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Y'ALL TALKIN' TO ME? ESSAYS ON THE EPISTEMOLOGY OF GROUP TESTIMONY

by

Christopher Lucibella

A Dissertation

Submitted in Partial Fulfillment of the

Requirements for the Degree of

Doctor of Philosophy

Major: Philosophy

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*For Paul and Pleshette*

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As this is a dissertation that addresses the epistemology of collective agents, I would be remiss to neglect mentioning my gratitude to the institutions that were indispensable in the process of it coming to be. So, thank you to The Lamplighter Lounge and Otherlands Coffee Bar in Memphis, Tennessee.

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## **Abstract**

This dissertation brings together two issues in contemporary social epistemology: the epistemology of testimony and collective epistemology. Following the intuition that many of our beliefs have their source in the say-so of others, there is a great deal of philosophical interest in understanding how beliefs formed on the basis of testimony may be justified and how knowledge is transmitted via testimony. Collective epistemology is a rapidly developing subfield of social epistemology that deals with questions surrounding the nature of group belief, group testimony, and group knowledge.

Chapter One considers what the conditions are for a hearer to be justified in believing the testimony of a group. In it, I argue that whether a belief formed on the basis of group testimony is justified or not is not contingent on whether or not the group testifying can be considered to be a trustworthy testifier. Trustworthiness, I claim, is a property that only properly applies to individual testifiers, and not to group testifiers. Rather, I will claim that hearers of group testimony may be justified in believing the testimony of that group based on whether the group is a reliable source of information. We can trust people, but we can only rely on groups.

In Chapter Two, I turn to the issue of group testimony and moral epistemology. Moral testimony refers to the moral beliefs people form on the basis of the testimony of others. My focus in this chapter are cases involving ethics committees and institutional research boards, who offer testimony regarding the moral status of certain types of actions. I argue that, in some cases, group moral testimony is more plausible than individual moral testimony and resists some of the major arguments for rejecting the idea of a moral expert.

Finally, Chapter Three focuses on the concept of epistemic injustice. It addresses Miranda Fricker's claim that a condition for the amelioration of epistemic injustice requires that

institutions develop and sustain epistemic virtues such as open-mindedness. I argue that her proposed solution for epistemic injustice inadequately conceptualizes how institutions form and sustain epistemic virtues; as such, revision of her theory of how to ameliorate epistemic injustice is necessary.

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## Introduction

This dissertation is a collection of three essays that share a common area of inquiry, although they approach it from several different perspectives. Specifically, this project is situated in the field of social epistemology—a subfield of epistemology. The essays presented here each address a topic, problem, or concern regarding the epistemology of testimony, specifically within the context of collective epistemology. Thus, the primary epistemic agents being evaluated here are not individuals, but groups of individuals, taken as cohesive wholes. The questions I will be exploring in this context are primarily motivated by our real-world practices; in everyday life, we often speak of and interact with organized groups *as though* they were things with beliefs—e.g., I opine that Apple believes its profits will double in the coming year, that the ethics board believes my research protocol is ethical, or that the police force believes that certain citizens ought to be protected above others. As such, the aim of these essays is to clarify these everyday practices within the context of the existing literature on collective epistemology, the epistemology of testimony, moral epistemology, and collective agency.

First, more about how this project is situated within the contemporary landscape of the philosophy of epistemology. Historically, epistemology has had a deeply individualistic focus—for hundreds of years, the primary focus has been on the nature of knowledge and the necessary and sufficient conditions for justified true belief for an (often) idealized individual agent. This can be seen via a cursory overview of the history of philosophy, from Descartes’ turn toward introspection as a means to discern what he knows clearly and distinctly, Hume’s radical skepticism, and Kant’s “Copernican Revolution” that led him to conclude that the conditions for the possibility of knowledge can be deduced by reference to the phenomena presented to an individual. As such, contemporary epistemology has inherited a highly solipsistic worldview.

In recent decades, however, the limitations of this narrow focus on individuals' doxastic states have been elucidated by a number of philosophers working within the field of epistemology. By turning to look at the broader social context in which individual epistemic agents operate, thinkers have developed the subfield of social epistemology. Matters taken up under this category include the role and nature of testimony as a source of knowledge, the consideration of collectives and groups as epistemic agents over and above their constituent members, and the epistemic status of systems of knowledge, such as scientific practice, in relation to the social role they play. The essays in this dissertation will touch on each of these diverse topics in social epistemology, with a guiding focus on how organized groups function as hearers and speakers of testimony.

The arguments I'm making in these essays develop and expand upon existing debates within the existing literature on the epistemology of testimony and collective epistemology. Moreover, they are directly motivated by observations about our everyday comportment and practices concerning how we treat collective agents as sources of information and hearers of testimony. The kinds of collectives I'm dealing with here are things that we regularly interact with, opine about, listen to, and (at least attempt to) communicate with. When an individual defers to the recommendation of an ethics committee, speculates about the beliefs of a corporate entity, or refers to the findings of a research group, they typically do not deeply consider what presuppositions they are making about the nature of belief and knowledge in this context, or what the conditions must be for them to be justified in believing such a collective body. In my opinion, however, the quotidian nature of such interactions makes interrogating these topics all the more necessary; groups are things we interact with on a regular basis, despite how thin our

understanding of such interactions often is. This dissertation, then, is strongly motivated by a desire to better understand this vital aspect of our social lives.

This necessitates some preliminary remarks about several different subfields of social epistemology that I address throughout this dissertation. The first of these fields is the epistemology of testimony, in the context of individual speakers and hearers. This field of inquiry has a long history, and contemporary treatment of it can be traced back at least as far as David Hume's *Enquiry Concerning Human Understanding*. In the section "On Miracles," Hume opines that "there is no species of reasoning more common, more useful, and even necessary to human life, than that which is derived from the testimony of men, and the reports of eye-witnesses and spectators" (Hume 1993). This observation, that we regularly rely on the word of others, has prompted a great deal of consideration about this everyday practice of listening to and delivering testimony. Epistemological questions that arise from this phenomenon include, but are not limited to, the following:

- To what extent is testimony a primary source of knowledge, which can be depended on in the same way as we do knowledge from perception, memory, and inference?
- What are the necessary and sufficient conditions for a hearer to be justified in believing the testimony of a speaker?
- What role does trust play in a testimonial exchange?

The above topics will each be treated in greater detail in the following chapters. While the aim of this dissertation is not to come to any conclusions on these matters regarding testimonial exchanges between individuals, these are vital topics that are deeply pertinent to considerations of group moral testimony.

The second of these fields is that of collective epistemology, which concerns the doxastic nature of collective agents. Once again, much of this area of inquiry stems from everyday practices that demand philosophical clarification; while we may encounter little difficulty in our daily lives attributing belief states to groups such as “Apple believes their third quarter profits will drop precipitously,” attention to this practice raises significant epistemological concerns. Among these is the question of whether, and to what extent, we can be justified in describing a given group as having a belief state. This could be answered in a number of different ways; it could be the case that it simply takes a majority of members of a group for that group to have a given belief. The limitation to this view, of course, is that it fails to account for how a group could have beliefs over and above the beliefs of its constituent members; this has prompted Margaret Gilbert, for example, to propose that an element of joint intentionality among the members of the group is a necessary condition for that group to be properly thought of as having a given belief (1994). Once again, this dissertation will not seek to make a definitive determination on this matter; however, it will serve as a crucial stepping-off point for further investigation of the nature of collective belief and group testimony.

It is also pertinent to note that groups of individuals can take many different forms; this could include a disorganized mob of Philadelphia sports fans who organize themselves *ad hoc* to tip over an opposing team’s bus, a group of protesters united by a common ideological cause, a scientific working group, an ethics committee, a small business, or a large corporate entity. For the purpose of delineating a manageable scope for this dissertation, my focus in these essays will be on organized groups in particular; for my purposes, this means groups of individuals who are united not simply on an *ad hoc* or temporary basis. Rather, they are groups whose members identify as members of a given group, who possess a lasting, codified organizational structure,

and whose existence as a group agent persists over and above their particular and contingent membership; that is to say, they are the kinds of groups that persist even if their membership changes over time. Examples of such groups that I will reference in these essays could include corporations, ethics committees, institutional review boards, and congressional committees. This description is not meant to be exhaustive, but it gives a starting point to frame the arguments I will be making throughout this dissertation, and to delineate the ground that I will be starting from in making these arguments.

Chapter One of this dissertation will consider what the conditions are for a hearer to be justified in believing the testimony of a group. I will be engaging with Miranda Fricker's work on group testimony (Fricker 2012). In that work she argues that certain groups meet the conditions for "good informants" and the justification of our group testimonial beliefs (beliefs based on group testimony) rests on whether or not group is trustworthy. I will argue that whether a belief formed on the basis of group testimony is justified or not should not be based on whether or not the group testifying can be considered to be a trustworthy testifier. Trustworthiness, I will claim, is a property that only properly applies to individual testifiers, and not to group testifiers. Rather, I will claim that hearers of group testimony may be justified in believing the testimony of that group based on whether the group is a reliable source of information. We may trust people, but we can only rely on groups.

In Chapter Two, I turn to the issues of group testimony and moral epistemology. I will first survey the contemporary debate on the topic of moral testimony. Moral testimony refers to the moral beliefs people form on the basis of the testimony of others. There is a great deal of controversy surrounding the epistemic status of moral testimony. I will begin this chapter by surveying the controversies in the contemporary literature on moral testimony. I will then look to

how this debate functions in the context of groups testifying to the rightness of certain moral beliefs. In these cases, groups offer testimony regarding the moral status of certain types of actions. I will argue that, in some cases, groups can be thought of as better candidates for being moral experts than individual testifiers, and as such at least in some cases groups ought to be considered legitimate sources of moral testimony—specifically, I have in mind cases involving ethics committees and institutional research boards.

Finally, Chapter Three will focus on the concept of epistemic injustice in the context of collective testimony. According to Miranda Fricker there is a special type of epistemic harm that can come about when an individual's testimony is given less credibility on the basis of a hearer's bias or prejudice against that speaker. I will examine Fricker's account in light of the possibility that groups can be considered to be participants in testimonial exchanges. In particular, I will address Fricker's claim that a condition for the amelioration of epistemic injustice requires that institutions develop and sustain epistemic virtues such as open-mindedness. Although I believe that Fricker's analysis of epistemic injustice reveals a crucial moral aspect of testimonial exchanges, I will argue that her proposed solution for epistemic injustice inadequately conceptualizes how institutions form and sustain epistemic virtues; as such, revision of her theory of how to ameliorate epistemic injustice is necessary.

Overall, these essays are united not only by the common themes they investigate, but they point toward a perspective on the epistemology of collective agents that I think is unique in the existing literature on this topic. While I consistently contend that groups ought to be considered to be epistemic agents that give and receive testimony as a unified whole, I have concerns about the extent to which we should consider them analogous to individual epistemic agents. Groups, on my view, are sufficiently distinct from individuals that we should be careful not to ascribe

them epistemic virtues and vices in the same way that we do individuals, or regard them as the kinds of entities that can be rightfully considered trustworthy or untrustworthy. Groups are a very particular and peculiar kind of epistemic agent, whose nature requires new ways of thinking about the nature of belief, knowledge, and testimony.

## **Chapter 1: Trustworthiness and Justification in Group Testimony**

One of the foremost topics in the current literature on social epistemology concerns the epistemological status of testimony. Following the intuition that many of our beliefs have their source in the say-so of others, there are a number of related philosophical questions concerning testimony. These include whether testimony ought to be considered as epistemically primary as other sources of knowledge such as perception, whether and how we gain knowledge from testimony, as well as what the essential features are of the speech-act of testimony.

In this chapter, my focus will be on a rapidly developing subfield of social epistemology—collective epistemology—that deals with epistemological questions surrounding groups or collectives. Recent work in this field includes the development of theories of group testimony (Tollefsen 2007, 2009, 2011; Fricker 2012; Lackey 2014), group knowledge (Gilbert 1994; Hakli 2007; Tuomela 1992), and the justification of group belief (Goldman 1999; Tollefsen 2002, 2004, 2007).

This chapter brings together issues in the epistemology of testimony with issues in collective epistemology. Specifically, it will start with an overview of the existing literature concerning the epistemic status of group testimony. It will then move on to consider what the conditions are for a hearer to be justified in believing the testimony of a group. In particular, I will be engaging with Miranda Fricker's influential work on group testimony, "Group Testimony? The Making of A Collective Good Informant" (Fricker 2012). In that essay she argues that certain groups meet the conditions for "good informants" and the justification of our group testimonial beliefs (beliefs based on group testimony) rests on whether or not a group is trustworthy. I will argue that the justificational status of a belief formed on the basis of group

testimony is not contingent on whether or not the group testifying can be considered to be a trustworthy testifier. Trustworthiness, I will claim, is a property that only properly applies to individual testifiers, and not to group testifiers. Rather, I will claim that hearers of group testimony may be justified in believing the testimony of that group based on whether the group is a reliable source of information. We may trust people, but we merely rely on groups.

### **A. Group Testimony**

As indicated above, the topic of the epistemology of testimony covers a wide range of philosophical controversies. For the purpose of narrowing the scope of this chapter, I want to start by clarifying the debates I won't be wading into in this chapter. I will then move on to delineate the matter I am getting involved in.

One major controversy surrounding the epistemology of testimony concerns the epistemological status of testimony itself. The primary question here is the question of *reductionism* with relation to testimony—i.e., whether a hearer is justified in believing the information transferred in a testimonial exchange because of a confluence of other factors (such as independently verifiable facts coming from other non-testimonial sources), or if there is something singular about the speech act of testimony that doesn't reduce to other sources of knowledge. Benjamin McMyler summarizes the distinction between the reductionist and anti-reductionist viewpoints as follows:

The central element of the dispute between reductionism and anti-reductionism about testimony thus concerns how to characterize the justification we have for knowing things on the say-so of others. Reductionists hold that our justification in knowing based on testimony is inferential. In knowing that *p* based on a speaker *S*'s assertion that *p*, an audience's justification consists in the cogency of an argument from "S asserted that *p*" to "*p*". Anti-reductionists hold that our justification is not inferential—it does not consist in the cogency of an argument from "S asserted that *p*" to "*p*"—and therefore the features of testimony itself must (somehow) serve to constitute the justification of an audience's testimonial knowledge (McMyler 2007, 514).

Put otherwise, the debate between reductionists and anti-reductionists can be thought of as a matter of whether or not we ought to default to believing another individual based solely on their word, or whether we ought to have other evidence in addition to their word to confirm their statement; this other information could be evidence about the speaker's trustworthiness, or other independently verifiable information. For example, if I ask a stranger on the street for the time, such evidence could be that they are wearing a wristwatch, indicating they are likely to be aware of the current time of day. Epistemologists differ in answering this question; Elizabeth Fricker could be classified as a reductionist, whereas Tyler Burge can be classified as upholding a form of non-reductionism; he writes, for example, "A person is entitled to accept as true something that is presented as true and that is intelligible to him, unless there are stronger reasons not to do" (Burge 1993, 467).

A second debate that is relevant to the epistemology of group testimony concerns the epistemic status of groups. It is fairly contentious matter in contemporary social epistemology as to whether or not groups can be considered to be epistemic agents in a manner similar to how we treat individual human agents. That is, the question is whether or not organized groups are such things that can be properly thought of as having beliefs and justifications over and above their constituent members. Philosophers such as Kirk Ludwig cleave to the position that groups, even when formally organized by codified structures, are not proper epistemic agents (1993); they defend some version of the position that the individuals who make up that group can have beliefs, but the group as a whole does not. For this dissertation, however, I will be siding with philosophers such as Margaret Gilbert, who take the position that, at least under certain condition, groups can be properly thought of as having beliefs over and above their individual members. In particular, I will follow something like the theoretical framework that Gilbert

outlines (in Gilbert 1994 and elsewhere), according to which group beliefs can be understood as arising from joint commitments to believing this or that proposition.

Finally, there is a third preliminary debate that must be addressed before I begin the primary argument of this chapter. Separate from, but related to, both questions outlined above is the matter of the epistemic status of group testimony. Specifically, this concerns whether groups can be properly thought of as possible speakers of testimony over and above their constituent members. On one side of this debate is what has been termed the *summativist* position. This position holds that, when a group could be understood as delivering testimony—when a corporation releases a press release, e.g., or a spokesperson issues a statement on the part of a congressional committee—the epistemically relevant features of that testimony derive not from any features of the group as a whole, but rather from the individuals that make up the group. Put otherwise, the summativist position says that individuals, not groups, are what count as speakers in cases of group testimony. The *non-summativist* position takes the opposite tack; it holds that groups can be properly thought of as delivering testimony over and above their constituent members, as one cohesive body.<sup>1</sup> For the purposes of this chapter, I will not be directly addressing this controversy, and siding with the non-summativists.

With these preliminary positions sketched out, I can now move on to an overview of the main position of this chapter. To do so, I want to reference a case brought up in Deborah Tollefsen's 2007 paper "Group Testimony." There, she describes a case that raises significant questions for those concerned with the epistemology of testimony. The case she describes is that of a report issued by the United Nations Population Commission, a group that arranges studies to guide the UN Economic and Social Council. In 2002, the commission, which is composed of 47

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<sup>1</sup> Jennifer Lackey offers something of a "third way" between summativism and non-summativism in her 2014 article "A Deflationary Account of Group Testimony." Cf. also Lackey 2008.

members, release a report titled *Charting the Progress of Populations*. This report provided information on the status of a series socio-economic indicators for UN member countries. Given a broad conception of the nature of testimony (as a speech-act in which a speaker is saying, telling, or asserting something), the UN Population Commission's dissemination of the results of its study seems to be readily understandable as a case of testimony (Tollefsen 2007, 300-301).

