Collateral Beliefs and the Rashomon Effect

Creencias colaterales y el efecto Rashomon

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Abstract: Contested events, where witnesses disagree about what they have seen and what it means, pose a problem for accounts of testimony, which otherwise may serve as a reliable source of evidence in argumentation. I explore this problem as it is presented through the Rashōmon effect, demonstrated in Kurosawa's 1950 film, *Rashōmon*. By drawing on ancient work on experience and recent work on cognitive environments, I explore the ways in which collateral beliefs impact the way people experience events and understand them.

Keywords: Argumentation, beliefs, cognitive environments, experience, probability.

Resumen: Eventos disputados, donde los testigos desacuerdan sobre qué han visto y qué significan, imponen un problema a las explicaciones del testimonio, los cuales de otra forma pueden servir como una fuente confiable de evidencia en la argumentación. Exploro este problema tal como es presentado a través del efecto Rashōmon, que se muestra en la película de Kurosawa de 1950, *Rashōmon*. Poniendo atención en el trabajo de los clásicos sobre la experiencia y en el reciente trabajo sobre ambientes cognitivos, exploro las formas en que las creencias colaterales impactan la manera en que la gente experiencia los eventos y los entieneden.

Palabras clave: Argumentación, creencias, ambientes cognitivos, experiencia, probabilidad.

1. Contested Events

Testimony is one of our primary sources for information about the world. While epistemologists may still disagree about the independence of testimony from other sources, it is no longer treated with the kind of disregard that characterized a common response in the history of philosophy. Reductionists since Hume have required a regular conjunction between testimonial reports and the facts that correspond to them. Thus, since testimonial beliefs are justified by non-testimonial sources, then testimonial justification reduces to the justification of perception, memory and reason. Non-reductionists challenge this claim since they hold that we rely on testimonial reports—from parents and guardians—long before we have the capacity to measure the reliability of non-testimonial sources. Thomas Reid was an earlier exponent of this position. Both positions agree, however, that testimony is a reliable source for information that we might not acquire in any other way. Fortified with conditions for determining the trustworthiness, competence and reliability of both testifier and audience, and for detecting the presence of both positive reasons for and defeaters against acceptance, epistemologists of testimony provide rich theories that elevate this source of knowledge to its important place among the other sources (Fricker, 1987; Faulkner, 2000, Lackey, 2008).

These primary accounts of testimony, however, deal with statements of a single testifier. While eschewing the institutional role of *formal* testimony in places like the law courts, for example, Lackey concentrates on the *natural* testimony that is more characteristic of everyday circumstances (2008: 14), like giving someone directions. But she will also include the kinds of reports that overlap the formal and natural situations (and may undermine the value of such a division) in the giving of reports of what happened on a certain occasion. Our appreciations of historical events depend on such reports, as do our understandings of the lives of those around us.

Sometimes, however, testimonial accounts do not illuminate the events they report as much as they obscure them, and this is because they do not agree. Contested events are those for which we have competing and often conflicting reports, all of which may have some initial plausibility. The work of epistemologists of testimony does provide us with important tools for assessing such conflicting reports and deciding which testimonies to

believe. What interests me in this paper, however, is how such testimonies arise.

2. The Rashomon Effect

The phrase "Rashomon Effect" derives from Akira Kurosawa's film *Rashōmon* (1950)[1] set in 12th-century Japan, in which the audience is given four different tellings of a single event. The contested event in question is the death of a samurai. At a trial, where the camera represents the only judge or jury to be evident, four conflicting accounts are given of the death: by the bandit, whose trial it is; by the samurai's wife; by the samurai himself (through the aid of a medium); and by a passing woodcutter, who may have witnessed the death. And each of these narratives is supported by a different version of the event being played out in the film. The bandit, wife, and samurai, each centre an account around themselves and claim responsibility for the death as a way of maintaining her or his integrity. The passerby—the only non-participant—gives an account that reflects badly on all of the participants. Kurosawa leaves any "truth" about the event unresolved; the audience is left to its own devices in sifting through the different versions and coming to its own conclusions.

'Rashōmon', we are told in the film, is a devil that has deserted the ruined temple in which the stories are being discussed, driven away by the ferocity of human beings.[2] The closing scenes at the temple revolve around questions of dishonesty and the film ends with the discovery of a newborn child and some suggestions about trust. But in many ways these natural issues direct attention away from the more interesting suggestion—that none of the testifiers is being dishonest, but is constructing a truth that is

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[1] Based on the short story 'In a Grove' by Ryunosuke Akutagawa (2006), which consists of seven accounts of the murder of a samurai.

