.

*Objection #2.* Many people in the literature take it that there is an interesting analogy between moral and aesthetic testimony. That is, just as in the moral case, it feels equally wrong to form beliefs based on someone’s testimony about matters of taste in isolation. However, it does not look as though EPNMA* will map equally nice to the normativity of aesthetic assertion.

I agree, the analogy breaks down. It looks as though, no mater the amount of explanation brought in support of the corresponding assertion, one should still not form beliefs about whether ice-cream is good based on someone else’s say-so. Two things about this; first, note that the analogy breaks down at a different level of abstraction, and such it does not, strictly speaking, directly concern the account of the normativity of assertion at stake here. After all, the problem with matters of taste seems to be that, no matter how many reasons the speaker offers and no matter how much the hearer ‘runs’ the relevant considerations through her own reasoning capacities, she will still not come to have much in the way of epistemic support for believing that ice-cream is good. Here is, for one, Robert Hopkins on the matter: “If you tell me that some film you have seen is excellent, it is far from clear that I can legitimately adopt your view. Your testimony might motivate me to watch the film, but it does not give me the right to the belief that the film is excellent. I won’t have that right until I’ve seen the film myself” (Hopkins 2011). If that is the case, however, it looks as though proper belief about matters of taste is more difficult to come across than proper belief about moral matters. In the case of the former, something like direct acquaintance with the object of approval or
disapproval seems to be needed (at least somewhere down the road); needless to say, one can have moral beliefs about abortion without ever having had one.

It is interesting to note, however, that, in this respect, moral assertion seems to be more analogous to assertion in more descriptive domains. Take, for instance, the sciences: more often than not, assertions in these domains will aim at generating understanding in hearers rather than mere disparate pieces of knowledge. Many people in the philosophy of science think that the epistemic goal of scientific endeavors is understanding. If that is the case, again, plausibly, explanation proffering will be a plausible requirement on proper assertion in scientific contexts.

**Objection #3. Why not an understanding norm of assertion?**

We have seen that, plausibly, if generating testimonial knowledge is the main epistemic function of assertion, and if its norm follows from its function, knowledge is the norm of assertion. One question that arises at this point is: given that we take the relevant function in the case of moral assertion to be generating understanding, why does this not generate a understanding norm of assertion (Kelp (In Progress), Lewis (2019))?

The answer is twofold: first, let us grant that whatever the theorist of understanding takes it that needs to be present on the hearer’s side is present; now let us ask ourselves: is it plausible that understanding on the speaker’s side is going to be the most reliable way to generate understanding on the hearer’s side? The answer seems to be ‘no’. Here is why: for one, it is hardly the case that understanding that p reliably leads one to being able to explain why p is the case. Most of us know our domains well, but are hardly good teachers. This, if not immediately intuitively plausible, is evidenced by the amount of resources we invest in training teachers in pedagogical techniques. Second, if the *sui generis* account of understanding is right, it looks as though understanding is too strong a requirement on the speaker’s side to begin with. That is because she can reliably generate understanding in her hearers while missing the relevant ‘grasping’ capacities herself. All that is needed for

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78 One possible exception is coming to know that ice cream is good from testimony in cases where you know that the speaker has the exact same taste as you in ice cream. Even if so, in virtue of being an isolated case, this will not affect the argument made here in any way.
epistemic function fulfillment in this case is that the speaker presents the hearer with the relevant explanation and that the hearer does the grasping work herself.

**Conclusion**

This chapter has proposed a novel account of the normativity of moral assertion. I have argued that, in view of reliably fulfilling its function of generating moral understanding, moral assertion should be knowledgeable and accompanied by an explanation, where the relevant notion of appropriateness is a contextually determined one.
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