In this case, two immediately relevant questions may be posed. First, one may rightly ask to what extent we ought to consider the testimony contained within the report to be the testimony of a group, i.e. the commission as a whole, rather than the testimony of the individuals that make up the commission? The question with which Tollefsen is primarily concerned in her article, however, is secondary to the determination of how it is that a group can be considered to be offering testimony as a cohesive whole, rather than as a collection of individual members. If groups can be testifiers, the next topic of concern is what the conditions are for a hearer to be justified in believing the content of that group's testimony; put otherwise, how do I come to something like justified true belief from the say-so of a group? To borrow a term from Alvin Goldman, this is the question of the *justificational status* of a hearer's belief whose source is the testimony of a group.

In this chapter, I will be directly addressing this latter problem, *viz.* the proper conditions for justified uptake of beliefs based on the testimony of a group. Specifically, I will be considering and criticizing a particular theory regarding the nature of testimonial uptake in cases of group testimony. In her 2012 article "Group Testimony? The Making of a Collective Good Informant," Miranda Fricker argues for what she describes as an assurance view of group testimony, according to which a group's collective commitment to trustworthiness is directly relevant to a hearer being justified in believing their testimony. As such, I will argue that

Fricker's assurance account of group testimony fails to grasp what is epistemically salient about the uptake of knowledge from group testimony. I will then conclude by offering an alternative account of how beliefs formed on the basis of group testimony can be justified.

## **B. Individual Testimony as Second-Personal**

Before moving on to consider whether or not trust is an appropriate justificational criterion for a hearer to believe the testimony of a group, it is necessary to examine how trust functions in testimonial exchanges between individual human agents. To this end, I will outline what I take to be a compelling and viable account of the relationship between trust and testimony in the individual case, so that in the next section I can detail Miranda Fricker's account of the relation between trust and *group* testimony.

The main epistemological concern in evaluating the relationship between trust and testimony relates to the reductionist/anti-reductionist debate outlined above.<sup>2</sup> Reductionists typically claim that, when we gain knowledge via testimonial exchange, we are justified in coming to this belief because the speaker's testimony provides us evidence for this belief. Anti-reductionists reject this account, holding instead that the testimonial exchange itself is sufficient justification, in the right circumstances, for a hearer to rightly come to hold a belief.

The view of the justification of testimonial beliefs that I will be outlining here contends that, when an interpersonal relation of trust exists between a speaker and a hearer, the hearer can be justified in believing the speaker on the basis of their word alone. One chief expounder of this view is Benjamin McMyler, who argues in several sources that a speaker's authority in imparting knowledge to a hearer derives from a distinctive relationship of trust between the two

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<sup>2</sup> "The guiding question in the debate between reductionism and anti-reductionism, the question of what constitutes the justification appropriate to knowledge based on testimony, can thus be reformulated as the question of what constitutes the second-person authority of testimonial knowledge. In virtue of what can an audience think and speak about its knowledge acquired from testimony with an authority that involves an epistemic right to defer challenges to its testimonial knowledge back to the original speaker?" (McMyler 2007, 527).

individuals. In his 2007 article “Knowing at Second Hand,” he proposes that this form of justificational epistemic authority is a particularly *second-personal* kind of authority: “I propose that we label the peculiar kind of epistemic authority appropriate to testimonial knowledge outlined above, the authority in virtue of which an audience can defer challenges to its testimonial knowledge back to the original speaker, *second-person authority*” (McMyler 2007, 525).

Central to this justificational authority is the taking on of responsibility by the speaker for the belief communicated in the testimonial exchange; that is, it involves an assurance regarding the veracity of the information so communicated (528). Specifically, he claims that this is a tacit undertaking of a responsibility on the part of the speaker, such that a hearer has an epistemic right to defer to the speaker if the information so communicated is challenged. McMyler continues by explaining that this notion of epistemic deferral in testimonial exchange squares with our everyday experience: “We ordinarily feel entitled to defer challenges to what we claim to know based on testimony back to the original speaker, and if someone were to tell us that, at least epistemically speaking, the original speaker is under no obligation to meet the challenge, I think we would be unimpressed” (530). The upshot of his analysis in his 2007 article, therefore, is that the second-personal responsibility taken on by a speaker in a testimonial exchange is constitutive of a relation of epistemic *trust*: “Knowing by testimony involves ceding to the speaker epistemic responsibility for our knowledge—it involves *trusting her for the truth*” (534).

In his 2011 book *Testimony, Trust, and Authority*, McMyler expands on this connection between trust and the justificational status of knowledge gained via testimonial exchange. According to McMyler, adherents of what he terms a “second-personal” model of the epistemology of testimony contend that, while knowledge can be acquired solely from an

individual speaker's testimony, the uptake of that knowledge comes from treating that speaker as ordinary evidence—i.e., in much the same way as we treat the inanimate objects in our daily lives that provide us evidence regarding the temperature, barometric pressure, etc. (McMyler 2011, 92). In contrast to this view, McMyler holds to the position that something more than merely an evidential relationship is required for proper uptake of beliefs via testimony—what is needed is trust in that speaker: “Whatever exactly trust involves, it seems to involve something more than a rational disposition to cooperate with or rely on another” (114).

What exactly trust involves, then, is the central question that must be answered in order to have a clear picture of McMyler's account of the epistemology of individual testimony. He moves on to specify that, in a testimonial exchange, trust consists in a taking-on of responsibility for the information being conveyed: “In the case of testimonial belief, we have a speaker performing an explicit act of testifying that amounts to an overt assumption of responsibility for the audience's belief” (115). That is to say, when engaging in a testimonial exchange, a speaker is doing more than simply acting as piece of evidence in favor of the information they are trying to convey. They are entering into a particularly second-personal relationship with the speaker, wherein they are giving their assurance as to the veracity of the claim they are making. The justificational status of that testimony is dependent on whether or not the hearer trusts the speaker, such that to have the kind of trusting relationship in which a speaker's word can be sufficient justification for believing them requires a certain kind of interpersonal disposition on the part of the speaker. McMyler writes, “We may rely on the shopkeeper to take effective precautions against poisoners out of a concern for her profits, but [...] this is not yet to trust her. Trusting the shopkeeper requires taking her action to be motivated by goodwill toward me in particular, but in order to trust her I must at least take her action to be motivated by a general

goodwill towards her potential customers” (129). So, to be able to trust a speaker requires not merely that I believe they are well-motivated toward me, but toward others in general.

As such, McMyler associates the possibility of betrayal with relationships of trust. He continues, “if I am simply relying on the shopkeeper, I am not vulnerable to her goodwill. I may be disappointed by her not taking the appropriate precautions, but I am not let down by her” (130). Mere reliance, as one exercises on sources of evidence, does not come with the possibility of feeling betrayed if that source turns out to be unreliable; if my watch is broken and tells me the wrong time, I don’t (rightly) resent it for such, even if I miss an important meeting because of that. Similarly, if I ask a stranger on the street for the time, and they give me the wrong time, I do not rightly feel betrayed by them, as there was no existing relationship of trust that could have been broken there. If, however, I ask a good friend to water my plants while I’m away, but I come home to find my beloved ficuses shriveled and desiccated, I would rightly feel betrayed that my friend broke our trust. McMyler continues, “If I actually trust the shopkeeper, if I rely on her goodwill towards me, then I will not simply feel disappointed by her not doing what I trust her to do. I will feel betrayed. The peculiar risks associated with trust as opposed to mere reliance thus appear to be essentially interpersonal in nature” (130).

Thus, we can glean from McMyler’s analysis the following general overview of how trust functions in testimonial exchanges between individuals: believing a speaker on the basis of their testimony can take place on two levels. The first is one, like the case of the stranger on the street, in which the speaker and the hearer do not have any pre-existing interpersonal relationship and no basis for the hearer to trust the speaker’s good intentions toward their well-being; in this case, I may be justified in believing the speaker’s testimony that it is 4:21 PM, but the basis for my belief is that they have provided evidence for me to come to that belief—perhaps I see them

check their watch. In such a case, I do not take them on their word alone, but rather as one point of evidence against which other evidence can be weighed—for example, I could notice the position of the sun and come to the conclusion that it couldn't possibly be as late as 4:21 PM. In such cases, I do not rightly feel a reactive attitude of betrayal toward this other person; they gave me false information, but this act does not do any damage to an existing relationship between us.

On the second level, we have cases in which there is an existing interpersonal relationship between the speaker and the hearer, such that the hearer is right in believing that the speaker has their well-being at heart. If such a speaker were to testify to information that turns out to be false, I would feel rightly betrayed, as this would go against the mutually altruistic nature of our ongoing relationship. It is this tell-tale sign of the possibility of betrayal that tells me that I trust this person, and that I can be justified in believing their testimony—because the interpersonal stakes are considerably higher for both of us if they are not telling the truth.

In what follows I will outline an account given by Miranda Fricker that seeks to apply an assurance view of testimony similar to McMyler's to cases of group testimony. I will then give an analysis of what I see as the limitations of this view. Groups, on my view, may be reliable sources of information, but they are not candidates for being trustworthy informants.

### **C. Fricker and “Collective Good Informants”**

In her 2012 article “Group Testimony? The Making of a Collective Good Informant,” Miranda Fricker makes use of a distinction made originally by Edward Craig between two ways in which knowledge can be exchanged between a speaker and a hearer. The distinction is that between an individual functioning as a “good informant,” versus functioning as a “source of information.” Sources of information, according to Fricker, are not limited to human individuals—we glean information from clocks, barometers, and other tools and indicators; when

humans are acting as sources of information, they do so “by being a feature of a state of affairs that has informational value for me” (Fricker 2012, 251). For example, I could overhear a friend of mine exclaiming aloud “it’s four o’clock, I need to get to my meeting!” and justifiably infer some information about the time of day. In this circumstance, there is no commitment by the speaker to offer me their assurance about the time of day. This individual’s testimony, accordingly, is functioning as a source of information for me in a way that is roughly analogous to how I gain information from a clock mounted on my wall.

In contrast, Fricker proposes that another function that a speaker may fulfill in a testimonial exchange of knowledge is that of a good informant. In such a situation, the speaker in question is going beyond merely offering a piece of information, because in addition to their testimony they are also extending their assurance that the testimony is true. As Fricker puts it, a good informant is distinguished from a source of information in part by their avowal of a “positive ethical relationship involved when we relate to another person as a fellow epistemic agent” (252). Fricker takes this avowal of an interpersonal relationship as characteristic of that speaker’s trustworthiness, and thus (like McMyler) views testimony between individuals as going beyond simply gleaning information from a reliable source: “inquirers do not merely rely on their good informants, relating to them as more or less complex epistemic instruments; rather they trust them” (255).

The homology here between Fricker’s good informant/source of information distinction and McMyler’s distinction between trusting a speaker and merely relying on them is not incidental. Fricker explicitly acknowledges in her article that she is seeking to apply an assurance view of testimony, such as the one elaborated by McMyler (as well as other authors like Richard Moran and Edward Hinchman) to cases of group testimony. As such, Fricker’s conditions for an

agent acting as a good informant also requires a second-personal relationship of trust between the speaker and hearer in a given testimonial exchange: “when the inquirer asks a potential informant whether *p*, he signals his trusting epistemic dependence on her; and in responding so as to meet the inquirer’s epistemic need, the informant signals her acceptance of responsibility to honour (and so not betray) the trust invested in her” (258).

As such, for Fricker as well as McMyler the relationship of trust that obtains between speaker and hearer in the case of a paradigmatically good informant plays an important role in whether and how the hearer is justified in believing the testimony of the speaker. If a speaker offers their assurance on a matter, and they are considered trustworthy by the hearer, then this could constitute a *prima facie* reason to be justified in believing the speaker. Fricker’s aim with this analysis, accordingly, is to extend this assurance view of the epistemology of individual testimony to the context of group testimony. Specifically, she argues that groups composed of individuals that jointly commit to second-personal trustworthiness can be considered to be collective good informants; as such, a hearer’s uptake of the content of that group’s testimony can be considered *prima facie* justified in much the same way that it can be justified in the case of a trustworthy individual giving testimony.

In making this claim, Fricker references Margaret Gilbert’s influential account of plural subjects. In short, this view sees groups as composed according to a set of mutual commitments, such that each individual’s intention toward acting in concert with other individuals in the group gives us a means to intelligibly describe the group as an entity unto itself that performs actions and has beliefs. As Fricker puts it, “On Gilbert’s account, a plural subject is formed by each member of a group expressing (perhaps tacitly) willingness, under conditions of common knowledge, to *X*-ing as a body” (270). From these shared expressions of willingness to act as a

unified body, joint commitments on the part of the group are formed; and it is in these joint commitments that Fricker sees how we can ascribe trustworthiness to groups. As such, Fricker argues that groups may coherently be described as jointly committed to second-personal trustworthiness, in an analogous way to how individuals may also be so committed to trustworthiness in their interactions. She continues, “a collective that is constituted by way of joint commitment is therein well suited to making commitments to parties outside the group, for whatever intersubjective commitments are at work in constituting a given plural subject—ordinarily it might be some complex of intentions and/or beliefs, for instance—commitments are just the sort of group-making relations we need in order to guarantee the stability of group-level attitudes that any group commitment to an outside party will require” (271). Thus, we can take Fricker to be arguing that a group testifier can be described as a trustworthy speaker, i.e. a good informant, provided that its members are jointly committed to trustworthiness concerning the content of their testimony.

On Fricker’s account, the notion that groups can be thought of as having joint commitments to trustworthiness can be justified, or at least explicated, on the basis of an analogy between the interpersonal foundations for joint commitments, as they are described by Gilbert, and the basis for relations of trust, as found in assurance theorists such as McMyler. Specifically, this analogy concerns the possibility of betrayal in such relations. As Gilbert puts it, “a joint commitment is the clearest possible context for interpersonal betrayal. If Deb fails to conform to a joint commitment she is party to with George she has—to some extent—betrayed him. She would betray many people at once should she fail to conform to a joint commitment she is party to with many others” (Gilbert 2008, 150). As such, the kinds of commitments that form the basis of plural subjects are precisely those that present the possibility of feeling betrayed if another

member of that joint commitment were to renege on their commitment. And, as shown above, the distinction between whether an agent is a candidate for being treated as a trustworthy source rather than a merely reliable one is best elucidated in the betrayal that would be felt if that agent were to be intentionally deceiving their interlocutor. Thus, Fricker draws heavily on the similarity between these two kinds of intersubjective relations and their constituent possibility of betrayal and rebuke in order to argue that it is possible for plural subjects—i.e., groups—to engage in the kinds of intersubjective relations that are at least candidates for trustworthy interactions. She writes, “We can see, then, that the particular assurance account of the speech act of testimony that I have been promoting involves the same materials that operate in constituting plural subjectivity” (Fricker 2012, 271). Groups, on her view, can be good collective informants (in her terminology), or trustworthy testifiers (in McMyler’s terminology) because they simply are composed of the very kinds of interpersonal commitments that also form the basis of trusting relationships between individuals.

#### **D. Criticisms of Fricker**

So far, we have a picture of group trustworthiness that appears fairly intuitive: groups (i.e., plural subjects in Gilbert’s sense) appear to be like individuals in that we can rightly say that we trust them in certain testimonial interactions. As such, when the board of directors of a hypothetical corporation release a statement that their products do not contain harmful levels of lead and other heavy metals, a hearer of that statement (presumably disseminated in the form of a press release or a spokesperson’s statement) could be justified in believing or disbelieving that statement on the basis of whether or not that plural subject—the company as a whole, or perhaps merely the board of directors—is a trustworthy source. Determining their trustworthiness could involve a number of different considerations, including any personal relations between the hearer

and the individuals that compose that group, as well as the degree to which the hearer would feel betrayed if it turns out the board of directors is lying in its statement. What is essential here, however, is that the criteria for trusting this group must go beyond merely an accounting of how often this particular group has given true testimony in the past; while their reliability over time is likely a necessary condition for assessing them as trustworthy, merely looking to their reliability would be treating them, in Fricker's terminology, as a source of information, not a good informant. That is to say, on both Fricker and McMyler's accounts, an agent's trustworthiness requires something more than that they have generally been accurate in their testimony in the past.

My main point here, then, will be to argue that Fricker's account is misguided in trying to adjudicate the trustworthiness of groups and use that to determine whether a hearer can be justified in believing the testimony of a group. My claim is that reliability, not trustworthiness, is the criterion by which hearers ought to evaluate the testimony of groups. To this end, I will offer three lines of argumentation against the position advanced by Fricker.

*i. Concerns about joint commitments to trustworthiness*

My first line of criticism against Fricker concerns her position that the members of a group that is testifying can be construed as operating according to a joint commitment to trustworthiness, and that this is the source of the group itself being treated as trustworthy. The issue I see here is that, in Fricker's analysis, there is no compelling reason given as to why such a joint commitment must be a joint commitment to *trustworthiness*. That is, while I broadly agree with the Gilbert-inspired analysis of how the intentions and actions of plural subjects can be analyzed according to the language of joint commitments, Fricker does not justify why the members of a testifying group must be all striving toward trustworthiness. In fact, I think her

analysis could be at least as compelling if we were to describe the salient epistemic features of such a plural subject's testimonial decree as the stemming from a joint commitment of its members to *reliability*—i.e., a joint commitment to report the truth as accurately and predictably as possible. In Fricker's terminology, then, there is no reason why a group ought to be considered to be jointly committed to testifying as a *good informant*, rather than as a reliable *source of information*.