[2] We have three levels of telling to consider. Among the temple's ruins, three men discuss the trial and the different accounts given there. One of the three was not present then and serves as the audience, and another is the woodcutter, who gives his own account here. At the trial of the bandit the accounts of the three participants—bandit, wife, and samurai—are given. And at the original scene of the contested event, the four versions are played out.

fully supported by how they interpret their roles in the event. The focus on dishonesty assumes an underlying truth that is being distorted or deliberately contradicted by the speakers. But the provision of four plausible versions of the event, one to support each narrative, challenges such a simple reading of the film. Rather than asking which of the accounts is the truth, we might rather ask how each of the accounts achieves its plausibility and how an objective judge or jury could ever decide among them. For given the people involved and the kinds of interests that would drive them and through which *they* would judge the event, each telling is noteworthy for its likelihood. Kurosawa replaces one very simple question (how did the samurai die?) with one that is far more interesting: why do the different testifiers say what they do about their own involvement?

The 'Rashomon Effect' describes the kinds of disagreements that arise in anthropology and other social research, on the part of subjects and those investigating them (Heider, 1988; Roth & Mehta, 2002), but it can apply to any descriptions of contested events. It focuses attention on the import of testimony and the problems that can attend it when the other principal sources of knowledge (perception, memory, and reason) are unavailable or impaired.

Roth and Mehta (2002) review differences between positivist and interpretivist approaches in such cases and argue that they need not be at odds with each other. A positivist approach assumes that there is an underlying truth to the event that can be uncovered and verified by standard means. The interpretivist, by contrast, looks not for a fixed truth but for how different perspectives shape the way things are understood and how the resulting accounts shed light on those who give them. On their reading, an interpretivist approach "adopts the broad goal of illuminating a set of social meanings that reflect cultural beliefs and values" (2002: 135).

Taking as examples of contested events two case studies of high school shootings, Roth and Mehta explore some of the key factors that interfere with positivist analyses: memory, vested interests, and mistaken judgments. The last of these can particularly affect the ways in which people interpret what they think they know. Interviewees may draw from media reports and community gossip and mix this with their direct experience. They may also make faulty inferences from what they've experienced by using the kinds of common heuristics that psychologists have found people to employ as short cuts in situations of uncertainty.

This means that simple testimonies cannot necessarily be trusted, and that even when many people report the same thing it may just mean that they have all drawn from a common source, which may not be reliable. This leads Roth and Mehta to adopt two complementary strategies aimed at improving the quality of factual data: (1) taking what people say and considering it in light of their contexts, including how they came by their knowledge, their personal or political agendas, and their social positions; and (2) triangulating among various respondents and sources, using the contextual knowledge in (1) (148). The principal concern that suggests itself about such an approach when dealing with contested events is that it is largely a strategy of attempting to eliminate unreliable information or sources of information. This encourages a corresponding focus on what is suspicious and, if not guarded against, a tendency to dismiss rather than to accept.

When they turn to interpretivist analyses, and particularly when they combine these with the positivist strategies, Roth and Mehta adopt a strategy of interpretively informed triangulation. This builds on contextually informed triangulation, but adds to it an attempt to understand people's worldviews and how these worldviews influence responses to questions that seek objective truth. "A respondent's understanding of her world and culture is a fourth and, for our purposes, most illuminating form of bias that is not captured by our previous categories of memory, vested interests, or mistaken judgments" (162). People can put considerable effort into interpreting events in ways that support their worldviews. Accordingly, attempts need to be made to understand such worldviews and measure their influence.

