Meeting 11: Epistemic Justification as Epistemic Permission: For

I. Nelson against Positive Epistemic Duties

Suppose Alston is wrong, so that (i) there might be epistemic permissions and requirements governing beliefs, and (ii) epistemic justification might be a matter of fulfilling such permissions and requirements.

We can then ask: “Can beliefs be both epistemically permitted and epistemically required? And should we understand epistemic justification in terms of either of these?”

Mark T. Nelson argues for the following:

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\text{Nelson's epistemic permissivism: There exist the following:}
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- **positive epistemic permissions** (of the form “Subject S is permitted to have doxastic attitude D in epistemic circumstances C”),
- **negative epistemic permissions** (of the form “Subject S is permitted to not have doxastic attitude D in epistemic circumstance C”), and
- **negative epistemic duties** (of the form “Subject S is required to not have doxastic attitude D in epistemic circumstance C”),

but the following do not exist:
- **positive epistemic duties** (of the form “Subject S is required to have doxastic attitude D in epistemic circumstance C”).

Nelson mostly focuses on the doxastic attitude of belief, but presumably his thesis applies to disbelief and suspension of judgment as well.

(Note: elsewhere the label ‘epistemic permissivism’ is used to pick out a different thesis according to which doxastic attitudes are sometimes epistemically permitted but not required, or according to which the same body of evidence can make different doxastic attitudes epistemically permitted.)

What Nelson means by ‘epistemic circumstances’: “roughly, those aspects of our circumstances that count in favor of the truth or falsity, probability or improbability, of certain propositions” (p. 86).

Why believe permissivism? Well, suppose I see “some distinctive dark, winged shapes, moving across my visual field” (p. 87). Nelson takes it to follow from

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\text{the infinite justificational fecundity of evidence: “[E]very single bit of evidence, whether experiential or propositional, potentially epistemically justifies an infinitely large array of different belief” (p. 96)}
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that my current evidence justifies me in believing an infinite number of propositions, including the following:

<There are things moving through the air in front of me>,
<There are birds flying in front of me>,
<There are jackdaws flying in front of me>,
<At least three jackdaws exist>.

Nelson proposes the following:

- **first claim**: I am epistemically permitted to believe each proposition justified by my current evidence.
- **second claim**: I am epistemically required to not believe any proposition that is “clearly incompatible” with any proposition justified by my current evidence (p. 87).
- **third claim**: I am not epistemically required to believe any proposition.
(side comment 1: Nelson’s second claim can’t be the entire story about our negative epistemic duties. Right now you are epistemically required to not believe O = "There are an odd number of books in my office in Emerson right now", and you are epistemically required to not disbelieve O either. Yet O is not “clearly incompatible” with any propositions justified by your current evidence.)

(side comment 2: This same example shows that Nelson is committed to suspension of judgment on O being a positive attitude, rather than being the state of neither believing nor disbelieving O. Presumably he thinks you are epistemically permitted to suspend judgment on O and also epistemically permitted to have no doxastic attitude at all with regard to it.)

Why believe the third claim? Nelson in effect argues as follows:

P1. If I am epistemically required to believe any proposition, then I am epistemically required to believe every proposition justified by my current evidence.

C1. So, if I am epistemically required to believe any proposition, then there is an infinite number of propositions I am epistemically required to believe.

P2. I am not epistemically required to believe an infinite number of propositions.

C2. So, I am not epistemically required to believe any proposition.

Why believe P2? Nelson considers three reasons:

first reason: Being required to believe an infinite number of propositions is too demanding.

Nelson doubts this is the best way of supporting P2, since (a) “the mere fact that a standard is demanding does not necessarily make it false,” and (b) this worry “makes it sounds as if it would be onerous, but human possible, to add so many beliefs” (p. 97).

second reason: Believing an infinite number of propositions is not possible for human beings, and ‘ought’ implies ‘can’.

Note that this argument only works if we assume that epistemic requirements agglomerate, so if I am epistemically required to believe P and epistemically required to believe Q, then I am epistemically required to (believe P and believe Q).

third reason: If I am epistemically required to believe an infinite number of propositions, then if I am “a perfectly conscientious believer” and you know this, you ought to be able to predict which occurrent perceptual beliefs I will come to have when I see those winged shapes, but you can’t (p. 98).

Although Nelson denies that we have positive epistemic duties to believe anything, he allows that we have positive all-things-considered duties to believe things.

These positive all-things-considered duties depend in part on purely epistemic factors and in part on “non-epistemic factors, such as interests, preferences, needs, and inclinations, or possible even moral obligations” (p. 100).