Moreover, I think there *is* compelling evidence that the kinds of joint commitments that Fricker wants to see as joint commitments to trustworthiness are actually best described as joint commitments to reliability. This is because there is a crucial disanalogy here between how Fricker describes Gilbert's notion of joint commitments and the kind of mutual commitments described by proponents of assurance views of individual testimony. Recall from earlier that Fricker describes Gilbert's account of plural subjecthood as being formed by "each member of a group expressing (perhaps tacitly) willingness, under conditions of common knowledge, to X-ing as a body" (Fricker 2012, 270). What I find crucial here is the mention of such commitments may be expressed tacitly—that is, that the joint commitments of group members that allow the actions of the plural subject to be described as group actions over and above the individual members' actions are not necessarily explicitly acknowledged as such commitments. Consider, for example, a plural subject like a corporation, whose membership is spread among numerous bureaucratic levels and departments. While it seems unproblematic to describe such a corporation as performing actions in a way that is at least analogous to how an individual agent does so, this relies on the fact that the majority of the members of that plural subject do not need to come together and explicitly decide that they have jointly committed to do that act. Rather, the

majority of the members of that group will merely tacitly act in accordance with that action, following the specific strictures of their roles within the organization.

As such, the point that I want to make here is that what Fricker wants to describe as a joint commitment to trustworthiness within such an organization in fact seems to require that most of the members of that organization do not explicitly make such a commitment—they may tacitly endorse such a commitment, but they are not taking any direct action toward the end of issuing trustworthy statements. Accordingly, the kind of commitment to trustworthiness described by McMyler above—which involves explicitly taking responsibility for the truth of a statement, and a commitment to goodwill toward the hearer—seems importantly dissimilar from the kind of joint commitments that go into the collective actions of such a plural subject. Being a good informant, as a second-personal relation that attends with it a “positive ethical relationship,” as Fricker describes it, seems to require something beyond simply tacit endorsement of such a relationship. It requires a serious commitment on the part of the testifier, expressed in earnest to the hearer—and this is why if the testifier turns out to be untrustworthy, the hearer is justified in their reactive attitude of betrayal toward the speaker. In the case of an organization, however, it would seem wrongheaded to react with betrayal toward the majority of the members of the organization in the case of false testimony, since they never explicitly committed themselves to the content of the testimony in the first place.

Thus, it seems clear to me that Fricker’s reliance on an analogy between Gilbert’s notion of joint commitments and the kinds of commitments to trustworthiness found in individual testimonial exchanges is problematic; at the very least, further in-depth analysis is needed in order to motivate this connection and overcome the limitation outlined above, which is lacking in her paper.

*ii. Deferring epistemic responsibility to groups*

The second line of critique I want to level against applying an assurance view of testimony to cases of group testimony concerns McMyler's assertion that a hearer's justification in believing a speaker derives from the responsibility that the speaker takes on in attesting to the truth of a given proposition, such that the hearer can defer later challenges back to that original speaker. Recall that, in his assurance-oriented view of testimonial exchange between individuals, a speaker takes on epistemic responsibility for the content of their testimony, and thus can be a candidate for being trusted by a hearer, when they offer their assurance that the hearer may defer to the speaker in the event the information is contested. He writes,

The particular kind of attitude that a speaker takes up in telling an audience that *p* thus involves the assumption of an epistemic responsibility towards the audience, and it is only in virtue of the speaker's assuming this responsibility towards the audience that the audience can acquire knowledge that exhibits second-person authority. In this way, what constitutes the justification of an audience's testimonial knowledge is the speaker's assumption of an epistemic responsibility towards the audience and the audience's acknowledgment of this assumption on the part of the speaker (McMyler 2007, 527).

What is essential about this point is that there must be a means for the audience of a speaker's testimony to be able to "make good" on the speaker's responsibility if the need arises; that is, the audience must actually be able to defer to the speaker in the case that their authority is challenged. McMyler continues, "We ordinarily feel entitled to defer challenges to what we claim to know based on testimony back to the original speaker, and if someone were to tell us that, at least epistemically speaking, the original speaker is under no obligation to meet the challenge, I think we would be unimpressed" (530).

Thus conceived, the assurance view of testimony between two individuals has something like the following requirement: in order for the hearer's justification for believing the content of the testimony to derive from trust in the speaker, the hearer must be able to epistemically defer

back to the speaker if that knowledge is challenged. For example, imagine a case in which Laura testifies to me that a cell with inadequate nucleic maturation is not an indicator of leukemia in a patient. If I believe her and then mention this fact the next day to my friend Andy (who is a biochemist), only to be told that this information is wrong, I will feel betrayed by Laura. Specifically, I will feel that she took on the responsibility of telling me something truthful, only to discover that her testimony was false. When challenged by Andy, I will defer to Laura as my source for this information, as the person who is responsible for me coming to this belief, and someone I was justified in believing because I trusted her to take on the epistemic responsibility that comes with attesting to the truth of a claim.

An issue arises regarding this account of the justificational status of testimony when it is applied to group testimony, however. Groups, by their nature, are diffuse and complicated epistemic agents. They are made of multiple, sometimes very many, individuals, often with shifting membership such that individuals who previously composed the group may no longer even be members thereof—creating a sort of Ship of Theseus problem for social ontology. Moreover, the aggregation procedures<sup>3</sup> of groups, especially organized groups such as corporations or governmental bodies, are often obscured or even totally opaque to the public, such that the means by which a group comes to hold a given belief can be totally unknown outside of the group itself. In effect, it seems that groups present a case in which the epistemic “chain of custody” between speaker and hearer is considerably more tangled, multifarious, and obscure than it is between two individuals. As such, the possibility of epistemically deferring back to groups in cases where the content of their testimony is challenged is considerably more limited; holding them responsible for the belief they imparted through testimony is made all the

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<sup>3</sup> I.e., the means by which a group self-organized into a single epistemic agent—c.f. Tollefsen and Lucibella (forthcoming) for further discussion of group aggregation procedures and their relevance to the epistemology of group testimony.

more difficult, or even impossible, if the group's organization and/or membership has changed since their original testimony. Whereas (barring pathological cases) we typically take other individuals to be relatively stable and consistent in their personal identity and beliefs, a group is a kind of epistemic agent such that shakeups in their membership are far from uncommon. And, as such, the possibility of actually following through on any deferral of epistemic responsibility for the content of such a group's testimony would be onerous at best, and likely impossible.

This being the case, I think there is a sufficient barrier to holding groups epistemically responsible for the content of their testimony that it simply doesn't make sense to talk about groups as epistemic agents we trust. Nonetheless, we rely on the testimony of groups in our everyday lives, which is a practice that ought not be overlooked or diminished; it is simply the case that an assurance-based account of the justificational status of group testimony, such as the one offered by Miranda Fricker, does not adequately describe how and why we rely on the testimony of groups.

### *iii. Organizations and operational procedures*

The third criticism I want to make of Fricker's assurance-based account of group testimony concerns the idea of trusting organizations with well-established operational protocols. And once again, it concerns a crucial ontological difference between individual epistemic agents and group epistemic agents. It derives from an observation by Annette Baier, whose account of trust was a crucial component of both McMyler's individual assurance account of testimony and Fricker's application of the assurance view to cases of group testimony. In her essay "What is Trust?," Baier's focus is on Onora O'Neill's account of how trust functions between the general public and powerful professional groups or organizations. There, she outlines an important

distinction between individual persons and groups, which affects the degree to which it is appropriate to place our trust in the latter versus the former. She writes,

And when it is an organization such as a hospital that is trusted, or mistrusted, it is procedures as well as individuals that may be at fault when one is let down. If one is discharged from hospital without the prescriptions one needs for continued healing, this may be the fault of the doctor in whose care one was, in hospital, but if more than one specialist was involved, each may have assumed the other wrote the needed prescriptions, while the hospital had no procedure in place to allocate this responsibility clearly. Of course, procedures have human designers, so perhaps the superintendent of the hospital bears the main blame, in such a case, but it often takes some particular “medical misadventure” for the inadequacy of procedures to become evident. When such failure becomes evident, one does not trust the inadequate procedures again: one expects them to be revised. But when it is an individual who lets one down, one may well trust that same one to do better, next time. We forgive some delinquent individuals, who have let us down, but we replace faulty procedures (Baier 2013, 176).

What Baier hits on here is that groups, and especially established organizations with hierarchies and structures in place to delineate the roles of the individuals that make up the organization, often operate such that their collective actions are the result of established procedures that are carried out relatively automatically. In a case of group testimony, then, this may take the form of a research group regularly publishing its members’ results as a result of an internal mandate to do so. Assuming that the publication of these research results constitute the delivery of a testimonial message, and that a hearer would be justified in believing them, drawing a direct line of responsibility for the content of that testimony is more problematic than if the same information had been communicated by an individual testifier; the group can rightly be said to believe the content of the testimony, and the hearer takes up that belief for themselves, but the information was disseminated not out of a willful action on the part of the group, but rather as a result of an institutional procedure that operates more or less automatically. Thus, it does not seem desirable to say that the hearer trusts the organization for this information, at least based on something like Fricker’s account of group testimony; since no agent (individual or collective) autonomously

opted to share this information, it seems wrong to say that there is anyone to take responsibility for that information.

Further elucidation of this point can be drawn from Katherine Hawley's forthcoming "Trustworthy Groups and Organizations." There, she also raises concerns about the notion that we trust or distrust the testimony of groups, concluding that there is not a convincing distinction between trust and reliability in the case of group testimony: "we can explain and justify much of our practices around groups without using this distinction; the costs of abandoning it are low, as compared to the individual case" (Hawley 2017, 232). And accordingly, if it can be shown that there is not a viable distinction between trust and reliability in the context of group testimony, then it would seem that an account such as Fricker's, which is based on the idea that there is something wrongheaded about treating groups as mere sources of information, is problematic: "we can acknowledge the epistemic significance of group testimony without requiring a notion of group assurance, responsibility or trustworthiness; moreover, the arguments used to motivate assurance accounts of the epistemic significance of individual testimony do not easily transfer to the group case" (243).

In her article, Hawley also considers the pseudo-automatic nature of some actions undertaken by organizations. In particular, she considers cases in which an institution is organized such that "[e]ach individual takes responsibility for helping ensure that the group produces a true statement, but [...] none need take responsibility for the truth of the group's statement in the way required for assertion, and nor does the group itself take such responsibility" (244). That is, cases in which the organization is more or less running on autopilot: every member is performing the task to which they have been assigned, such that no one of them is responsible for testimonial output. She continues, "we need see nothing

problematic in a situation where none of the group members knows the truth of the group's statement. On this picture, a group statement is like a reading provided by a complex machine: we can hold the designers, operators, and maintainers responsible for ensuring that the machine provides accurate readings, without regarding any individual as asserting the content of the reading" (244).

The concern that arises when we acknowledge that many group actions are the result of such machine-like operation is that there seems to be no adequate analogy that would allow us to apply something like McMyler's individual-oriented account of the epistemology of testimony to such a case as the group described above. In general, we do not encounter situations where we would rightly say that an individual delivers testimony without them making an autonomous decision to do so; Hawley continues, "Regarding an individual as trustworthy is typically caught up with respect for her as autonomous in some way: someone who reliably follows a benevolent despot's orders under duress is not displaying her trustworthiness. Trustworthy behaviour often, though not always, reflects a determination to fulfill obligations or commitments which were voluntarily acquired" (246). Information gleaned through eavesdropping or casually overhearing another's conversation is typically not taken to be the result of a testimonial exchange, and in such cases trust in the speaker would be an inappropriate criterion for determining whether or not I should believe their testimony. Groups, however, seem to operate somewhat more "automatically" than individuals; while they are composed of individual members, their actions are often the result of those individuals merely following institutional protocols, as Hawley elucidates above. Nonetheless, these "automatic" actions can generate group testimony, even though it doesn't seem appropriate to call such actions autonomous. As such, it seems clear that some other standard than trust would be more appropriate to use in evaluating a hearer's uptake

of that testimony, as it would be problematic to think of trusting an action or actions that are not autonomously originated. As before, I believe that reliance is a concept that much better accounts for the kind of epistemic dependence we have on such organizations, especially in cases where their members are following rote, codified protocols.

## **E. Conclusion**

This chapter had as its aim an elucidation of assurance-based accounts of individual testimony, and an evaluation of Miranda Fricker's proposal to apply such assurance accounts of testimony to the case of group testimony. I think that the criticisms of her position outlined above provide compelling reason to be highly skeptical of her proposal, at least as it is articulated, and likely to reject it. It is important not to overlook the fact that groups do testify *qua* groups, and the importance such testimony plays in our everyday lives; but it seems most appropriate to say that we rely on the testimony of groups, rather than trust them. Indeed, the failure of assurance views to make sense of the justification of belief formed on the basis of group testimony might cast doubt on the viability of assurance views, but this is a topic for another time.

## Chapter 2: Group Moral Testimony

This chapter will address the epistemological character of a particular (and peculiar) kind of testimony; *viz.*, moral testimony. Specifically, this chapter will examine the epistemological status of moral testimony when groups are taken to be both the speakers of moral testimony as well as the hearers thereof. Regarding groups as speakers of moral testimony, I will first seek to establish that certain kinds of groups can be legitimate moral testifiers. Making this argument will require a defense of moral testimony before moving on to establish that certain groups are at least as well-suited to giving moral testimony as individuals. I will then conclude by claiming that groups may be *better* sources of moral testimony than individuals, particularly in cases where an individual seeks impartial advice concerning the moral beliefs they ought to hold. After addressing some potential objections to my reasoning, I will conclude the chapter by examining what it could mean to treat groups as hearers of moral testimony; in particular, I will make the argument that certain kinds of groups, such as corporations, are particularly good candidates for being agents that ought to hold moral beliefs on the basis of testimony alone.

### A. Moral Testimony

Moral testimony can be best understood in comparison to testimony *simpliciter*. Testimony can be considered a broad category, encompassing all cases of “tellings generally” with “no restrictions either on subject matter, or on the speaker’s epistemic relation to it” (Fricker 1995, 396-97). Moral testimony, then, describes particular testimonial exchanges, in which a hearer comes to hold a *moral* belief solely on the say-so of a speaker. In the contemporary literature, moral testimony is almost exclusively discussed in terms of speakers and hearers that are individuals; here, I will use the literature on individual moral testimony as a

the basis for my argument in favor of the epistemological legitimacy of *group* moral testimony, and testimonial exchanges about moral matters in which the speaker or the hearer is a group of individuals.

The epistemological status of moral testimony is controversial. The debate surrounding it can be, broadly speaking, divided in to two camps. Optimists about moral testimony hold the position that, in at least some cases, a hearer can be justified in acquiring a moral belief based solely on the testimony of a moral expert. Pessimists about moral testimony, which represent the majority of those writing on the topic of moral testimony, hold the contrary position: in no circumstance is a hearer justified in acquiring moral beliefs based solely on the testimony of a speaker. Although many pessimists support the position that one can be justified in gaining *non-*moral knowledge through testimony, they consider testimony concerning moral beliefs to be a distinct issue.

There are (roughly) two main objections that pessimists raise in the literature:

- 1) Many authors are skeptical or dismissive of the idea that there can be such a thing as a moral expert. Moral expertise, they claim, is significantly distinct from other forms of expertise (e.g., scientific expertise), with the implication that, without such expertise being possible, a speaker's moral testimony cannot be a legitimate source of a hearer's moral belief. The position that there are no moral experts is often supported with some version of moral anti-realism; i.e., they posit that, since there are no moral facts, moral statements are not truth-functional, and as such cannot be something about which one can have expert knowledge.
- 2) Many authors in the pessimist camp appeal to some version of what has come to be called the *asymmetry thesis*. This argument states that, as Robert Hopkins puts it, there is a

“difference in kind between moral and non-moral matters when it comes to taking testimony” (Hopkins 2007, 613). That is, the asymmetry thesis posits that there is a fundamental dissimilarity between non-moral beliefs and moral beliefs, such that while one can be licensed in having a non-moral belief on the basis of the testimony of another, there are no sufficient criteria for one to be justified in forming a moral belief based on another’s testimony. So, on this line of thinking, if I believe that eating animals is morally wrong because I have been told it is so (whether by a layperson, a professional ethicist, or a religious leader), I am not justified in holding this belief.<sup>1</sup>

For the purposes of this chapter, my primary focus will be on addressing pessimist criticisms of moral testimony based on the second class of objections listed above. While the debate over the possibility of moral expertise is lively, it largely centers on matters of moral epistemology and metaethics that fall outside the scope of this chapter.<sup>2</sup> As such, I will be abiding by the following two presuppositions:

- 1) There is such a thing as moral knowledge,<sup>3</sup> and at least some moral beliefs are truth-apt—i.e., they are either true or false. A precise enumeration of *which* moral beliefs are true or false is inconsequential for this chapter; what matters here is that there are at least *some* such true beliefs.
- 2) If moral beliefs are truth-apt, then it follows that there are some individuals who are particularly well-suited to come to true beliefs about moral matters—i.e., that can be considered to be moral experts. This does not entail that such experts are infallible with

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<sup>1</sup> Many authors who support the asymmetry thesis regarding moral matters also hold that there is a similar asymmetry between aesthetic and non-aesthetic beliefs—i.e., that I can’t be justified in believing that a painting is beautiful because someone else has told me so. For this chapter, I will be focusing exclusively on the asymmetry thesis as it applies to moral knowledge.