Nothing in Roth and Mehta's considerations contradicts our basic understanding of communicative processes and the kinds of implicit cooperation that are involved (Grice, 1989). People may be essentially truthful and unconsciously adopt maxims to say no more than what is necessary in a context or to be as clear as possible. These things are coloured, however, by the subtle biases that influence testimony. Essentially, we are being told that who says something is as important as what is said. Not because a particular person is important, but because the makeup of who they are affects what they say and how they say it. Roth and Mehta suggest that we can know both the truth about a matter and why the people involved believe

what they do about the event (168). Perhaps, pursuing parallel approaches from positivist and interpretivist perspectives, these results might be achieved. But it is very difficult to see the two integrated as proposed. The analyst is being asked to see through clearer lenses than the participants themselves, through lenses that filter out biases that do not just reflect a belief system but also reinforce it and add to it. Whatever truth the analyst sees, it is almost by the very admission of the methodologies employed not the truth of the participants. On these terms it is hard not to see it as just another account stacked with the rest. Whatever 'authority' it professes, it is not the authority of testimony nor, and because of this, the authority of experience. On the other hand, focusing on the interpretivist's attention to a witness' worldview—if we understand what a worldview entails—is a step toward understanding different accounts of contested events.

3. Is there an underlying truth? An historical diversion

As noted above, the focus on dishonesty in some interpretations of Kurosawa's film assumes an underlying truth that is being distorted or deliberately contradicted by the speakers. An interpretivist perspective challenges this assumption, or at least the ease with which any underlying truth could be known, especially when the route to it is through testimony. But this idea has a long, if thin, tradition, stretching back to at least the work of Antiphon the Sophist, who emphasized the necessity of making judgments based on what one's experience indicates is most likely to be the case. The value of such strategies arise in situations of uncertainty, where questions about what actually happened in contested events must be answered without the judges having access to an undisputed set of "facts" (as in *Rashomon*).

We see this particularly in Antiphon's *Tetralogies*, three demonstrative speeches with four parts each, written as teaching tools and involving speeches by the prosecution that are then countered by the defense. The first case involves an assault of a man and his attendant (or slave). The man died in the attack and the attendant died shortly after being discovered. Antiphon presents two exchanges between the prosecutor of the man accused of the attack and the defendant. Each of the four speeches addresses

the situation in terms of likelihoods, with the prosecutor arguing in the first speech that the jury "must place great reliance on any kind of likelihood which [they] can infer" (*DK* 87 B1: 2.1.2.); and the defendant concluding in his second speech that "it has been demonstrated that these likelihoods are in general on my side" (2.4.10.).[3]

In the first speech of the prosecution attention is drawn to several likelihoods, including that the criminals were not professional killers, since the victims were still wearing their cloaks, and it's likely professionals would have taken them; and the killing was not the result of a dispute, because people do not become involved in disputes in the middle of the night and in a deserted spot. In fact, the most likely culprit in such a crime is a man who has already suffered injuries at the victim's hand and expected to suffer more. And this describes the defendant: an old enemy, who had recently been charged by the victim with embezzlement.

To these particular charges, the defendant counters in his first speech: It is not unlikely but likely that a man would be attacked in the night and killed for his clothes. That they still had them suggests that the killers panicked. On the other hand, maybe the man and his attendant were witnesses to a crime, the perpetrators of which silenced them. Or, is it not more likely that others who hated the victim would have committed the crime, knowing that suspicion would have fallen on the defendant. To the prosecutor's charge that the defendant was the most likely person to commit the crime, the defendant responds: "Indeed, if on grounds of likelihood you suspect me because of the intensity of my hostility, it is still more likely that before I did the deed I should foresee the present suspicion falling upon me" (2.2.3). Hence, Antiphon invites the reader to consider the case from the perspective of what their experience tells them is likely to have happened, or what might reasonably be extrapolated as likely from the details provided. An objector[4] might insist that one of the alternative likelihoods really *is* likely because there is a truth about the case being masked by this strategy. But Antiphon's procedure seems fairly aimed at arriving at a determination

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[3] The fragments of Antiphon are found in Diels and Kranz (1952). Translations of Antiphon are modified from those in the English edition of Sprague (1972).

[4] This is Aristotle's position, for example, stated in reference to a similarly stated case (*Rhet*.2.24.).

about a case where the question "what actually happened?" is inappropriate. We see this, for example, in the way that a key detail is treated in the dialectical exchange between prosecutor and defendant.

> Prosecutor, first speech: The attendant was still conscious when found, and before he died he named the defendant as the attacker.

> Defendant, first speech: It is unlikely that the attendant would recognize the killer in the heat of the moment. And, besides, a slave=s testimony is untrustworthy, which is why slaves are submitted to examination [torture] to extract the truth from them.

> Prosecutor, second speech: The testimony of the slave *is* trustworthy, since in giving evidence of this kind, slaves are not examined.

> Defendant, second speech: We should not trust the testimony of an attendant over that of a free man (the defendant himself).