Three ways of resisting Nelson’s argument for C2:

- Deny P2. Nelson’s third reason for believing P2 isn’t the best, so maybe all we need to do is resist his second reason by denying that ‘ought’ implies ‘can’ or that epistemic requirements agglomerate.
- Deny the inference from P1 to C1. Maybe evidence is not infinitely justificationally fecund.
- Deny P1. Some ways of doing this:
  1. Perhaps I am epistemically required to believe P if and only if (i) I am epistemically permitted to believe P, and (ii) I pay sufficient attention to the question of whether P is the case (Kiesewetter, p. 245).
(But does ‘pay’ here mean ‘am paying’ or ‘have paid’? Against the former: so the epistemic requirement disappears the instant I stop paying attention? Against the latter: so it’s enough if I once paid attention to this question several decades ago?)

2. Perhaps a duty to believe P partially grounded in non-epistemic factors still counts as an epistemic duty as long as those factors do not count as reasons of a practical sort for or against my believing P (or for or against any of its alternatives) (Kiesewetter, pp. 246–47).

(And if they do count as reasons of a practical sort, there are arguments against it being possible for epistemic and practical reasons for belief to combine and compete in order to yield plausible all-things-considered verdicts; see my “A Combinatorial Argument against Practical Reasons for Belief”).

3. Perhaps some of our interests, desires, needs, etc. are distinctively epistemic interests, desires, needs, etc., and that suffices to make the positive duties to believe they ground count as epistemic duties.

Nelson’s reply: Being grounded in an interest or desire of any sort is enough to make a duty non-epistemic, because epistemic duties must be categorical (see pp. 92–93).

Three problems with this reply: First, maybe epistemic duties are hypothetical.

Second, this reply only works with the items on his list that pick out psychological states, but some of them (such as needs and interests, if that means ‘what is in an agent’s interests’ rather than ‘what an agent is interested in’) are normative categories.

Third, maybe duties are only grounded in desires if the thing desired is desirable; but a duty partially grounded in an epistemically desirable end is plausibly epistemic.

II. Kroedel’s Permissibility Solution to the Lottery Paradox

Kroedel argues that if we take epistemic justification to be a type of permissibility, this provides an elegant solution to the lottery paradox.

On one standard way of presenting the lottery paradox, it rests on the following two plausible claims (note: hereafter ‘justified’ is shorthand for ‘epistemically justified’):

*the probability claim*: If S’s evidence makes P exceedingly likely, then S is justified in believing P.

*the conjunction claim*: If S is justified in believing P, and S is justified in believing Q, then S is justified in believing P & Q.

Suppose there are n tickets in a fair lottery, the winning ticket has not yet been selected, and I know all of this. Then it appears we can argue as follows for a paradoxical conclusion:

0. My evidence makes it exceedingly likely that each ticket will lose. [premise]
1-J. I am justified in believing that each ticket will lose. [follows from 0 and the probability claim]
2-J. I am justified in believing that all the tickets will lose. [follows from 1-J and the conjunction claim]

But if epistemic justification is a type of permissibility, the second and third steps can be rewritten as

1-P. I am permitted to believe that each ticket will lose.
2-P. I am permitted to believe that all the tickets will lose.

Kroedel points out that 1-P is ambiguous between the following, where L_i = <Ticket number i will lose>:

1-P_a. I am permitted to believe L_1, permitted to believe L_2, . . . , and permitted to believe L_n.
1-P_w. I am permitted to (believe L_1, believe L_2, . . . , and believe L_n).
Kroedel grants that 0 entails 1-Pn, and he grants that 1-Pn entails 2-P (and hence 2-J).

But, he insists, 1-Pn does not entail 1-Pw, because “permissibility does not agglomerate” (p. 59). So he denies

*permissibility agglomeration:* If I am permitted to $\phi$, and I am permitted to $\psi$, then I am permitted to $\langle \phi$ and $\psi \rangle$.

His counterexample: “For instance, I might be permitted to eat this piece of the cake, permitted to eat that piece of the cake, etc., without being permitted to eat the whole cake” (ibid.).

Thus taking epistemic justification to be a type of permissibility allows us to deny the conjunction claim while explaining its appeal. The conjunction claim is entailed by the following:

*first subclaim:* If S is justified in believing $P$, and S is justified in believing $Q$, then S is justified in (believing $P$ and believing $Q$).

*second subclaim:* If S is justified in (believing $P$ and believing $Q$), then S is justified in believing $(P \& Q)$.