<sup>2</sup> For an excellent defense of the possibility of moral expertise, see Jones and Schroeter *forthcoming*.

<sup>3</sup> And, as a corollary, I hold to the position of moral cognitivism over non-cognitivism.

regards to what are true moral beliefs, but simply that they are considerably more likely than most individuals to come to true moral beliefs. This is especially true given the wide diversity of ethically-salient matters that are incorporated within the notion of moral expertise; Karen Jones and Francois Schroeter elaborate:

Sometimes moral expertise is a patchwork rather than generalized. Moreover, the same value can manifest itself differently and interact differently in the family than in the political sphere. These different domains present their own characteristic patterns in the combinations of moral considerations that tend to occur within them. Different agents can have greater levels of experience with the ways a value works in one context than with the ways it works in another. This opens up the possibility of domain specific expertise regarding all-in judgment” (Jones and Schroeter 2012, 223).

Moral expertise, on this account, does not necessarily take the form of utter moral certitude; rather, it could involve a higher sensitivity to ethically-relevant matters or a particularly better refined understanding of values relevant to a given moral matter (229).

Even given these two caveats, however, the second pessimist line of argumentation outlined above—the asymmetry thesis—must be overcome in order to defend the legitimacy of individual moral testimony as a source of knowledge.

The asymmetry thesis posits a fundamental distinction between moral and non-moral knowledge, which is decisive in undermining the legitimacy of forming moral beliefs on the say-so of others. This crucial difference is typically taken to be a version of what Alison Hills calls the *understanding requirement* (Hills 2009). The understanding requirement stipulates that more is needed to rightly hold a moral belief than simply having a true moral belief; an individual, on this account, must also have a thorough understanding of the reasons *why* a given moral belief is true: “the practice of exchanging reasons and the motivation to find a justification that could not be reasonably rejected by others is clearly morally very important. The requirement to be able to

justify yourself involves at least being able to say what you take yourself to be doing and why you thought doing so was a good idea” (Hills 2009, 107).

There are several other proponents of versions of the understanding requirement. Philip Nickel argues for what he terms the “Recognition Requirement,” which stipulates that “it must be the case that morality requires one to act from an understanding of moral claims, and therefore to have an understanding of moral claims that are relevant to action” (Nickel 2001, 257). Robert Hopkins argues for what he calls “The Requirement,” which states that “having the right to a moral belief requires one to grasp the moral grounds for it” (Hopkins 2007, 630). And Roger Crisp offers the view that, *ceteris paribus*, the more virtuous avenue is always to form one’s own moral beliefs based on a nuanced understanding of morality, rather than relying on others (Crisp 2014).

As such, the pessimist argument for the understanding requirement goes something like this: being justified in holding a moral belief is unlike being justified in holding a non-moral belief, because legitimately having a moral belief requires an understanding of the reasons *why* a given moral belief is correct. Such moral understanding, however, cannot be transmitted via testimony—it is something that must be autonomously arrived at by a rational moral agent. To hold a moral belief based only on the say-so of others is at best epistemically suspect, and at worst morally deficient, as it constitutes a failure to autonomously exercise one’s own moral faculties. Deference to another’s moral authority, therefore, could not be justified so long as such moral understanding cannot and/or ought not be acquired via their testimony.

Arguing for the optimist position on moral testimony requires, therefore, an answer to this pessimist position. I will next look to literature by optimists about moral testimony to outline three arguments against the understanding requirement, and thus in favor of testimony as a

source of moral knowledge in some circumstances. I will then offer two of my own arguments against the understanding requirement.

The first argument comes from Paulina Sliwa's "In Defense of Moral Testimony." There, she looks to instances in which an individual must make a decision in a morally relevant dispute, but they recognize that they cannot render an impartial decision because they have a personal relationship with one of the parties in the decision (Sliwa 2012, 177). Consider, for example, a case where Susan must adjudicate a dispute between two graduate students, one of whom has accused the other of stealing their research; one of the students is her own research assistant, and the other is a student from another department. She easily recognizes that she cannot render this decision impartially, as she has a strongly favorable impression of her own student and no familiarity with the other one. She decides to ask her department chair, who knows neither student and can render an unbiased decision, to decide between the two. She then defers to her chair's recommendation.

As evident from the above example, in some cases deferring to the advice of an impartial third party is not only advisable, but is arguably obligatory; if it is the case that we have a standing obligation to be impartial in our decision-making, then it naturally follows that we ought to defer to another individual in cases where we can recognize that we cannot offer an unbiased position (Sliwa 179). There must, therefore, be at least some circumstances in which we are justified in being like Susan and relying on moral testimony. Moreover, relying on another in such a circumstance for purely non-moral facts would fail to ensure our own impartiality, as this would still require us to adjudicate the morally correct course of action based on those facts. Only pure moral deference in such a case could preserve our obligation to

maintain impartiality—and the pessimist requirement that we rely on our own moral understanding would of course fail to provide such impartiality.

The second argument against moral testimony pessimism comes from David Enoch’s “A Defense of Moral Deference.” There, he argues that, not only do we sometimes find ourselves in situations where a decision on a moral matter is required of us, but also such circumstances are often shrouded in moral uncertainty—i.e., a lack of clarity regarding what the least harmful decision to make could be (Enoch 2014, 3). Take, for example, a case where Samantha must determine whether or not to propose a research project that would involve performing drug tests on animals. She recognizes that the moral stakes are high here, as this research program could yield a promising new cure for a debilitating genetic condition, even though it would also certainly involve harming the animals who are used in the study. Additionally, she recognizes that she is not sufficiently familiar with all sides of this dilemma—she is not particularly well-read on the literature on the ethics of performing drug tests on animals—but she knows she has an obligation to make the best decision she can. Faced with the necessity of reaching a decision on this morally uncertain matter, she chooses to defer her judgment to that of another faculty member, who both knows her proposed research program as well as has a good understanding of current thinking about the ethics of animal experimentation.

In such cases, Enoch proposes that we have a *pro tanto* obligation to minimize possible wrongdoing in the decisions we make, and in cases of moral uncertainty, this obligation still applies. Moreover, there may be another individual—a moral expert—available to us who has a greater likelihood of “getting it right” regarding this decision. So, when the least harmful decision is not clear to us, but it may be *more* clear to another individual whom we know has a high level of reliability regarding moral matters, our *pro tanto* obligation to minimize

wrongdoing licenses us (or may even obligate us) to defer to that individual's moral testimony, just as Samantha did above (Enoch 2014, 17). Once again, this constitutes a case in which the pessimist's moral understanding requirement is overridden by another standing obligation; if we must render a verdict in a given morally-charged circumstance, and we have an obligation to minimize wrongdoing in our decisions, then when faced with a case of moral uncertainty, we ought to defer to the judgment of a moral expert regardless of whether or not we have a nuanced degree of moral understanding that applies to this case.

The third argument I want to rely on to overcome the pessimist's moral understanding requirement comes from Daniel Groll and Jason Decker's 2014 article "Moral Testimony: One of These Things is Just Like the Others." There, the authors undermine the notion of an asymmetry between moral and non-moral knowledge, because it is not clear that the purported problems with relying on moral testimony do not also apply to "ordinary" cases of non-moral testimony. There, they propose that what is wrong with obviously problematic cases of moral testimony is not a lack of moral understanding in the part of the hearer, but rather a failure on the part of the hearer to have what they call "normal knowledge." So, as their example goes, we can easily identify that there is something wrong in a case where an individual is dependent on moral testimony to understand that burning cats is wrong; pessimists would claim that such an individual depending on the say-so of another to comprehend that such an action is wrong means that they are not exercising their own faculty of moral understanding about a very obviously wrong case. This person is, according to the pessimist argument, not justified in forming that moral belief on the say-so of another because it is a belief they should be able to easily come to on their own through reflection on fundamental moral principles. And they take such cases to be instructive in showing us what is wrong with moral testimony as a whole—namely, that if

individuals could be justified in forming moral beliefs on the say-so of others, it would then have to be the case that the cat-burner is doing nothing wrong in deferring to someone else to come to the conclusion that cat-burning is wrong.

Groll and Decker's claim here, against the pessimist position, is that the problematic nature of such cases is not uniquely critical of moral testimony; rather, they argue that what is wrong in such cases is not the individual's reliance on moral testimony, but rather their failure to have access to normal moral knowledge, which includes knowing that obvious moral beliefs such as "cat burning is impermissible." Failing to have such normal knowledge, however, is not unique to situations involving moral knowledge; reliance on the testimony of another on non-moral matters is similarly problematic when the individual is deferring to someone else about a matter that should be considered a part of normal non-moral knowledge. As such, reliance on testimony for forming a belief is always problematic when the matter in question is something that ought to be considered a part of normal knowledge. And, as a consequence, the asymmetry purported by pessimists between moral and non-moral testimony breaks down; reliance on both moral and non-moral testimony is obviously problematic when the content of the testimony in question is a matter of normal (moral or non-moral) knowledge. In either case, however, there are cases that arise in which the knowledge of an expert testifier would not count as "normal knowledge," and in those cases it is not at all clear where the purported asymmetry between the justificatory status of moral and non-moral testimony can be found. As such, it can be concluded that, if a pessimist is willing to acknowledge that acquiring knowledge on the basis of non-moral testimony can be justified, so must they also admit that moral knowledge can be legitimately acquired in the same way, at least in some cases.

The first of my own objections to the understanding requirement gives grounds for rejecting the understanding requirement as it is articulated by moral testimony pessimists: the understanding requirement places an enormous, and thus unrealistic and indefensible, cognitive burden on individuals to have a comprehensive, nuanced, and critically reflective understanding of the reasons for every one of their moral beliefs. That is, since the understanding requirement states that one can be justified in having a moral belief if and only if they also can articulate the reasons why that is the correct moral belief, it means that we are obligated to be able to give a rigorous defense of each of our moral beliefs. I think there are two problems that come to light once this is articulated about the understanding requirement:

- 1) It simply does not seem to be the case that most individuals go through this degree of critical reflection about every one of their moral beliefs. While I don't want to argue that the "average person" lacks the *ability* to undergo the cognitively demanding task of systematically analyzing the reasons why they hold the moral beliefs they do, I do believe that most people simply don't go through this process for most of their moral beliefs, unless they undergo an epistemic crisis of some kind regarding their beliefs. Moreover, I think it also follows that it is undesirable to place a burden on an individual that they must rationalize all of their moral beliefs, as without a nuanced understanding of the intricacies of ethical thought, individuals would be left to their own devices to give reasons for why a given moral belief is right. This is, I think, why we delegate the "hard work" of moral reasoning to ethicists.
- 2) Based on a cursory glance of the past 2,000 years of thought on ethics, as well as the vast diversity of positions within ethical philosophy today, it seems that there are numerous ethical beliefs about which, even for those who undergo an intensive study of the field of

ethics, it is not clear or decided as to what the proper reasons are for holding that belief.

As such, it again seems undesirable to hold laypeople to the requirement that they justify each and every one of their moral beliefs through reflection, as this is a task that is sometimes beyond those who have devoted their lives to such an enterprise.

My second argument against the understanding requirement concerns a seeming contradiction in how the understanding requirement is applied to children. Even though they are skeptical of moral testimony as a source of moral beliefs for rational adults, many pessimist authors acknowledge that it is relatively unproblematic that children form moral beliefs based on the say-so of others.<sup>4</sup> Indeed, this squares with how most of us develop our moral faculties as young children: we take the word of our parents, teachers, religious leaders, and other authority figures as instructive about what is right and wrong, often without critically reflecting on their testimony. Pessimist authors then argue that, at a certain stage of cognitive development, we must take responsibility for our moral beliefs and justify them accordingly. The idea here is that, once we are fully developed moral agents, we must take responsibility for understanding the reasons why we hold the moral beliefs we do. What is problematic about this, however, is that children are not purely “non-moral” agents—that is, there are certainly cases in which we rightly hold children morally responsible for their actions, and as such there are at least some instances in which children *are* moral agents. Indeed, it seems to be a crucial feature of moral education that children are considered for their actions, so that they can learn the seriousness of those actions’ consequences. Importantly, it would not seem sufficient for children to be merely held

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<sup>4</sup> A few examples of such: Robert Hopkins writes that “For centuries, certainly since the idea was given powerful formulation by Kant, it has been a commonplace that every moral agent, once out of childhood and if free from mental or moral incapacity of a pathological kind, enjoys the capacity to divine what morality demands.” (Hopkins 2007, 623) Robert Howell writes: “Young children should and indeed must defer if they are to become moral agents at all. In such cases, deference isn’t even a *pro tanto* bad. Any diagnosis of the asymmetry of moral deference must accommodate these facts” (Howell 2014, 390). And Alison Hills writes: “It is obviously right for Sarah to accept what her parents say. Most young children are immature moral agents, which is why it is perfectly in order for them to trust moral testimony and defer to the judgments of the adults around them” (Hills 2009, p. 120).

*accountable* for their actions—i.e., merely treating them to the appropriate consequences of moral wrongdoing. If their moral education is to be sincere, it seems necessary that children’s moral development involves them being treated as responsible agents.<sup>5</sup> It follows, therefore, that these are cases in which there is a moral agent who has moral beliefs that were formed—legitimately, according to the pessimists—on the basis of testimony. This puts pessimists in an unenviably contradictory position—they reject moral testimony, yet also cleave to the position that some moral agents are licensed in holding moral beliefs on the basis of testimony.

Given the range of arguments given above, I feel confident in being able to conclude that there are at least some circumstances in which an individual can be justified in having a moral belief based only on the say-so of another individual, particularly when the speaker of moral testimony is a moral expert.

## **B. Groups as Moral Testifiers**

As I established at the beginning of this chapter, once the legitimacy of individual moral testimony has been established, I can now move on to a defense of the position that certain groups can be rightly considered to be moral experts, and thus are legitimate sources of moral testimony. To make this argument, I want to start with a pair of cases that can serve to try to make more intuitive what initially may seem unintuitive—*viz.*, that we can defer to groups in certain morally salient situations. The hope here is that these examples can illustrate how it is in fact commonplace and widely accepted that the moral testimony of a group can be the basis for a justified moral belief on the part of a hearer.

Consider the practice in which hospitals and other medical care providers establish ethics committees in order to provide moral guidance for clinicians, particularly in unclear but ethically relevant cases. Faced with a moral dilemma regarding whether a course of treatment for a given

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<sup>5</sup> This point came about thanks to conversations with Tailer Ransom.

patient is the right course of action, a doctor may—and in some cases, must—defer to the determination of the ethics committee as to whether or not the treatment program is morally permissible. Such a case, I contend, is unambiguously a case of a group offering moral testimony; the ethics committee confers over the case and renders a decision to the doctor—the treatment program is or is not an ethical course of action.<sup>6</sup> In following the decision of the ethics committee, the doctor has deferred to the moral testimony of the committee; and while it is always possible that a doctor may disagree with the decision so rendered, in at least some cases it seems clear that they will form a belief that the procedure is a permissible course of treatment for their patient, and will be justified in forming that moral belief. Given how commonplace this practice is, nothing seems particularly problematic on face about this case of deference to moral testimony.<sup>7</sup>

In addition to the above case, also consider the practice by which research proposals performed on human subjects are submitted to institutional review boards for approval. IRBs are groups that are tasked with determining whether a given research proposal is ethical, and as such, their determination as to whether or not a particular research proposal is ethical is a case of collective moral testimony. When an IRB delivers its determination about the research proposal in question, it is giving testimony about a moral belief, *viz.* that the proposed research protocol is or is not ethical. I think that it is widely accepted that the hearer of that moral testimony is justified in acquiring the moral belief that the IRB has testified to, given that the practice of submitting research to IRBs and following their decisions is a common occurrence in clinical research.

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<sup>6</sup> This, of course, depends on the assumption that such a group can legitimately be thought of as giving testimony *as a group*, i.e. as a non-summativ collective, rather than as a set of individuals. See Chapter 1 of this dissertation for more concerning the legitimacy group testimony.

<sup>7</sup> This example also appears in Tollefsen and Lucibella *forthcoming*

In addition to showing how intuitive it is that groups can be moral testifiers in certain cases, I also want to use the above examples as a foundation for giving a more rigorous defense of group moral expertise, and thus group moral testimony. In particular, I will advance the position that, under certain conditions, groups such as ethics committees or IRBs can be better suited to provide objective, impartial moral testimony than individual moral experts. These conditions will be elaborated further, but include contexts in which a group moral expert is composed of individuals representing a diverse set of viewpoints, and in which those individuals are jointly committed to good discursive practices such as impartiality, fairness, and openness.

To support this claim, I will look to an analysis by Helen Longino, chiefly found in her book *Science as Social Knowledge*. There, Longino gives an analysis of how objectivity is conceived within the sciences. Reverence for scientific inquiry, she proposes, derives largely from the view of scientific methodology as having a particularly objective character to it. The standard view of scientific inquiry, Longino argues, tends to view scientific method as something that can be practiced by a single individual, through performing controlled experiments and engaging in rigorous deduction based on the data so collected (Longino 1990, 66). Objectivity, on this individualist account, is a product of the application of proper methodological processes to data, and thus can be a property of individual scientific investigators. What Longino develops throughout the book, however, is an alternative contextualist account of objectivity in scientific inquiry, such that the objectivity that is commonly ascribed on an individual level is, properly speaking, actually a function of the larger social context in which the inquiry takes place. As she puts it, “What I wish to particularly stress is that the objectivity of scientific inquiry is a consequence of this inquiry’s being a social, and not an individual, enterprise” (67). Thus, it is the social nature of scientific inquiry that makes that very inquiry possible, and what make it

possible for that inquiry to generate knowledge. As K. Brad Wray puts it, “According to Helen Longino, it is the processes that make inquiry possible that are aptly described as “social,” for they require a number of people to sustain them. These processes, she claims, not only facilitate inquiry, but also ensure that the results of inquiry are more than mere subjective opinions, and thus deserve to be called ‘knowledge’” (Wray 1999, S538-539).