Each contribution of this exchange is designed to get the hearer (or reader, in our case) to revisit the details of the case, replacing one likelihood with something deemed more likely. Each contribution changes the context relevant for the judgment. In this way the speeches attempt to tap the hearer's experience so that the world is seen as a place where what is proposed seems most likely to have happened.

This is seen even more vividly through one of the peritropes (reversals) demonstrated in the second tetralogy. This is a case where a young man, practicing the javelin with his classmates in the gymnasium, accidentally kills another boy who runs in front of the javelin as it is being thrown.[5] Again, the prosecution and the defense exchange two speeches. What is at issue is whether the dead boy should be avenged by the death of the boy who threw the javelin, even though it is agreed he did so unintentionally. In the second speech the defendant (the accused boy's father) argues that the dead boy is avenged if the killer is punished, and in this case such has occurred: "The boy, on the other hand, destroyed by his own mistakes [in

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[5] That there is a story from Plutarch of Pericles discussing such a case with Protagoras suggests that this may have been a set case that speeches were written about for the purposes of pedagogy (*DK* 80 A10).

running in front of the javelin during the class], simultaneously made the mistake and was punished by his own motion. Since the killer [i.e. the victim himself] has been punished, the death is not unavenged" (3.4.8). Here, the tables are turned (hence, the peritrope) so that the victim is made to seem the killer. Elsewhere we learn that Antiphon's treatment of language allows that when someone speaks there is no permanent reality behind their words. Only the senses tell us what exists, and "names are conventional restrictions on nature" (*DK* 87 B67). This is to suggest that the meanings of "victim" and "killer" need to be worked out by exploring the context of a particular case. The same will hold for what is understood as "justice." These claims about Antiphon's ideas come from the fragments of his *On Truth*, which is the source to turn to so as to understand further the ideas held by the writer of these speeches.[6]

Antiphon's sample arguments in the *Tetralogies* demonstrate a level of argumentation quite different from the usual eristical reasoning attributed to the Sophists and illustrated in places like Plato's *Euthydemus*. Still, commenting on Antiphon's material Jacqueline de Romilly (1992) casts a negative pall over any suggested accomplishments:

> It was heady stuff, no doubt, but alarming too. Such an ability to defend both points of view suggested a disconcerting unconcern for the truth. If it was a matter of defending opposite points of view equally well, justice was left with no role to play. Besides, the art of twisting arguments rendered the very principle of argumentation suspect. In fact, it made the reasoning of the Sophists look like precisely what we today would call 'sophistry' (80).

These are serious charges, particularly as they affect "the very principle of argumentation." But they are drawn from a perspective that recognizes an

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[6] A fair counter-argument to what I am proposing here is the observation that in other speeches Antiphon does appeal to and employ a more conventional notion of 'truth'. In the real case of *The Murder of Herodes*, for example, there is an insistence on "the truth of what happened" which contrasts with the remarks in the *Tetralogies* and in *On Truth*. But as Michael Gagarin recognizes in his notes to the speech (Antiphon, 1998:51n4) "one must remember that in a hypothetical exercise, Antiphon could make frank statements that would be inappropriate in a real case." Indeed, the distinction between his own philosophical position and what it would be expedient to write for a client to present to a real jury would account for these conflicting statements on 'truth'.

underlying truth, and they understand "justice" as the means or institution by which that truth is recognized and upheld. This view, while consistent with the reading that runs down to us through Plato and Aristotle, is not one that would seem to be shared by Antiphon and at least one other major Sophist. Consequently, I will explore this claim with respect to Antiphon and Protagoras. The latter enters naturally into this discussion because there are clear reasons for reading the rhetoric of Antiphon as consistent with the Protagorean perspective. Some of the discourse we have seen Antiphon employing, for example, is very similar to that used in the case cited by Aristotle in his *Rhetoric*, and which Aristotle had then associated with the name of Protagoras.[7]

De Romilly also makes the case for seeing Antiphon's speeches as reflecting the spirit of Protagoras' influence, particularly with respect to the procedure of making the weaker of two arguments the stronger, and the technique of double arguments, the secret of which "lay in knowing how to turn to one's own advantage the facts, the ideas, and the very words of one's opponent, making them point to altogether the opposite conclusion" (1992: 78).

In the *phusis* v. *nomos* debate of the fifth century, Antiphon aligned himself clearly with the forces of *phusis*. The fragments we have of Antiphon's *On Truth* show that he had serious reservations about the value of justice as defined by the laws of the state. "For the demands of law are artificial, but the demands of nature are necessary" (*DK* 87 B90: Fragment A). In fact, the division is so strong that many of the things that are just according to law he deems to be at variance with nature. This is shown vividly in Fragment B in the discussion of harming those who are innocent. Justice sometimes requires that a person be called upon to give evidence against a neighbor, even though that neighbor has done no wrong to the individual in question. Even if the evidence is accurate, the neighbor is being harmed and left open to suffering. So the witness wrongs someone who has done that person no harm, and justice requires this. "Indeed," writes Antiphon, "it is impossible to reconcile the principle that this conduct is just [that is, giving evidence against one's neighbor] with the other principle, that one should not do any injustice nor suffer it either" (*DK* 87 B92).

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[7] For a discussion of the relationships between Protagoras and Antiphon see Caizzi (1999).

Given this view of justice, it is quite understandable that he would carry the attitude over into the speeches he wrote for the law courts and the way he instructed others to construct such speeches[8]. Fragment A of *On Truth* ends with the observation that 'justice' is on the side neither of the sufferer nor the doer, but with the one who can persuade the jury. If there is no 'truth' behind the laws of the state, then recourse must be made to nature—a 'truth' known through experience. And in working with experience, whether his own or that of the jurors, he must look to likelihoods, to what is likely given what we know from experience. On these terms, the strength of an argument lies only in its plausibility. For these Sophists, there is no *prima facie* weaker argument or case. There are the details that can be presented in various ways by the arguer. But any presentation of details is an interpretation, as Antiphon's *Tetralogies* show. And as those details are presented in different ways, the audience is brought to see the events from different angles. Should the audience be forced to make a decision, its only resource is what has been made to seem *most* likely.

This understanding accords with the way Plato presents the practice of Protagoras, particularly in the *Theaetetus*.[9] While we might have concerns over how Plato interprets the Sophists, much of his basic presentation of them fits with what we learn from other sources and from their own fragments. As with the other Sophists who have been engaged in the dialogues, Protagoras represented a threat to Plato's philosophical project. His "measure maxim" (that the individual is the measure of all things, those that are that they are, and those that are not that they are not—152a) acts as a great leveler among people. People can think for themselves, reflect on their own experiences and be brought to view those experiences (the ways things appear to them) with a degree of clarity. It is a direct challenge to philosophical discussion in the Platonic vein: "To examine and try to refute each other's appearances and judgments, when each person's are correct—this is surely an extremely tiresome piece of nonsense, if the *Truth* of Protagoras is true" (161d). Perhaps the most revealing passage here is that which

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[8] In fact, among the arguments supporting the thesis that the Antiphon of the speeches, including the *Tetralogies*, is the same Antiphon as that of *On Truth* is this consistency of attitude toward the courts and speech itself.

[9] Elsewhere (2010), I have presented arguments for why we should take this portrait an attempt at a serious depiction of Protagoras' views.

evokes the presence of Protagoras himself, summoned to his own defense. What Plato has Protagoras explain serves to fill in the picture of the argumentative practice that we have been exploring here and that Plato would find so problematic. Consider something of this when "Protagoras" says, "...the man whom I call wise is the man who can change the appearances— the man who in any case where bad things both appear and are for one of us, works a change and makes good things appear and be for him" (166d).

While this is not the place for a detailed examination of his 'measure maxim', it is generally recognized that all that can be changed for Protagoras are the appearances, for these are all that are known to us, and he must remain skeptical about how things might actually *be* since we have no access to them. Bringing people to change their perspectives involves leading them to think differently about their experiences, to see them in different ways. And this, of course, would be done through persuasive speech. It is not a matter of changing the experiences themselves, since these are always correct for the individual; but it is a matter of changing how they view their experiences, a matter of how they develop good judgment. By extension, to deliberate about the experiences of others is to think about what is probable given what one has experienced oneself. Plato, and Aristotle, and a tradition that holds there must be an underlying truth to things, one that argument might be used to bring to light, will not countenance this approach. But those who think differently, as several Sophists apparently did, will not share those concerns.