Taking Longino seriously, seeking scientific knowledge is a pursuit that is undertaken within a social context, and the objectivity of those findings derives not from an individual practitioner’s fidelity to method, but from the scientific community’s larger set of justificatory practices and norms. Longino continues, “What is called scientific knowledge, then, is produced by a community (ultimately the community of all scientific practitioners) and transcends the contributions of any individual or even of any subcommunity within the larger community” (Longino 1990, 69). Objective scientific knowledge, thus, is produced through a dynamic process of critical reflection and development. As such, Longino argues that objectivity of knowledge is a property of communities, not of individuals: “Objectivity, then, is a characteristic of a community’s practice of science rather than of an individual’s, and the practice of science is understood in a much broader sense than most discussions of the logic of scientific method suggest” (Longino 1990, 74).<sup>8</sup>

Although the focus of Longino’s analysis in her book is scientific, and not moral, knowledge, I believe there is good reason to draw a parallel between the two for the purposes of discussing the nature of objective *moral* knowledge. If we grant that scientific inquiry is a

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<sup>8</sup> In her 1993 paper “Epistemological Communities,” Lynn Hankinson Nelson takes Longino’s analysis of the social nature of scientific inquiry further, to argue that communities, rather than individuals, are the only primary agents to which we should ascribe epistemic agency. On her account, individual researchers are epistemic agents only secondarily, as a derivation of their membership within existing epistemological communities. While I will not pursue this more radical proposal here, I think it does provide potentially fertile ground for further investigating how objectivity functions in a social context.

paradigm, or at least a model, of good epistemic practice, then it seems quite appropriate to posit a connection between scientific and moral reasoning. Moreover, in the context of this chapter, the parallel is particularly apt, as in cases such as ethics committees the purpose of moral reasoning is not to engage in abstract deliberation on the nature of the good, but rather to counsel about concrete, practical actions. As such, the kind of moral reasoning at stake in cases of moral testimony is about how to reconcile empirical situations with existing theoretical commitments—an activity that seems to share a great deal with the kind of hypothesis testing and rational deliberation involved in scientific research.

Granted at least a minimal level of similarity between scientific and moral reasoning, applying Longino's analysis of objectivity in scientific knowledge to moral epistemology causes us to take seriously the idea that objective moral knowledge is deeply rooted in, and a function of, the discursive and epistemic practices of the community in which moral deliberation is taking place.<sup>9</sup> With the parallel established between scientific and moral knowledge, we can return to Longino in order to justify the assertion that groups may be better suited to giving objective moral testimony than individuals. Specifically, it is necessary here to give a more detailed treatment of how Longino conceptualizes objectivity; it is from this analysis that it will become

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<sup>9</sup> This position can be further supported given Mark Timmons' account of contextualist moral semantics from his book *Morality Without Foundations* (1998). In epistemology generally, semantic contextualism is the position that the truth value of a statement is dependent on the semantic context in which it is uttered; so, for example, a statement that "this billiard ball is smooth" is true within the context of everyday visual descriptions of objects. When held up to a powerful microscope, it is revealed that the billiard ball is actually pocked with numerous minuscule bumps and divots; thus, in the context of precise scientific observation, it is false that the billiard ball is smooth. Timmons' claim is that although the truth-value of that statement varies based on the semantic context in which it is uttered, it is always the case that the statement has a truth-value, i.e. it is either true or false. The contextualist position can be considered a "third way" between foundationalism and coherentism in epistemology, as it holds that there are contextually basic beliefs, but the truth-value of these basic beliefs vary based on the semantic context in which they are uttered. Applying the contextualist view to moral epistemology gives a picture of moral discourse as both assertoric and truth-apt, within various contexts. This amounts to a form of irrealism in which moral beliefs have truth-values relative to the context in which they are uttered, without positing the existence of objective moral facts.

clear how groups that are jointly committed to good epistemic practices are well-suited to being moral experts.

Once scientific knowledge (and, on this analysis, moral knowledge) is conceived as unfolding within a given social context and community, the question naturally arises how something like objectivity is possible, given the potential variance of justificatory standards that arise from the plurality of viewpoints within a given context. Longino proposes that it is precisely this plurality of viewpoints that licenses us to describe some knowledge as objective. “It is the possibility of intersubjective criticism,” she claims, “that permits objectivity in spite of the context dependence of evidential reasoning” (Longino 1990, 71). Rather than viewing objectivity as the degree to which a given belief corresponds to an independently verified fact or set of facts about the world, Longino proposes that objectivity comes from reducing the influence of subjective preference in an individual or community’s set of background beliefs—in particular through the maintenance of conditions that are conducive to allowing for questioning and criticism of those background beliefs. Longino thus conceptualizes scientific objectivity as the mediation of subjective preferences as they appear in background beliefs held by scientific communities (73). Objectivity is not simply a binary determination between “objective” and “not objective,” but rather is a matter of more or less objective practices—i.e., practices that do a better or worse job of blocking subjective preference. As Wray puts it, “When the background assumptions that play the mediating role in evidential reasoning do not reflect merely subjective preferences, then a community’s methods are as objective as is possible” (Wray 1999, S543).

As such, objectivity arises out of good deliberative practices within an epistemically-relevant community for a given set of beliefs or assertions: “Objectivity, then, is a characteristic of a community’s practice of science rather than of an individual’s, and the practice of science is

understood in a much broader sense than most discussions of the logic of scientific method suggest” (Longino 1990, 74). This, in turn, relies on the possibility of criticism from alternative points of view and the subjection of hypotheses and evidential reasoning to close critical scrutiny. Intersubjective criticism provides the possibility of knowledge being objective, insofar as it allows for the possibility of addressing and critiquing subjective background assumptions of individual practitioners.<sup>10</sup> To this end, Longino specifies four criteria that are necessary for critical discourse to be able to achieve this degree of scrutiny:

(1) there must be recognized avenues for the criticism of evidence, of methods, and of assumptions and reasoning; (2) there must exist shared standards that critics can invoke; (3) the community as a whole must be responsive to such criticism; (4) intellectual authority must be shared equally among qualified practitioners (76).

With these criteria established, I now want to return to the position I advanced above—*viz.*, that certain kinds of groups can be considered better candidates for being moral experts than individuals. I think Longino’s four criteria spell out nicely the kinds of conditions that are necessary for groups to be considered superior moral experts than individuals. Communities that embrace such criteria are, on Longino’s analysis, those that are more likely to reduce their subjective preference and come to more objective findings. In fact, she proposes that the diversity that comes from a plurality of viewpoints in a community is fundamental to the establishment of objective knowledge:

From all this it follows again that the greater the number of different points of view included in a given community, the more likely it is that its scientific practice will be objective, that is, that it will result in descriptions and explanations of natural processes that are more reliable in the sense of less characterized by idiosyncratic subjective preferences of community members than would otherwise be the case (80).

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<sup>10</sup> It is worth noting here that Longino herself provides some analysis related to this point that further cements the position that objectivity in scientific knowledge can be thought of as parallel to knowledge in other fields (including, I would argue, in ethics). She writes, “The respect in which science is objective, on this view, is one that it shares with other modes of inquiry, disciplines such as literary or art criticism and philosophy” (Longino 1990, 75).

Importantly, the claim I am making here is not that there is necessarily a direct correspondence between scientific and moral epistemology. The outcome of Longino's analysis above is that the objectivity of scientific knowledge is a function of the context in which it comes about—*viz.*, the epistemic community of scientific practitioners. From there, it can be concluded that certain practices of good critical discourse are essential to achieving this kind of objectivity. My claim regarding moral epistemology, however, is not that objectivity in moral epistemology must operate in the same way as objectivity in the case of scientific knowledge; however, I believe that the criteria for good *scientific* discourse that Longino lays out for is also a good template for good *moral* discourse, and in particular moral discourse that is better at objectively evaluating moral knowledge.

To illustrate how this applies to the matter at hand, that of group moral testimony, consider again the case given above of the ethics committee that testifies to the rightfulness or wrongfulness of a given medical procedure. If we grant that the ethics committee, and the body that organizes it, has a joint commitment to discursive practices along the lines of the four criteria outlined by Longino, it follows that they would be comparatively better suited to rendering an unbiased and critically reflective moral decision. This is particularly true the more diverse viewpoints are represented by the members of the committee; if, for example, the group includes an ethicist, a social worker, a religious authority, and so on, this would all go toward providing the kind of resistance to idiosyncratic subjective preferences that Longino characterizes as anathema to objectivity. The ability of the group to deliberate amongst itself provides the kind of opportunity for critical questioning of individual background beliefs that is less likely to happen if an individual is tasked with the making the same determination. And

varying attention among different members of the group to different pieces of evidence provides what is likely to be a wider range of relevant data to be brought into the adjudication.

This analysis by Longino can be reinforced with reference to further analysis regarding how reasoning and argumentation function within the context of group deliberation. In their 2011 article “Why Do Humans Reason? Arguments for an Argumentative Theory,” Hugo Mercier and Dan Sperber specifically address the role that our capacity for reason plays in social contexts, and especially in situations of small group cooperation. Arguments, on their account, are distinct from inferences, in that an argument explicitly spells out the reasons that justify a given conclusion. Given that argumentation plays a communicative role in a social context, the reasons utilized in argumentation are inherently representative—that is, the reasons that justify a conclusion are represented within the argument—whereas an inference can be reached entirely unconsciously or intuitively (Mercier and Sperber 2011, 58).

As such, the kind of reasoning employed in argumentation contributes to the capacity for individuals within a group to communicate and assess the reliability, effectiveness, and legitimacy of the conclusions being put forward. As they point out, this has been given credence by existing empirical literature:

Claiming as we do that this role of reasoning in social interaction is its main function fits well with much current work stressing the role of sociality in the unique cognitive capacities of humans (Byrne & Whiten 1988; Dunbar 1996; Dunbar & Shultz 2003; Hardy 2009; Humphrey 1976; Tomasello et al. 2005; Whiten & Byrne 1997). In particular, the evolutionary role of small group cooperation has recently been emphasized (Dubreuil 2010; Sterelny, in press). Communication plays an obvious role in human cooperation both in the setting of common goals and in the allocation of duties and rights. Argumentation is uniquely effective in overcoming disagreements that are likely to occur, in particular in relatively equalitarian groups” (60).

Thus, the kind of argumentative deliberation that comes with group decision-making has the advantage over individual inferential processes in that it requires making reasons public,

defending argumentative positions, and applies additional rigor to ensure that conclusions are not made on the basis of confirmation bias or motivated reasoning. As they put it, “If people are skilled at both producing and evaluating arguments, and if these skills are displayed most easily in argumentative settings, then debates should be especially conducive to good reasoning performance” (62).<sup>11</sup>

Moreover, these findings have significance for specifically moral deliberation, which resonates with the analysis I give above connecting Longino’s views on objectivity and moral knowledge. Mercier and Sperber find that individuals who engage in moral deliberation independently are more likely to engage in motivated reasoning—i.e., a tendency to come up with rationalizations for a given conclusion, rather than reaching a conclusion through rigorous, justified argumentation. They continue:

These results raise a problem for the classical view of reasoning. In all these cases, reasoning does not lead to more accurate beliefs about an object, to better estimates of the correctness of one’s answer, or to superior moral judgments. Instead, by looking only for supporting arguments, reasoning strengthens people’s opinions, distorts their estimates, and allows them to get away with violations of their own moral intuitions. In these cases, epistemic or moral goals are not well served by reasoning. By contrast, argumentative goals are: People are better able to support their positions or to justify their moral judgments (68).<sup>12</sup>

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<sup>11</sup> Again, this finding is granted legitimacy through various empirical studies. Mercier and Sperber continue: “The most relevant findings here are those pertaining to logical or, more generally, intellectual tasks ‘for which there exists a demonstrably correct answer within a verbal or mathematical conceptual system’ (Laughlin & Ellis 1986, p. 177). In experiments involving this kind of task, participants in the experimental condition typically begin by solving problems individually (pretest), then solve the same problems in groups of four or five members (test), and then solve them individually again (posttest), to ensure that any improvement does not come simply from following other group members. Their performance is compared with those of a control group of participants who take the same tests but always individually. Intellectual tasks allow for a direct comparison with results from the individual reasoning literature, and the results are unambiguous. *The dominant scheme (Davis 1973) is truth wins, meaning that, as soon as one participant has understood the problem, she will be able to convince the whole group that her solution is correct* (Bonner et al. 2002; Laughlin & Ellis 1986; Stasson et al. 1991)” (Mercier and Sperber 2011, 62, emphasis added).

<sup>12</sup> Once again, Mercier and Sperber are referencing a wide range of empirical literature: “Reasoning is often used to find justifications for performing actions that are otherwise felt to be unfair or immoral (Bandura 1990; Bandura et al. 1996; Bersoff 1999; Crandall & Eshleman 2003; Dana et al. 2007; Diekmann et al. 1997; Haidt 2001; Mazar et al. 2008; Moore et al. 2008; Snyder et al. 1979; for children, see Gummerum et al. 2008). Such uses of reasoning can have dire consequences. Perpetrators of crimes will be tempted to ‘blame the victim’ or find other excuses to mitigate the effects of violating their moral intuitions (Ryan 1971; for a review, see Hafer & Begue 2005), which can in turn make it easier to commit new crimes (Baumeister 1997). This view of reasoning dovetails with recent

As such, I think there is good reason to claim that the kind of argumentative deliberation that can take place in a group context—specifically in groups that adhere to something like the criteria outlined by Longino for good deliberative practice—allows some groups to have the capacity to be better candidates for being moral experts than individual agents in cases where moral testimony is sought as a means to reach an impartial moral belief.<sup>13</sup>

This conclusion can be given additional credence by looking to how groups charged with delivering moral testimony, like medical ethics committees, operate. In “Ethics by Committee: The Moral Authority of Consensus,” Jonathan Moreno offers an analysis of how medical ethics committees function in a practical context. In particular, he identifies that the moral deliberation practiced by ethics committees has *consensus* as its goal:

Medicine is a consensus-driven system. That is, the practice of consultation among experts relies on a standard of intersubjective agreement, as is true of any practice that relies upon scientific generalizations implicitly viewed as warranted. In an area like medicine where objective information is often inconclusive regarding particular cases, consensus has an explicit role. But of all the committees in the health care institution, only the ethics committee appears to be as consensus-oriented (Moreno 1988, 415).

Such ethics committees are presented with real-world moral dilemmas, and must make a determination about the most appropriate course of medical action. They typically have a diverse membership, and they operate via a process of rational moral deliberation with consensus as their ultimate aim. This is very much in line with what Longino describes as the necessary conditions for critical discourse, as well as the ideal of collective argumentation described by Mercier and Sperber. Moreno continues:

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theories of moral reasoning that see it mostly as a tool for communication and persuasion (Gibbard 1990; Haidt 2001; Haidt & Bjorklund 2007)” (Mercier and Sperber 2011, 68).

<sup>13</sup> It is important to clarify here that my claim here is neither that groups are unimpeachable moral testifiers, nor that they will always give better moral advice than individuals. However, I am arguing that groups that follow something like Longino’s criteria for critical discourse while engaging in deliberation about moral matters are, on balance, better candidates for being good moral testifiers—that is to say, moral experts.

Given these complementary methods of moral deliberation, a major remaining question is whether and why the multidisciplinary membership so commonly thought to be important for ethics committees has any philosophical merit. It is not difficult to understand the political importance of having a broad spectrum of units represented on a committee that deals with sensitive subject matter. It is also sensible to have information from various fields when the subject matter is likely to have many dimensions. But is there any more general philosophical importance to breadth of membership? I believe that there is, that it is a key to the moral authority of consensus understood primarily as a condition of deliberation in ethics committees, and that it cannot be divorced from the needs for political representation and specialized knowledge (425).

Understood in this way, there is now a case for why certain kinds of groups can be legitimately considered to be moral experts—and indeed, why they can be better situated to be moral experts than individuals. Taking a group like a medical ethics committee as a guiding example, we can see how the group members' capacity to deliberate among themselves, providing they subscribe to a mutually-agreed on set of good deliberative principles, allows them to be more objective in their determinations. This is reinforced when we look to how argumentative forms of reasoning within groups yield better deliberative practice and more rational conclusions—and especially when mutual consensus is seen as a shared goal of the members of the ethics committee.

### **C. Objections and Replies**

Now that the reasoning has been established to support my claim that some groups can be better candidates for moral expertise than individuals, I will address what I foresee as some potential objections to this position. My replies to these objections will, I hope, give further support to the conclusion reached above.

The first objection I want to address concerns the scope of Longino's analysis of the role of social context in scientific objectivity. In the passages cited from *Science as Social Knowledge*, her claim is that the scientific community plays a determining role in the objective status of knowledge gained through scientific inquiry. The notion of community she is using

there is broad in its scope; she has in mind something like the scientific community as a whole, or the set of all scientific practitioners (Longino 1990, 69). This community is composed of individual researchers and collective research groups, and communicates amongst itself through publication of studies and scientific papers, conference proceedings, workgroup meetings, and the like.