4. The Role of Environments

This lesson from the history of philosophy helps us to appreciate some precedent for the interpretivist's view that the search for an underlying truth in cases of contested events is a fruitless and even mistaken task. But it addresses only one side of the equation—the judges who must decide testimony in such cases. Left unanswered are questions about the genuineness of such testimonies. After all, while we can see a serious philosophical position supporting Antiphon's statements about experience, his strategies still could be used simply to deceive and exploit, as their traditional inter-

pretation suggests. How do we explain the epistemic states of people who "see things differently"?

The Antiphon strategy assumes a *shared* level of experience; the person using this strategy encourages her audience to see things the same way, her way. At least, that is one reading of what is at stake. From a slightly different perspective, what the testifier is doing is attempting to plug into ways in which cognitive environments overlap so that what is implicitly present in another's environment can be made explicitly so. But while cognitive environments overlap, they are not identical. Experience, on these terms, is shared, but is shared in quite restricted ways. Things like appeals to common knowledge often mislead us when decisions are being made about the acceptability of statements. But 'common knowledge' is a misnomer that misleads into assuming a level of objectivity that is not there. Attention to cognitive environments replaces that on common knowledge in just the right ways.

Sperber and Wilson (1986) first replaced notions like that of mutual knowledge with the concept of a cognitive environment, modeled on an analogy with the visible environment in which each of us operates. In this environment, manifest facts and assumptions are for conceptual cognition what visible phenomena are for visual cognition. A fact is manifest to someone at some time if that person is *capable* of representing it mentally as true or probably true. Note here that this is a claim about cognitive capabilities in a particular time and place and need not involve a judgment of what is actually the case. It follows that a cognitive environment is the set of facts that are manifest to a person, and an assumption (which could be true or false) is manifest if a cognitive environment provides sufficient evidence for its adoption. A more detailed statement of what is involved is given in the following description:

> To be manifest, then, is to be perceptible or inferable. An individual's total cognitive environment is the set of all the facts that he can perceive or infer: all the facts that are manifest to him. An individual's total cognitive environment is a function of his physical environment and his cognitive abilities. It consists of not only all the facts that he is aware of, but also all the facts that he is capable of becoming aware of, in his physical environment. The individual's actual awareness of facts, i.e. the

> knowledge that he has acquired, of course contributes to his ability to become further aware of facts. Memorized information is a component of cognitive abilities. (1986: 39).

This defining statement may be as significant for what it omits as what it includes. Sperber and Wilson talk here about what is perceptible, what is inferable, and what is memorized. Thus, they accommodate three of the four primary sources of knowledge that were noted at the start of this paper: perception, reason, and memory. Is there then a role, we might ask, for testimony?

Cognitive environments, like physical environments, will overlap. In this way we can begin to talk about an epistemic sharing that has relevance for shared knowledge without being equivalent to it. When the same facts and assumptions are manifest in the cognitive environments of different people we have a shared cognitive environment, and any shared environment in which it is manifest which people share it is a mutual cognitive environment (41).[10] Mutual manifestness is weaker than mutual or common knowledge in just the right ways. No claim is made about mental states or processes, about what people know, the claim is only about what they could be expected to infer and come to know given the cognitive environments they share. Depending on the nature of particular cognitive environments it is reasonable to attribute knowledge to a person, although such attributions are quite defeasible. Many things in our visual fields pass unnoticed until or unless our attention is drawn to them. It is quite reasonable for people to make assumptions about what we see or might have seen given what they know about our physical environment, and they will often express surprise should we seem not to have noticed something. Likewise, we can make assumptions about what is manifest to other people, and to make weaker assumptions about what assumptions they are making. This is the crux of much communication, occurring in situations where "a great deal can be assumed about what is manifest to others, a lot can be assumed

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[10] We see, for example, in a case like that of the Siamese prince related by Hume, the failure to communicate because of the absence of mutual cognitive environment. When the Dutch ambassador claims that water becomes so hard in his land that elephants can walk on it, the prince refuses to believe his testimony because it completely exceeds the limits of his experience.

about what is mutually manifest to themselves and others, but nothing can be assumed to be truly mutually known or assumed" (45).

Such assumptions provide an important resource for communication, for they allow Sperber and Wilson to claim that when we communicate our intention is to alter the cognitive environments of those we address and to thereby affect their actual thought processes. This is where what people say becomes a source for knowledge. And part of the reason we feel justified in trusting the testimony of some people (and not of others) is because it is manifest to us that we share a cognitive environment with them. We recognize the talk as we recognize the things talked about, and our experience provides corroboration for what is said.