Based on this clarification, the objection then goes that the analysis that I am giving, which explicitly concerns small organized groups, is focused on a wholly different kind of collective body. It could thus be objected that, while it may be the case that objectivity is determined by collective determinations on the part of scientific practitioners as a whole, this does not apply when the groups in question are in fact smaller subsections of that larger, more indeterminate, community.

To answer this objection, I want to clarify the claim that I am making above. It should not be taken that I am arguing that individual ethics committees or IRBs are serving the justificatory function that Longino ascribes to the scientific community as a whole; that is, I am not arguing that each particular ethics committee determines for itself the standards for objectivity of moral knowledge. Rather, I am relying on the contextualist epistemology outlined by Longino to motivate the intuition that group epistemic agents can be better equipped than individuals to avoid subjective bias and correctly testify to those moral beliefs that are determined true by the larger moral community. This comes about because groups are better able to exercise critical discourse amongst themselves, particularly when those groups are composed of individuals who represent a diverse range of viewpoints, and when that group is jointly committed to standards of openness and good critical inquiry.

The second objection that could be raised against my argument in this chapter also concerns the contextualist approach to epistemology forwarded by Longino, particularly in the context of moral knowledge. The objection goes that, if we grant that the objectivity of moral truths is contextually determined by the social context and community in which they are articulated, then this could mean that some epistemic communities might license certain moral beliefs that are clearly undesirable or even odious. For example, it seems as though, given a critical mass of individual community members who believe it to be true, it could be determined that it is an objective moral truth that cat-burning is ethically unproblematic. Moral contextualism thus runs too close to relativism for it to be a useful moral epistemology.

My response to this is that it is a concern that is far broader than the scope of my argumentation in this chapter. Although it may identify a potential problem with a contextualist moral epistemology, it doesn't actually address the force of the arguments I've made here—the aim of this chapter is not to give a rigorous defense of moral contextualism, but rather to establish that, given a certain degree of similarity between moral knowledge and scientific knowledge, Longino's analysis of how scientific knowledge comes to be objective can also apply to moral knowledge formed in the context of ethics committees.

Moreover, I think that the concern outlined by this objection can be mitigated by the criteria that Longino establishes for critical inquiry:

(1) there must be recognized avenues for the criticism of evidence, of methods, and of assumptions and reasoning; (2) there must exist shared standards that critics can invoke; (3) the community as a whole must be responsive to such criticism; (4) intellectual authority must be shared equally among qualified practitioners (76).

These criteria establish conditions for the kind of discourse that must take place in order for inquiry to be considered objective. Taken in the context of moral knowledge, they also serve as a

bulwark against undesirable moral beliefs. Although it is not guaranteed that communities that adhere to such communicative norms will avoid odious ethical beliefs, they do at least seem likely to reduce the viability of such viewpoints.

A third possible objection concerns the decisions made by groups such as ethics committees; specifically, it could be argued that ethics committees should not properly be understood as speakers of moral testimony when they make determinations about a given course of action. Such committees, the argument goes, can simply be understood as fulfilling a role in which they are simply applying an existing rule to a given situation; that is, they are presented with a particular case, and are simply tasked with determining how to apply a set of existing moral standards to the facts of the case. Accordingly, the committee would not be delivering moral testimony, as they are simply playing a procedural role in determining how the given case conforms to the institution's set of ethical guidelines.

My response to this argument is that it doesn't sufficiently account for the moral complexities that real-world ethics committees are required to take account of, and the fact that each case they adjudicate has its own specific circumstances that means they cannot simply apply an existing moral standard. We can look once again to Jonathan Moreno's account of how ethics committees operate in order to see that the kind of consensus-driven moral deliberation that takes place in an ethics committee goes far beyond simply applying a rule to the facts of a given case; this is because such committees routinely must make determinations about true ethical dilemmas. He writes:

Ethics committees rely on consensus primarily because of the unsettled nature of the issues. These issues may involve either ethical ambiguity or ethical conflict. The former occurs when some interpretation of the underlying relevant ethical principles is required, for there is lack of clarity about the proper interpretation of the principles to the present case or the policy being proposed ... in one instance what is required of the committee is consensus about application of principles,

while in the second instance what is required is consensus about principles, or "deep consensus" (Moreno 1988, 419-420).

As such, whenever an ethics committee makes a determination in situations of ethical ambiguity or conflict, they are properly making a judgment on a thorny moral issue, and not merely applying a set of institutional moral standards. In addition, the testimonial nature of the determination made by ethics committees is reinforced once again by Moreno's analysis of how real-world ethics committees function; he argues that contemporary ethics committees are not bodies with executive function: "In fact most committees stress an 'advisory' rather than a 'decision-making' capacity, regarding their functions as mediation and the improvement of communication. As though to emphasize this, some committees do not even call themselves committees but use some less suggestive title such as 'group' or 'forum'" (414-415). As such, the role of an ethics committee is straightforwardly testimonial in nature; they exist not to apply a rule to a given situation, but rather to render the best possible advice in situations of moral ambiguity or conflict.

Someone making this objection could press this point further, however, and argue that even if the ethics committee can properly be understood as *offering* moral testimony, it is not necessarily the case that the recipient of that testimony is *receiving* the offered testimony. In other words, a medical care practitioner could seek guidance from an ethics committee, and follow their recommendation, without them having necessarily come to any moral belief based on the say-so of the committee; in this case, the practitioner might simply view the committee as fulfilling a bureaucratic function by delineating what procedures are permissible according to internal or external policy, but the practitioner is not influenced in their moral beliefs. As such, on this argument, there has not been a testimonial exchange, because the hearer of the testimony has not formed a belief on the basis of the testimony of the speaker.

This objection fails to accurately respond to the argument I am making, however. I concede that it's perfectly plausible that the recipient of moral testimony from an ethics committee or IRB may not form a moral belief on the basis of their testimony; indeed, this is a possibility in any testimonial exchange, whether or not it concerns moral matters. Importantly, the claim I'm making in this chapter is not that the hearer of an ethics committee's moral testimony *must* form a moral belief on the basis of that testimony; rather, my claim is that they are *justified* in forming a moral belief on the basis of that testimony. This is a crucial distinction, because it means that it does not have to be the case that medical practitioners always agree with or always form beliefs on the basis of recommendations made by ethics committees—merely that the practitioners are justified in deferring to the ethics committee on ethical matters, and justified in believing the determination made by the ethics committee is the right one.

Finally, a fourth objection could be made that we ought to be far more wary of the decisions made by groups, given the prevalence of phenomena like “groupthink,” in which poor discursive and deliberative practices are reinforced by members of a group, leading to undesirable or compromised conclusions. There have certainly been numerous cases, especially in unorganized collections of people, in which the group acts or believes more irrationally than an individual would by themselves, due to poor communication or deliberation within the group. Thus, the argument would be that groups such as ethics committees could be subject to similar social pathologies, and deliver worse determinations than an individual.

My response to this is to once again reference the caveat that I established earlier—recall that the argument I am making concerns groups that fulfill the criteria established by Longino for practices of good critical discourse. These principles, if they are truly embraced by a given group, act as checks against the kind of irrational decision-making that can result from

“groupthink.” The argument I’m making in this chapter, that certain kinds of groups can be better at practicing moral expertise than individuals, has the caveat that the kinds of groups I am dealing with are precisely those kinds of groups that are by their nature resistant to such deliberative pathologies. This is, I think, reinforced by the serious nature of the kinds of matters brought before ethics committees: they are called on to make complex ethical decisions in situations that have significant implications for the health of a patient. As such, it seems considerably more likely that that members of the committee, and thus the committee as a whole, will act with earnestness and rigor in their deliberative practices.

### **E. Conclusion**

This chapter has concluded the following: First, an agent can be justified in acquiring moral beliefs through moral testimony given by individuals. Second, an agent can be justified in acquiring moral beliefs through moral testimony given by groups. Third, groups can in some cases be thought of as better sources of testimonial knowledge about moral matters than individuals.

### Chapter 3: Testimonial Injustice and Collective Virtue

In her 2007 book *Epistemic Injustice: Power and the Ethics of Knowing*, Miranda Fricker analyzes what she describes as a distinctively epistemic kind of injustice—*viz.*, when individuals are harmed in their capacities as knowers. This chapter will address how recent work in the epistemology of group testimony interacts with Fricker's conception of epistemic injustice. Specifically, I will claim that cases of group testimony, and in particular cases in which a group is a hearer of testimony, complicate Fricker's analysis of the conditions necessary for ameliorating this particular kind of injustice.

To support this claim, I will first give a detailed overview of Fricker's account of epistemic injustice. Specifically, I will address her distinction between two kinds of epistemic injustice—testimonial and hermeneutical injustice—as well as her argument for why testimonial injustice represents a unique kind of harm to knowers. From there, I will address her claims about the possibility of creating the conditions for epistemic *justice* in light of her conclusions in her 2007 book as well as later works. After clarifying her notion of epistemic injustice, I will move on to address Fricker's reception in the secondary literature, focusing on critical responses to her book. Specifically, I will look to how groups function in the role of being hearers of testimony, specifically in cases of testimonial injustice. In her 2007 book and other publications, Fricker claims that the conditions for epistemic justice are best met when hearers cultivate epistemic virtues such as open-mindedness. However, in light of analysis in the secondary literature on collective epistemic virtues, I will argue that Fricker's solution for cases of epistemic injustice, which requires the cultivation of epistemic virtues like open-mindedness, is untenable in the case of group hearers.

Before turning to these matters I want to clarify what I mean by a group hearer in the context of a testimonial exchange. It may, on first glance, seem counterintuitive to think of an organized collective as the kind of thing that *hears* testimony—not only because they simply lack ears to hear with, but also because the way we are used to conceptualizing hearers in the context of testimony is in the case of individuals. It can also be somewhat counterintuitive to think of such groups as speakers of testimony, as well—groups lack mouths to speak with, so once again we are somewhat stymied by applying the verbiage typically used in the literature on individual testimony to the group case. However, groups do communicate; spokespersons deliver communiqués on the part of the group, official statements are disseminated to the public, shareholders release reports, etc. In much the same way, we can think of groups being hearers of testimony through various institutional proxies; this could include a panel that receives input from the public, an anonymous reporting system, or a designated ombudsperson whose institutional role is to receive feedback and complaints from employees. Although organized collectives may not literally “speak” or “hear,” they do have means of disseminating and collecting institutional knowledge.

### **A. Epistemic Injustice**

In *Epistemic Injustice*, Miranda Fricker’s aim is to bring to light the ethical aspect of the everyday epistemic practice of conveying knowledge to others via testimonial exchange. In particular, she identifies two ways in which individuals may be harmed in their capacities as knowers: *testimonial injustice* and *hermeneutical injustice*. Testimonial injustice, she claims, occurs when prejudice on the part of a hearer causes them to respond to a speaker’s testimony by granting the testifier disproportionately reduced credibility. Hermeneutical injustice, in turn, occurs when there is a gap in existing collective interpretive resources such that the testimony of

one individual is constitutively incapable of being understood by a hearer (Fricker 2007, 1-2). In this chapter, my focus will be specifically on the former kind of epistemic injustice, *viz.* testimonial injustice.

Cases of testimonial injustice, on Fricker's account, arise from situations where there is an imbalance of what she calls *identity power* between the speaker and hearer in a testimonial exchange. She writes, "Whenever there is an operation of power that depends in some significant degree upon such shared imaginative conceptions of social identity, then identity power is at work" (14). That is, an exercise of identity power occurs in an instance where an individual makes use of the social authority granted to them by an aspect or aspects of that person's social identity, in a way that would not be available without belonging to that social identity.

Identity power is exercised in any number of diverse social interactions, and Fricker's analysis here is specifically when it is exercised as part of a testimonial exchange. She continues, "identity power is an integral part of the mechanism of testimonial exchange, because of the need for hearers to use social stereotypes as heuristics in their spontaneous assessments of their interlocutor's credibility" (16). Stereotypes or heuristics are used by hearers in testimonial exchanges to help determine the credibility of their interlocutor; and, importantly, for Fricker such stereotypes are necessary and not always improper. However, when that stereotype takes the form of an improper prejudice, it leads to the conditions for testimonial injustice. Fricker concludes, "if the stereotype embodies a prejudice that works against the speaker, then two things follow: there is an epistemic dysfunction in the exchange—the hearer makes an unduly deflated judgement of the speaker's credibility, perhaps missing out on knowledge as a result; and the hearer does something ethically bad—the speaker is wrongfully undermined in her capacity as a knower" (17).

Thus, we have a working conception of testimonial injustice: in a testimonial exchange, when a speaker's testimony is treated with reduced credibility on the basis of a prejudice by the hearer, this harms the speaker *qua* epistemic agent—and, therefore, is a case of epistemic, and more specifically testimonial, injustice. As an example of testimonial injustice, Fricker offers the case of the character Tom Robinson in Harper Lee's *To Kill a Mockingbird*. A young black man living in a small town in Alabama in 1935, Robinson is accused of raping a white girl, and is brought to court on such charges. Although it is clear to the reader that Robinson is innocent, the prevailing racial prejudice of the town has infected the courtroom proceedings such that Robinson's truthful testimony as to his innocence is treated with extremely reduced credibility, solely because of his race. He is found guilty despite the absence of evidence against him, because the prejudice of the jury has affected their ability to follow their epistemic duty to form unbiased beliefs about the facts of the case (23-25).

Such cases of testimonial injustice result in harms to the speaker of testimony because they have been unfairly denied the epistemic status they are due as rational human beings with an inherent dignity and worth. Fricker divides the harm of testimonial injustice into a primary and secondary form. The primary harm produced by testimonial injustice is the intrinsic injustice an individual suffers as a result of being treated as an inadequate source of knowledge, and thus an inadequate knower. Because the capacity to give knowledge to others is an essential aspect of our capacity for reason, and because our rationality is what lends humanity its distinctive value, Fricker argues that being wronged in one's capacity as a knower undermines their very humanity, and as such is an intrinsic harm to the individual. In the case above, Tom Robinson's moral worth has been degraded because prevailing racial stereotypes have been employed to diminish his status as a knower, and thus as a human being (44-46).

The secondary harm produced by testimonial injustice concerns the series of extrinsic disadvantages that come about as a result of having one's capacity as a rational testifier artificially diminished. This has both a practical and an epistemic dimension; practically, this takes the form of disadvantages or punishments that come about because a testifier's word is unfairly discounted. For Tom Robinson, this takes the form of judicial punishment as a result of his truthful testimony being given virtually no credibility in a court of law. Epistemically, the recipient of a testimonial injustice may lose faith or confidence in their own capacities as a knower, particularly when they are exposed to repeated conditions of epistemic disenfranchisement (46-48).

Fricker also offers an account of how the effects of identity prejudices that result in epistemic injustice can be ameliorated. To illustrate this, she poses the contrary of a hearer who, acting out of prejudice, diminishes the credibility of a speaker, and in so doing identifies what she refers to as a virtuous hearer that acts based on anti-prejudicial motivations. She draws a parallel between the character of a virtuous ethical agent, and specifically how a virtuous ethical agent exercises a kind of rational sensitivity with respect to moral matters. A virtuous *epistemic* agent, along these lines, would be one who exercises rational sensitivity with regard to epistemic matters—in this case, with regard to the credibility of the speaker in a testimonial exchange, without allowing prejudice to color their perception of the credibility of a given speaker. As Fricker puts it, a hearer exercising epistemic virtue in situations of testimony entails “the virtuous hearer's perceptual capacity be understood in terms of a sensitivity to epistemically salient features of the situation and the speaker's performance. These epistemically salient features are the various social cues that relate to trustworthiness—cues relating to the sincerity and competence of the speaker on the matter at hand” (72).

Fricker's notion of the epistemic virtue of sensitivity has several salient features. Crucially, the hearer's exercise of sensitivity in such cases is not a cognitive or inferential act, but rather is a matter of their direct perception of the testimonial exchange: "The main idea is that where a hearer gives a suitably critical reception to an interlocutor's word without making any inference, she does so in virtue of the perceptual deliverances of a well-trained testimonial sensibility" (71). As such, the virtuous hearer's attention to epistemically salient features of an exchange, and attending exclusion of prejudicial stereotypes, does not come about through a cognitive or intellectual process—it is simply something that they *do*. Fricker continues,

neither the morally virtuous agent nor the epistemically virtuous hearer comes to her perceptual judgement (a moral judgement and a credibility judgement, respectively) by applying generalizations to the case confronting her. She does not apply a *theory*, nor does she *apply* a theory—it isn't a theory, and she doesn't apply it. On the contrary, although some relevant generalizations or principles are surely formulable (and invaluable in contexts where the shift to a more reflective mode of judgement is called for) the virtuous subject does not arrive at her perceptual judgement by way of obedience to any codification of the endlessly complex norms implicit in her judgement (73).

That is to say, a virtuous hearer arrives at their judgment of a speaker's credibility not by applying any pre-set principles, but rather "'just sees' [their] interlocutor in a certain light, and responds to [the interlocutor's] word accordingly" (76).

There is another aspect of the direct perceptual epistemic sensitivity of the virtuous hearer: an emotional engagement with the hearer. She continues,

there is also a more general emotional engagement involved in the hearer's perception of her interlocutor's sincerity or insincerity: she must empathize sufficiently with him to be in a position to judge, and empathy typically carries some emotional charge. A hearer with minimal powers of empathy is at a notable disadvantage when it comes to making credibility judgements, for she may often fail to see the speaker's performance in the proper light (79).