Our cognitive environments in fact seem wider than what Sperber and Wilson allow, for we have available not only the facts and assumptions manifest to us, but also a fund of collateral beliefs in light of which we interpret and understand those facts and assumptions once they become noticed. While not directly part of cognitive environments as described, and thus not mutually accessible, they form an important role in the ways we relate to others and test what they say against what we understand to be correct in an objective sense. They also impact the ways in which we interpret what we experience and talk about it to others.

5. Collateral Beliefs

Descriptions of contested events are at once understandable because of the cognitive environment that we share, but also perplexing for the same reason. It seems that we ought to be able to agree about what is *most* likely because of such overlaps. The interpretivist sees the socially influenced worldviews of testifiers affecting their responses to questions that seek an objective truth (Roth & Mehta, 2002: 162). But behind these responses are the interpretations of the events themselves. It is not that the respondents have come to talk about events in different ways; they have interpreted them differently. And this is because they do not share an identical belief system. How we come to understand what is implicit in our cognitive environments and mutual cognitive environments is influenced by the collateral beliefs we hold, beliefs that are relevant to what is being addressed.

Early in *Making it Explicit*, Brandom observes that no two individuals have the same beliefs or acknowledge the same commitments because "everyone has noninferentially acquired commitments and entitlements corresponding to different observational situations" (1994: 185). Later, he notes that inferential significance must be understood relative to a total belief-set, with the specter of incommensurability that such an observation invites (481). The import of these points is brought home by the central dependency of the individual on the community and the difficulties implied for communal judging if each judge is drawing from a specific set of collateral beliefs. In fact, at the outset of his project Brandom challenges the very idea of communal verdicts. Assenting is something done by individuals, not by communities. So the authority of communal assent is a fiction (1994: 38). We would expect a similar judgment with respect to communal assessments of claims. So, how can notions of objective correctness emerge? In all our talk of reasons, how do we identify *good* reasons? Against what criteria are they to be decided?

Brandom salvages the objective view on two fronts: the commonality of the *res* in *de res* ascriptions,[11] and the fact that the conceptual norms implicit in a community's practices exceed the behavioral discriminations made by its members.

In the first instance, consider this lengthy example that Brandom offers:

> Suppose the Constable has said to the Inspector that he himself believes that the desperate fugitive, a stranger who is rumored to be passing through the village, is the man he saw briefly the evening before, scurrying through a darkened courtyard. Suppose further that according to the Inspector, the man the Constable saw scurrying through the darkened courtyard is the Croaker, a harmless village character whom no one, least of all the Constable (who knows him well), would think could be the desperate stranger. Then the Inspector can identify the objective representational content of the Constable's claim by an ascription *de re*: "The Constable claims *of* the Croaker (a man who could not possibly be the fugitive) that he is the fugitive." Of course he does not take it that the Constable claims *that* the Croaker (a man who could not possibly be the

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[11] Ascriptions *de re* attribute belief about a thing (or *res*); ascriptions *de dicto* attribute belief in a saying (or *dictum*).

> fugitive) is the fugitive. The Constable claims only *that* the man he him-
> self saw scurrying through a darkened courtyard is the fugitive. For the
> Inspector, the contrast between the *de re* and the *de dicto* content speci-
> fications is the contrast between saying what the Constable has in fact,
> willy-nilly, undertaken commitment to—what object his claim is *about*,
> in the sense that matters for assessments of truth—on the one hand, and
> what the Constable *takes* himself to be committed to, acknowledges, on
> the other hand (1994: 595).

Several things are worth noting here: It is the Inspector who must decide the objective representational content of the Constable's claim, the *what* he is talking about. And he does so successfully by drawing on other information at his disposal (that the man the Constable saw was the Croaker). The success of the communication lies with the Inspector making the appropriate attributions with respect to the Constable's commitments. That is, the audience decides the objective correctness of the matter by understanding what has been expressed by the *de re* specifications of the contents of ascribed commitments. That things are not always the way they are taken to be (in this case by the Constable) "is built into the social-inferential articulations of concepts" (597).