A virtuous hearer, on this account, is one who can exercise empathy with their interlocutor, which in turn allows them to exercise epistemic sensitivity when determining the credibility of a

speaker, once again free from identity prejudice. These two necessary conditions laid down by Fricker for a virtuous hearer can be summarized as follows:

V<sub>1</sub>: A virtuous hearer is sensitive to a speaker's testimony, not through application of a theory or set of rules, but through a direct, intuitive perception of the speaker's relevant epistemic features.

V<sub>2</sub>: A virtuous hearer's sensitivity to a speaker's testimony requires empathy on the part of the hearer, *viz.* an emotional engagement from the hearer to the speaker.

These conditions will be revisited later in this chapter, when I turn to an analysis of whether groups can be considered to be virtuous hearers in cases of testimonial exchange.

For the majority of her book, Fricker is explicitly dealing with cases of individual hearers and speakers. However, in the conclusion to she gestures briefly to the possibility that correlative *institutional* virtues of epistemic justice are necessary to combat and ameliorate the harms of epistemic injustice:

Part of the point of identifying virtues of epistemic justice on the part of hearers is to clarify and amplify our philosophical conception of what constitutes good epistemic conduct in the socially situated context. But, by implication, it is also to lay a foundation for a conception of correlative institutional virtues—virtues possessed, for instance, by the judiciary, the police, local government, and employers. Combating epistemic injustice clearly calls for virtues of epistemic justice to be possessed by institutions as well as by individuals (176).

Fricker expands on this notion of institutional epistemic virtues in later essays, and this idea has been taken up by other authors. As such, in my next section I will look more in-depth at the idea of institutional epistemic virtues, with the aim of clearing the ground for a discussion of whether group agents can fulfill Fricker's criteria for virtuous individual hearers.

## **B. Institutional Virtue**

In her 2010 paper “Can There Be Institutional Virtues?,” Fricker has as her aim an analysis of the everyday practice of assigning virtues and vices to various kinds of groups. When we say something like “The research team is tenacious” or “the Police is institutionally racist,” are we correct in assigning these virtues or vices to those groups or institutions? Fricker’s answer is in the affirmative, and it will be necessary to outline her reasoning for this conclusion in order to be able to offer a criticism of this position in the following section (Fricker 2010, 235).

First, a general layout of Fricker’s epistemological commitments in her paper. She acknowledges early on that there are at least three ways that one can view the kinds of groups that she is analyzing:

1. A number of individuals (the group considered as the sum of its component individuals)
2. A collective (the group considered as non-reducible to its component individuals)
3. An institutional structure (its formal and procedural structure) (236).

For her analysis, Fricker concentrates on groups *qua* the second understanding above; that is to say, as a non-reducible collective of individual persons. This puts her, here as well as elsewhere, broadly in the camp of non-summativism with regard the question of collective epistemology; i.e., groups are epistemic agents over and above being simply a summation of their individual members (237).<sup>1</sup> Conception number three, which holds that groups can be understood according to their institutional organization and structure, will be addressed in more detail in the next section of this chapter.

The central argument of Fricker’s 2010 paper is an application of Margaret Gilbert’s notion of a plural subject—a concept that is frequently cited in the literature on group epistemic agency. Specifically, Fricker claims that Gilbert’s conception of a plural subject can provide a

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<sup>1</sup> For a more in-depth analysis of the distinction between summativism and non-summativism as it relates to group epistemology, see Chapter 1 of this dissertation.

template for something like a notion of “plural virtue” possessed by some groups.<sup>2</sup> On Fricker’s analysis, such plural virtue can come about when the individuals who make up a group jointly commit to a virtuous moral or epistemic motive. This joint commitment then licenses descriptions of the group as being virtuous as a collective whole (241). As such, she proposes:

If, under conditions of common knowledge, a number of individuals commit to a virtuous moral or epistemic motive, they thereby constitute themselves as the plural subject of that *collective motive*. Joint commitment to a motive should be understood here as a shorthand for a joint commitment to achieving the good end of the motive *because* it is good. Or, as we may put it, a joint commitment to a virtuous motive is a matter of jointly committing to the virtuous end for the right reason (241).

To illustrate this conception of plural virtue as arising from a joint commitment to a virtuous motive, Fricker provides the example of a diligent and thorough research team, whose members have all jointly committed to the virtuous motives of diligence and thoroughness. On Fricker’s account, “This research team displays irreducibly collective forms of diligence and thoroughness. They display these virtues ‘as a body,’ or *as one*, where this is correlated with the fact that the team’s answerability to these high standards of scientific inquiry is similarly collective—praise and blame is directed at the team considered as a collective” (242). Thus, this research team, considered as a non-summative whole, can be correctly described as exercising the plural virtues of diligence and thoroughness.

This aligns closely with Fricker’s assertion at the end of *Epistemic Injustice* that encouraging institutions to cultivate epistemic virtues such as open-mindedness may be essential to preventing the conditions that make cases of epistemic injustice possible. There, she writes, “It would be nice to think that the virtues of testimonial and hermeneutical justice as I have constructed them might be more or less fit for purpose not only at the level of the individual but also at the level of the institutional. In exploring epistemic injustice as an ethical phenomenon,

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<sup>2</sup> For a more in-depth description of Gilbert’s notion of a plural subject, once again see Chapter 1 of this dissertation.

therefore, this book also points to the possibility of a different sort of treatment, one more directly concerned with institutional conduct, and so placed more squarely in the political frame” (176-177).

Other authors have taken up the same question, of whether groups can properly be considered to be virtuous or vicious moral and/or epistemic agents. In his 2007 paper “Collective Epistemic Virtues,” Reza Lahroodi offers an analysis that, like Fricker’s, relies on Margaret Gilbert’s notion of joint commitments in groups. A group possesses a virtue such as open-mindedness, on Lahroodi’s account, if and only if “each member has expressed his or her readiness to be jointly committed with others under conditions of common knowledge to accord contrary ideas initial plausibility” (Lahroodi 2007, 291). As such, he continues, “This formulation entails that no group can be open-minded unless members have the concepts of joint commitment and the concept of open-mindedness, and have formed an attitude toward their actions” (291).

In his 2007 paper “Numerous Ways to be an Open-Minded Organization: A Reply to Lahroodi,” Todd Jones seeks to expand on Lahroodi’s analysis, with the aim of being even more inclusive about the types of things that can be properly described as exercising epistemic virtues—including groups (Jones 2007, 440). There, Jones observes that in our everyday engagement with the world, we often use the kind of language we apply to virtues exercised by agents to all manner of things: “we also use epistemic evaluative terms to talk about things such as accurate gauges, sensitive microphones, well-organized libraries, or tenacious committees. Besides individual agents, we frequently ascribe epistemic virtues to certain types of groups of agents, databases, social processes, models, cognitive styles, and tools used for collecting and organizing information” (440-441). This practice, Jones proposes, reveals to us that we assign

epistemic virtues to things that are what he calls *functional kinds*—i.e., things, including persons and groups, that are evaluated on the basis of what they *do*, rather than what they are made of.

From here, Jones continues: “This means that a group of people could qualify as something that could have certain epistemic virtues—so long as the people were organized in a way that realized the functional kind with that virtue. A group of people could be organized to serve as a tool, a database, or even as an agent [...] that has epistemic virtues” (441). As such, he proposes that a group can be properly considered to be epistemically virtuous when it is correctly functioning toward the end around which it is organized; taking the earlier example of a research team, such a collective could be acting virtuously when it is performing the functions that are necessary to achieving its end of turning out accurate research; such functions could include what Fricker identified as the virtues of diligence and thoroughness.

Jones thus proposes that this conception of group epistemic virtue can be a viable alternative to, but not necessarily a rejection of, those conceptions like Lahroodi’s that rely on Gilbert-style joint commitments to plural virtue. He contends that the two theories of group epistemic virtue can operate side-by-side, and that there are many different ways for groups to have epistemic virtues—at least including his and Lahroodi’s (447).

In their 2015 paper “Collective Virtue,” T. Ryan Byerly and Meghan Byerly offer two novel arguments in favor of the existence of collective virtues, with a specific eye to providing alternatives to conceptions like Lahroodi’s and especially Fricker’s. Their first argument relies on the observation, which they reinforce later in their paper, that virtue ascriptions are ascriptions of *dispositions* to believe and/or to act. That is to say, to call a given agent, whether individual or collective, virtuous is to say that the agent is disposed to act in a certain way—tenaciously, cautiously, sincerely, etc. (Byerly and Byerly 2015, 4). Arguments that rely on Gilbert’s notion

of joint commitments rely on the notion that the individuals who make up a collective must jointly commit to plural virtue, and are thus on Byerly and Byerly's analysis are contingent on analyzing member-dependent properties—i.e., they rely on the intentions and actions of the individuals who make up the group. However, if we are going to take non-summativism seriously, Byerly and Byerly contend that we must look to the dispositions of the group as a whole, and there we find dispositions toward acting virtuously: “ascriptions of collective virtue cannot be made sense of apart from group-dependent properties—the dispositions of group members to believe and act *qua* group members” (5). As opposed to Fricker, who requires that the individual members of a group commits to the virtue that is then ascribed to the group as a whole<sup>3</sup>, Byerly and Byerly propose that collective virtue ascriptions can be justified on the basis of the distinct group-dependent properties of the group taken as a whole.

Byerly and Byerly's second defense of collective virtues refers to the use of the concept of multiple realizability in the literature on collective belief. As they put it, “To say that collective beliefs are multiply realizable is to say that in order for a collective C to have a belief B the same individuals possessing the same properties is not required” (5). That is to say, the idea here is that a collective can be properly thought of as having a given belief, even if the individuals that make up that collective do not themselves have that belief. In the context of

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<sup>3</sup> It is important to clarify how Fricker conceptualizes the kinds of joint commitments that form plural subjects, based on Margaret Gilbert's work. She writes, “Gilbert's notion of a plural subject is such that one is constituted whenever some number of individuals jointly commit, under conditions of common knowledge, to a given action, belief, or goal” (Fricker 2010, 240). As such, the individuals within the group are the agents that form these joint commitments—in the case of Fricker's account of collective virtue, these are joint commitments to virtuous actions. She continues in her discussion of joint commitments to virtuous motives: “If, under conditions of common knowledge, a number of individuals commit to a virtuous moral or epistemic motive, they thereby constitute themselves as the plural subject of that *collective motive*. [...] Note that group members need not possess the motive *as* individuals. Rather, in jointly committing to it, they each come to possess it *qua* member of the group. Collective motive is in this respect analogous to collective belief—both are modelled according to our ‘practical identities’ style of example in that there is room for considerable tension between one's personal motives/beliefs and the motives/beliefs one comes to have in virtue of this or that group identity” (242-3). Even though on this account members of a group form such joint commitments for the sake of a collective motive, Fricker remains clear that it is the individual members of this group making the commitments that form the plural subject.

collective virtues, then, the claim is that groups can exercise a given virtue independently of whether or not the individual members of that group exercise that virtue. They continue, “true collective virtue ascriptions cannot be accounted for in terms of individuals possessing properties of any kind— whether those properties are group-dependent or not. Instead, true virtue ascriptions to a collective require positing a collective itself possessing a virtue” (7). This is distinct once again from Lahroodi and Fricker’s reliance on Gilbert-style joint commitments to account for the possibility of plural virtues, as those views rely on the idea that the individual members of the group must jointly commit to exercising a given virtue. Byerly and Byerly’s account, accordingly, better provides a truly non-summative account of collective virtue, by not having a given group’s virtuousness contingent on the intentions and actions of its individual members.

Of the above accounts of collective virtue, Lahroodi’s seems to be broadly compatible with that provided by Fricker. The arguments for collective virtue given by Jones and Byerly and Byerly are in one case an alternative but mutually compatible notion (in the case of Jones), and in the other case directly takes Fricker’s account to be insufficient (in the case of Byerly and Byerly). Since Lahroodi and Jones’ analyses do not directly contradict Fricker’s, for the purpose of this chapter (whose aim is a critique of Fricker’s notion of institutional epistemic virtues as a means to ameliorate testimonial injustice) I will let them stand as they are. Aspects of Byerly and Byerly’s analysis, however, will play an important role in the later sections of this chapter, as I turn to a critical analysis of Fricker’s notion of institutional virtue.

### **C. Virtue and Institutional Structures**

Fricker’s virtue-epistemological account of epistemic justice and injustice has prompted a number of authors to raise concerns about her analysis in *Epistemic Injustice*. Here, I have in

mind articles by Elizabeth Anderson, Wayne Riggs, and Benjamin R. Sherman.<sup>4</sup> The concerns raised by these authors about the appropriateness of applying tenets of virtue epistemology to situations of epistemic injustice divide into roughly two main lines of argumentation. The first of these, notable especially in Riggs 2012, questions whether Fricker's analysis of the harms of epistemic injustice should properly be thought within the context of virtue epistemology. As Riggs specifically notes, it seems as though Fricker's account, which posits the harms of epistemic injustice to be harms to an individual's fundamental humanity, is actually describing deontologically-grounded harms to individuals, rather than a virtue-oriented approach. The second class of critiques of Fricker, found for example in Anderson 2012 and Sherman 2015, questions whether the best way to address epistemic justice is by treating epistemic justice as a virtue that individuals ought to cultivate. This takes the form of a general skepticism about whether or not pursuing individual virtues of epistemic justice can or should be sought to ameliorate cases of testimonial injustice.

The criticisms of Fricker's virtue-epistemological approach are, I think, quite compelling; on my own reading of Fricker as well, I think it is clear that the primary harm of epistemic injustice is that it denies a fundamental aspect of humanity to the victim—i.e., they're treated as not being a rational epistemic agent. Although I don't think this invalidates Fricker's analysis of the harms of epistemic injustice, I believe it could have serious implications for her proposal for how to ameliorate and rectify the harms of epistemic injustice. However, these claims are somewhat beyond the scope of this chapter, whose primary aim is an analysis and criticism of Fricker's appeal to *collective* virtue as a means to ameliorate the harms of testimonial injustice. Accordingly, I will argue that even if cultivating individual virtues of epistemic justice can

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<sup>4</sup> Anderson, "Epistemic Justice as a Virtue of Social Institutions" (2012), Riggs, "Culpability for Epistemic Injustice: Deontic or Aretetic?" (2012), Sherman "There's No Justice: Why Pursuit of a Virtue is Not the Solution to Epistemic Injustice" (2015).

alleviate instances of epistemic injustice, shifting the imperative such that *groups* or institutions ought to cultivate collective virtues related to epistemic justice is problematic.

One avenue to making this claim would take the form of a criticism of viewing groups and institutions as things that exercise virtues. This would put me at odds not only with Fricker, but also Lahroodi, Jones, and Byerly and Byerly, as each author offers a distinct account in favor of collective virtue. In the interest of keeping my analysis narrowly tailored, however, I will focus solely on Fricker's own analysis. I will remain agnostic on whether there is *some* account according to which groups can properly be described as exercising virtues; my aim, rather, will be to show that Fricker's account specifically is problematic. I will argue, therefore, not that collective virtue is necessarily insufficient to ameliorate epistemic injustice, but the way that Fricker conceptualizes collective virtue is insufficient.

As such, I will seek to make two points about Fricker's analysis. First, I will argue that there is a fundamental flaw in how she conceptualizes and defends the possibility of collective virtue in her 2010 article. Second, I will show that there is a crucial point of incompatibility between the analysis in her 2010 article about collective virtue and the way she conceptualizes individual virtuous hearers in her 2007 book. Given this incompatibility, I will be able to conclude that groups are poor candidates for being virtuous hearers, as she conceptualizes them.

To prepare the ground for my first argument, recall the distinction that Fricker made in her 2010 article between three different ways of viewing the kinds of groups to which one might ascribe epistemic virtues; as:

1. A number of individuals (the group considered as the sum of its component individuals)
2. A collective (the group considered as non-reducible to its component individuals)
3. An institutional structure (its formal and procedural structure) (Fricker 2010, 236).

Fricker and I are broadly in agreement that option number one, i.e. a summative notion of group epistemology, is a wrongheaded way of viewing group agency. In her 2010 paper, it is option number two that she finds to be the most viable candidates for being things that can express virtues and vices—specifically by the members of that group forming joint commitments to plural virtue.

In the final section of her 2010 paper, Fricker goes on to address whether groups viewed *qua* their institutional structure are good candidates for exercising plural epistemic virtues such as sensitivity. She is unequivocal in this section that, on her view, institutional structures are poor candidates for being evaluated in terms of virtuousness: “We cannot literally apply concepts of virtue and vice to institutions considered purely procedurally, for they do not have any of the features of the normal subjects of virtue and vice: they are not agents, they have no will, and so they cannot accrue any credit or discredit of the praise and blame variety” (249). The institutional structure of a group, i.e. the codified set of procedures and rules that form the “skeleton of an institution” (as Fricker puts it), can promote or discourage virtuous behavior on the part of the individual members of the group, but they cannot themselves be virtuous; as she puts it, “institutions can possess virtues and vice; and they do so only when they are brought to life by the individuals and collectives whose activity puts flesh on the institutional bone” (249).

On face, this seems intuitive; something seems immediately incongruous to say that an organization’s *structure* is itself virtuous or vicious, especially given how primed we are to think of virtues and vices as things that are exercised by individuals. Even those like Fricker who are in favor of the idea that the organization as a whole can exercise virtues balk at the idea that the formal procedures that form the skeleton of that organization are evaluable in terms of their virtuousness; an organization can have better or worse rules and regulations, but it is the actions

of the individual members and, on Fricker's account, the joint commitments of those members, that makes the group virtuous.