But is this enough? Two people may use the same words to express different commitments, but the mutual cognitive environment may be weak because each has different collateral commitments. The Inspector draws on what he knows (or, in these terms, what other commitments he has) to interpret the Constable's claim. But in this case we may judge that they share an inferential context, which restricts the possibilities in the right way. In other social settings, the different collateral commitments of the interlocutors may become more of an impediment. In such contexts it becomes difficult to understand how people can share the same meanings, and thus how they could resolve disagreements or even form them. This is a common concern with the holistic view of meaning. As Carlo Penco judges the matter: "[T]he devastating consequence is that mutual understanding and successful communication become unexplainable" (2008: 176).

We might begin to explore this problem by returning to the issue of communal assent (which Brandom judges a fiction). The Inspector is in a position to judge the incompatibility of what the Constable says (and is implicitly asking the Inspector to commit to) with his own other com-

mitments. He can thus assess the incompatibility in a way that the larger community cannot. This is in part why the kind of intersubjectivity that privileges the perspective of the "we" is rejected: "it cannot find room for the possibility of error regarding that privileged perspective; what the community *takes* to be correct is correct" (1994: 599). At root, a relationship that Brandom calls *I-thou*, in which no perspective is privileged in advance, is presupposed by the *I-we* social distinction (508). Essentially, Brandom's holism does not depend on shared meanings but on the understanding of communication as a cooperative venture, although there is still a sense of sharing involved. Objectivity derives from the ways in which we interpret the beliefs of others and they of us.

The interaction between attributor of commitments and entitlements and attributee is complex. Brandom employs a marketplace metaphor: "Sorting out who should be counted as correct is a messy retail business of assessing the comparative authority of competing evidential and inferential claims" (601). Of course, correctness here can involve more than one sense. In the first case we can ask of a person's claim whether all the evidence was taken into account, and were good inferences made from that evidence. That is, there are certain rules that govern the game of giving and asking for reasons, and speakers can be held to account with respect to them (Brandom, 2000: 197). In the second case, we can turn from how the participants performed to look at the correctness of what they said. Is the claim compatible with other claims made within the community?

What is shared within a community is a set of norms at work when members are taken to adopt the discursive scorekeeping stance toward each other. Important here is Brandom's claim that the conceptual norms implicit in the practices of a community overrun or exceed the behavioral discriminations made by its individual members. Concepts and the commitments they involve can thus be said to be shared in spite of the differences in attitudes of those involved (1994: 631). In fact, to be engaged in a discursive practice is to be bound by objective, shared concepts, whose proprieties for use outrun individuals' dispositions to apply them. Speakers do not control the significance of the words that they use. "The members of a linguistic community who adopt the explicit discursive scorekeeping stance to one another achieve thereby a kind of *interpretive equilibrium*. Each one interprets the others as engaging in just the same sort of inter-

pretative activity, as adopting the same sort of interpretive stance, as one does oneself" (642).[12] Such constitutes one's social self-consciousness. This allows for the kinds of persuasive appeals championed by Antiphon, predicated on levels of experience and associated meanings that are recognizable to all parties.

6. Conclusion

It might be objected that Brandom's *I-thou* structure by which he salvages the possibility of error and even more the concept of a cognitive environment both assume there is an underlying world of facts. After all, the explanation of the cognitive environment talks repeatedly of facts. Indeed, there are underlying facts in Antiphon's world and the world of *Rashōmon*. A man has been killed; people were present; and so forth. What is contested is what these facts mean, their 'truth'. And the concept of a cognitive environment does not assume anything about truth on this level, because it describes a situation prior to such interpretative decisions. Similarly, the objectivity of the *I-thou* derives from the interpretation of beliefs and allows for the kinds of error to arise in communities that even contested events must admit. Nothing in the interpretivist's position accords equal status to all accounts of a contested event. All testimony feeds into the game of giving and asking for reasons, and justification depends on the quality of those reasons. But on the terms explored here, what *count* as reasons include—or are drawn from—the wider set of relevant collateral beliefs that constitute an individual's worldview. The world of *Rashōmon* settles on the barely distinct line between incommensurability and understanding, it captures something of our regular experiences of agreement and disagreement, each of which must assume the possibility of the other. Contested events draw us back to that line and tell us that once the biases and misjudgments have been set aside there is still something in those disagreements that reflects the fragile grounds of our social world.

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[12] This is the extent to which Brandom adopts a sense of interpretation in spite of the Wittgenstein's observation that our ground-level mastery of linguistic properties does not consist solely in the capacity to interpret (Brandom, 1994: 509).

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