The problem this raises for Fricker's analysis, however, comes when we look closely at what exactly virtues *are*. The way Fricker seems to conceive of virtues, they are characteristics of particular, discrete actions. Take, for instance, her earlier example of members of a research team that is jointly committed to plural virtues of diligence and thoroughness. On her account, the research team is virtuous in such cases as it is actually exercising diligence and thoroughness in a given moment; its status as a virtuous entity is reliant on its discreet behavior that actualizes those virtues.

This becomes problematic, however, in light of analysis in Byerly and Byerly 2015, mentioned above, that virtues are fundamentally dispositions: "virtues, no matter by what kind of entity they are possessed, are by their very nature dispositions. They are dispositions to behave in certain ways under certain circumstances" (Byerly and Byerly, 9). That is to say, being virtuous is not a result of any particular action or behavior, but rather is based on an agent's general disposition or tendency to act in a particular way, i.e. a way that aligns with a particular virtue. So an individual researcher, on this account, is not *being* virtuous when they follow good research protocols by being diligent and thorough; that researcher is virtuous if and only if they have a general disposition toward diligence and thoroughness when they perform their research. And the same applies to a group; a research team is not virtuous when its members follow through on their joint commitment to diligence and thoroughness, but rather when the group is generally disposed toward being diligent and thorough.

As such, ascriptions of virtue (and, accordingly, vice) are ascriptions on the basis of an agent's *character*, understood as its longstanding set of dispositions and tendencies. And an

important aspect of this is that an agent's character has a diachronic aspect: dispositions are formed, reveal themselves, and are observable only over time. Moreover, in most cases, this must be a relatively long period of time; it seems counterintuitive to say that a given researcher's set of dispositions can be meaningfully observed and described based on only a short period of observation. Determinations about the character, and therefore the virtuousness, of an agent (whether individual or collective) are in many ways determinations about their entire set of behaviors and tendencies as observed over the course of their existence.

Viewing virtue in this way, as inextricable from an agent's diachronic character, raises problems for Fricker's case for collective virtue. Specifically, I want to argue that, in the case of groups that have an organized, institutional structure, it is this codified institutional structure that best represents the diachronic character of the group. This is because groups are fundamentally characterized by having fluctuating and evolving memberships; individuals can join or leave the hypothetical research team, and by its very nature the group remains.<sup>5</sup> What remains the same despite any ongoing changes in the membership of that organization is the organization's codified institutional structure; or, to extend Fricker's metaphor, while the "flesh" of the organization may change in composition over time, the "skeleton" remains considerably more static. Thus, if we're looking for the source of an institution's character, understood in terms of its longstanding dispositions and commitments, it makes far more sense to find it in that institution's structure, rather than in its particular membership at any given time.<sup>6</sup> This is

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<sup>5</sup> Of course, this prompts a Ship of Theseus-style problem for the ontology of organized collectives: if over time every original member of the research team has left and been replaced by new members, can it still be said to be the same group? While this problem is outside the scope of my current project, I think it would be widely agreed upon by those who support non-summative views of group epistemology that the group is still the same.

<sup>6</sup> Of course, institutional structures do change over time; however, this does not provide a problem for the above argument. If an organization were to, all at once, replace every member that composes it, it would still remain the same organization. However, if the same organization were to throw out its entire organizational structure in one fell swoop, it wouldn't be recognizable as the same organization; indeed, it is hard to conceive of how such a group

especially true given that an institution's structure and set of rules and procedures act as guides and checks on the actions of individual group members, and thus on collective action on the part of the group. So, the diligence and thoroughness of the research team in question is at least encouraged by, and may well be strongly influenced by, the set of pre-established procedures the group follows. As such, when seeking to determine whether or not our hypothetical research team is virtuous, we need to look at its longstanding, diachronic character. And this is found in its organizational structure, its codified research protocols and set of operational procedures, rather than with any particular, and contingent, arrangement of present members.

Given this analysis, we can conclude two things: first, we can reject Fricker's assertion that institutional structures cannot be assessed in terms of virtue and vice. Second, this calls into question Fricker's position that collective virtues are determined by the joint commitments of the group, given that institutional structures are actually *better* candidates for adjudicating a group's virtuousness.

#### **D. The Limits of Collective Virtue in Ameliorating Epistemic Injustice**

The two above conclusions have obvious implications for the claims made in Fricker's 2010 article. However, they do not do away with the notion of collective virtue; rather, they merely relocate the correct place to look when trying to determine if an organize group is virtuous. In this final section, I will extend the above conclusions to address Fricker's analysis in *Epistemic Injustice*, in order to determine whether or not fostering collective epistemic virtues is a viable means to ameliorate the harms of testimonial injustice. I will conclude that, based on

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*could* replace its entire organizational structure at once, again pointing to the greater longevity of an institution's structure rather than its membership.

Additionally, institutional structures tend to change slowly and deliberately, as a result of numerous intentional actions on the parts of the group's constituent members. An institution's structure can only be changed through the assent of (at least some, if not all) the members of the group—it takes a collective action in order to change organizational procedure. Membership of the group, however, is up to the individual members of the group—they can ostensibly leave at any time, meaning membership is far more likely to be in flux.

Fricker's criteria, institutional groups are poor candidates for being the kinds of virtuous hearers that she outlines in her 2007 book.

First, it is necessary to examine whether Fricker's account of institutional virtues in her 2010 article applies to her account of the nature of a virtuous hearer in her 2007 book. In her 2010 article, Fricker does not specifically focus on groups as potentially virtuous hearers; although she touches on related matters such as whether groups like research teams can have collective virtues like open-mindedness, more work is necessary to connect this account of institutional virtue to the specific context of groups being virtuous hearers of testimony, especially as it relates to cases of testimonial injustice.

As a starting point to make this connection, we can first look to claims that Fricker makes near the end of her 2010 article. There, she acknowledges that there are a range of possible virtues that institutions may or not display: "Quite which virtues it is desirable for different sorts of institution to display will no doubt vary, but there may be some very basic institutional virtues that are classed as basic because they are of fundamental importance to the legitimacy of the polity in general" (Fricker 2010, 249-250). What is essential here is this idea that certain institutional virtues are basic—i.e., that they are virtues that, on Fricker's view, ought to be cultivated in any given institutional group. She goes on to offer one particular basic virtue:

I would like to end by suggesting that institutional virtues of epistemic justice, most notably the virtue of testimonial justice, are basic in this sense. An agent who is testimonially just reliably neutralizes the impact of prejudice in her judgements of speakers' credibility. A collective (such as a complaints committee, an appointments panel, or an investigating team of police officers) will possess this virtue if its members jointly commit to neutralizing prejudice in its judgements of speakers' credibility (250).

The virtue of epistemic justice, understood here as at least entailing neutralizing the impact of prejudice in a hearer's appraisal of the credibility of a testifier, is thus laid out as a virtue that can

be, and ought to be, cultivated by institutions that hear testimony. I think this closely resonates with how, in her 2007 book, Fricker describes the testimonial sensitivity exercised by a virtuous hearer: “the primary conception of the virtuous hearer must be that of someone who reliably succeeds in correcting for the influence of prejudice in her credibility judgements” (Fricker 2007, 5). That is to say, it is in this activity of intuitively diminishing the role that prejudice plays in assessing the credibility of a speaker that a hearer can properly be thought of as virtuous in their capacity as a hearer, and thus exercises the kind of epistemic justice that Fricker contends to be a basic virtue of institutional groups. As such, I think there is ample shared ground between Fricker’s 2007 book and her 2010 to be able to attempt to apply her conception of institutional virtues to her account of the nature of a virtuous hearer.

Drawing from this notion of testimonial sensitivity that Fricker establishes to be an essential feature of a virtuous hearer, we can now move on to evaluate whether or not organized groups ought to be evaluated on the basis of their status as virtuous hearers of testimony. The basis of the argument I will make here comes from the two necessary criteria that Fricker gives in *Epistemic Injustice* for an agent to be a virtuous hearer in a testimonial exchange. These criteria, as established in Section A of this chapter, are as follows:

V<sub>1</sub>: A virtuous hearer is sensitive to a speaker’s testimony, not through application of a theory or set of rules, but through a direct, intuitive perception of the speaker’s relevant epistemic features.

V<sub>2</sub>: A virtuous hearer’s sensitivity to a speaker’s testimony requires empathy on the part of the hearer, *viz.* an emotional engagement from the hearer to the speaker.

In the remainder of this section, therefore, I will demonstrate how organized groups, even those that can be disposed toward certain other epistemic virtues, cannot fulfill either of these necessary criteria.

V<sub>1</sub>, as summarized above, establishes that a virtuous hearer must be the kind of agent that exercises sensitivity toward a hearer not through applying a set of rules, but rather through direct perception of a speaker. This kind of intuitive, perceptual activity could certainly be exercised by an individual epistemic agent, as individual agents perform actions constantly through intuition rather than by directly applying a theory; when I catch a ball that is thrown at me, I don't need to calculate its arc, velocity, and the current wind speed in order to catch it. And, if collective epistemic agents are conceived the way Fricker intends them to be in her 2010 article, it could follow that groups, organized as a set of joint commitments, act so intuitively. However, given the analysis in Section C above, it becomes considerably more problematic to think that a group could exercise this kind of intuitive, direct perception of a speaker's relevant epistemic features. Organized groups, understood as the kinds of things whose fundamental character derives from their codified institutional structures, are extremely poor candidates for being agents that can exercise such direct virtuous 'perception' in this way. As established above, in the context of their characteristics that are relevant in matters pertaining to virtue, such institutions have as their "skeleton" a set of codified rules and procedures; and while individual members may be able to exercise such intuitive perception in their role *qua* individual, it is not clear that the institution *as a whole* could operate in such a way. Thus, it seems that organized groups cannot exercise this necessary component of what it takes to be a virtuous hearer.

Criterion V<sub>2</sub>, on the other hand, establishes that a virtuous hearer is an agent that has an emotional engagement with their interlocutor, such that they empathize with them sufficiently to

be able to judge their relevant epistemic features. The argument here closely tracks the argument above for why organized groups cannot fulfill criterion  $V_1$ ; once again, while individual hearers are certainly capable of engaging in such emotionally-charged empathetic relationships with the speaker in a testimonial exchange, organized groups are poorly suited for such activities. As in the above, when we understand that the character of organized groups, as is relevant to matters of virtue, derives from their organizational structure and not their particular membership, it becomes extremely difficult to see how such a group could exercise empathy, or any emotion whatsoever. While the individual members of the group may feel such emotions when faced with an interlocutor in a testimonial exchange, it seems wrongheaded to say that the group as a whole is capable of engaging emotionally with a speaker. And, as such, once again groups prove themselves to be poor candidates for being virtuous hearers, as Fricker conceives them.

## **E. Conclusion**

Based on the analysis of this chapter, I feel confident in concluding the following. First, that Miranda Fricker's conception of collective epistemic virtues in her 2010 paper "Can There Be Institutional Virtues?" falters in its attempt to ascribe virtuousness to a group on the basis of the group's members' set of joint commitments to plural virtue; rather, the virtuousness or viciousness of a given group is best determined based on its longstanding dispositions and character, which are determined on the basis of that group's institutional structure. Second, stemming from the first conclusion, Fricker's criteria in *Epistemic Injustice* for a virtuous hearer is inconsistent with her appeal for the cultivation of institutional epistemic virtues as a means to ameliorate the harms of testimonial injustice.

These conclusions do not, of course, invalidate the notion that collective agents can be evaluated in terms of their epistemic virtues, or prove that such collective epistemic virtues can't

ameliorate epistemic injustice; rather, they merely show that Fricker's approach to these issues falters under her own logic. Indeed, in her 2012 article "Epistemic Justice as a Virtue of Social Institutions," Elizabeth Anderson gives an extremely compelling case for why we should concern ourselves with cultivating both individual epistemic virtues as well as epistemic virtues in the structures of organizations of all scales. She writes:

It is not wrong to promote practices of individual testimonial and hermeneutical justice in these contexts. Such individual virtues can help correct epistemic injustices. But in the face of massive structural injustice, individual epistemic virtue plays a comparable role to the practice of individual charity in the context of massive structural poverty. Just as it would be better and more effective to redesign economic institutions so as to prevent mass poverty in the first place, it would be better to reconfigure epistemic institutions so as to prevent epistemic injustice from arising. Structural injustices call for structural remedies (Anderson 2012, 171).

## Conclusion

The aim of this dissertation has been to illuminate and explore several different facets of the epistemology of group testimony. Specifically, Chapter One addressed how beliefs based on testimony given by groups can be properly justified. I concluded there that a hearer may be justified in believing the testimony of a group on the basis of the reliability of that group, but not on the basis of that group's trustworthiness; trustworthiness may be a legitimate justificational condition for believing individual speakers, but groups are poor candidates for being considered trustworthy testifiers.

Chapter Two took up the matter of group moral testimony, i.e. situations in which an organized group testifies as to the moral rightfulness or wrongfulness of a given action. By looking to real-world cases of ethics committees and institutional review boards, I put forward an argument for idea that, at least in some cases, an individual can be justified in coming to a moral belief on the basis of the say-so of a qualified group testifier. I extended this argument to conclude that, under the right circumstances, groups can be better candidates for being moral testifiers than individuals; groups that are structured and organized around good epistemic practices promote a diversity of viewpoints and reduce the possibility of bias, both of which are essential characteristics for a good moral testifiers.

Chapter Three had as its focus Miranda Fricker's notion of epistemic injustice. Specifically, it examined her concept of testimonial injustice in contexts where groups are hearers of testimony. I addressed Fricker's claim, in *Epistemic Injustice* and elsewhere, that a condition for ameliorating epistemic injustice and fostering epistemic justice is the development of epistemic virtues such as open-mindedness in institutions. I concluded there that her notion of

institutional virtue is insufficient to ameliorate epistemic injustice, and that institutions are poor candidates for being the kinds of agents in which we ought to promote epistemic virtues.

The conclusion to my last chapter points to an area of further analysis that could be taken beyond the scope of this dissertation. The question here concerns the possible conditions for epistemic justice, in light of the deficiency of a virtue-oriented approach like Fricker's. Her presentation of the notion of testimonial injustice has been an essential development in contemporary social epistemology, and draws crucial attention to the particularly epistemic harms that may arise in testimonial exchanges. I tentatively agree with her suggestion that fostering epistemic justice requires institutional attention to how social power interacts with testimonial exchanges, and that ameliorating the harms of epistemic injustice require solutions that address these issues on a broader level than simply looking at individual interactions. Because I don't think that institutional virtues are a fruitful avenue for pursuing such solutions, there is ample work to be done in order to determine what conditions can be put in place that would help to foster epistemic justice.

Although this dissertation did not have as its goal the presentation of a unitary thesis or line of argumentation, I think that a broad position on the nature of group testimony can be traced out from the arguments I've developed here. I have presented a general commitment to taking group agency seriously in the context of testimonial exchanges, particularly given how ubiquitous our interactions with groups like corporations are. Moreover, I think a view of the nature of group testimony can be roughly synthesized from the above chapters. Specifically, it becomes clear from the preceding analysis that one must take great caution to not draw too many analogies between the epistemology of testimony between two individuals, and cases in which one or more agents in a testimonial exchange is a group. While there seems to be little issue with

treating individuals as agents that can be trustworthy or virtuous in their epistemic encounters, after careful consideration it becomes clear that we should not extend these characteristics to groups. Given the relevant differences highlighted between the epistemic characteristics of individuals and groups, I think one of the most consistent and important conclusions that can be drawn from this dissertation as a whole is that groups are in many ways crucially different from individuals. We should be extremely careful to not rely too heavily on analogies drawn between cases of individual testimony and group testimony—rather, the epistemology of group testimony requires attention to the particularities of group epistemic agents.

The natural next step in this line of analysis is to try to give an account of the epistemic characteristics of groups that are relevant to the matters I've raised in the epistemology of group testimony. In particular, the question arises as something like this: if it is problematic to treat groups as analogous to individuals in these cases, then what model should we apply to the epistemology of group testimony that will account for the peculiarities of group agents? A positive and thorough answer to this question is, of course, beyond the scope of what I can articulate with any confidence in the conclusion to this dissertation. However, I will gladly close with some broad speculations that can hopefully motivate further steps in this direction.

As already established, there are considerable issues with treating groups as though they were broadly analogous to individuals; it seems wrongheaded to say that groups are agents that we can trust, or that they are the kinds of agents that exercise virtue and vice. An outcome of this could be that we look at groups as purely reactive actors that merely respond to stimuli—as something like the antithesis of how we view individual actors. I think this view swings too hard in the opposite direction, but captures something important that must be taken seriously. If groups are the kinds of things we rely on, but don't trust, then I think this betrays a certain

amount of automaticity in their behavior. The beliefs held by groups are sometimes asserted consciously and deliberately, by collective action on the part of some or all members to declare a given intention or position on a matter. But sometimes the beliefs of groups, in particular when those beliefs take the form of institutional culture or unspoken in-group norms, arise from a much less conscious process, without any given set of group members to point to as responsible for affirming those beliefs. Because of this, I think analysis of the doxastic states of groups requires situating them as occupying something of a middle ground, between the kind of fully fleshed-out autonomy that we ascribe to individual agents, and a kind of mechanistic stimulus-response view that we may ascribe to plants, animals, or artificial intelligences.

Fully fleshing this view out requires attention to related areas of inquiry such as social ontology and group agency, and as such it remains only a vague notion for now. However, I believe that the work done in this dissertation has been essential for preparing the ground for this kind of further inquiry to be carried out.

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