But, Kroedel insists, whereas the first subclaim is false (since it is equivalent to permissibility agglomeration), the second subclaim is true. This is his “permissibility solution” to the lottery paradox.

### III. Kiesewetter’s First Objection to the Permissibility Solution

Kiesewetter points out that even if epistemic justification does not *always* amount to epistemic obligation, it might still be the case that it *sometimes* does. So if epistemic justification amounts to epistemic obligation *under certain conditions*, and a lottery case can satisfy those conditions, we can resuscitate the lottery paradox.

Suppose the following is true:

*bridge pattern:* S is epistemically obligated to believe $P$ if (i) S is epistemically justified in believing $P$, and (ii) condition $C_P$ obtains.

Some candidates for $C_P$: S is interested in whether $P$ is the case (Harman); the expected utility for S of believing $P$ is not lower than the expected utility for S of neither believing nor disbelieving $P$ (Nozick); S pays sufficient attention to the question of whether $P$ is the case (Kiesewetter).

Kiesewetter claims we can simply stipulate that $C_{L_1}, \ldots , C_{L_n}$ all hold in our lottery case. (Is this true?)

Then we can argue for our paradoxical conclusion as follows:

0. My evidence makes it exceedingly likely that each ticket will lose. [*premise*]

1-Jn. I am justified in believing $L_1$, justified in believing $L_2$, . . . , and justified in believing $L_n$. [*follows from 0 and the probability claim*]

1-On. I am epistemically obligated to believe $L_1$, epistemically obligated to believe $L_2$, . . . , and epistemically obligated to believe $L_n$. [*follows from $C_{L_1}, \ldots , C_{L_n}$ and 1-Jn*]

1-Ow. I am epistemically obligated to (believe $L_1$, believe $L_2$, . . . , and believe $L_n$). [*follows from epistemic obligation agglomeration and 1-Ow*]

1-Jw. I am justified in (believing $L_1$, believing $L_2$, . . . , and believing $L_n$). [*follows from 1-Ow and a natural generalization of the bridge pattern*]

2-J. I am justified in believing $(L_1 \& L_2 \& \ldots \& L_n)$. [*follows from 1-Jw by the second subclaim*]

Kiesewetter here is assuming the following:

*epistemic obligation agglomeration:* If I am epistemically obligated to believe $P$, and I am epistemically obligated to believe $Q$, then I am epistemically obligated to (believe $P$ and believe $Q$).

*generalized bridge pattern:* S is epistemically obligated to (believe $P$ and believe $Q$) if (i) S is epistemically justified in (believing $P$ and believing $Q$), and (ii) conditions $C_P$ and $C_Q$ obtain.
Some possible replies to this objection to the permissibility solution:

- **first reply:** Anyone who is suspicious of the first subclaim should also be suspicious of the combination of epistemic obligation agglomeration and the generalized bridge pattern.

- **second reply:** Reject the bridge pattern by embracing Nelson-style epistemic permissivism.

  **Kiesewetter’s first counter-reply:** He objects to Nelson’s view in the ways already discussed.

- **second reply:** Reject the bridge pattern by embracing Nelson-style epistemic permissivism.

  **Kiesewetter’s second counter-reply:** He claims he can run a version of his objection by replacing ‘epistemically obligated’ with ‘all-things-considered obligated’ throughout.

- **third reply:** Reject the idea that we ever have an obligation of any sort (epistemic or otherwise) to believe any proposition whose probability is less than 1.

  **Kiesewetter’s counter-reply:** It is implausible to hold that people are never criticizable for failing to believe in accordance with the evidence.

- **fourth reply:** Allow that we have obligations to believe things, but deny that those obligations entail being epistemically justified in believing those things.

  **Kiesewetter’s counter-reply:** This reply only works if there are non-epistemic reasons for belief, but (a) there are powerful arguments against such reasons, and (b) it would be surprising if the correct solution to the lottery paradox turned on their existence.

**IV. Kiesewetter’s Second Objection to the Permissibility Solution**

Kiesewetter points out that even if epistemic justification is a type of permission and it does not agglomerate in general, as long as epistemic justification/permission agglomerates in some lottery cases, that’s enough to resuscitate the lottery paradox.

And, anyway, we should have been suspicious of Kroedel’s eating cake analogy, since in that case eating one piece of cake changes the practical circumstances (one now has a new reason not to eat any other piece), whereas in the lottery case believing L1 does not plausibly change the epistemic circumstances.

A case in which justification fails to agglomerate: if George is (propositionally) justified in believing P but doesn’t do so, and if on the basis of introspection he is also justified in believing <I don’t believe P>, then George is justified in believing P and justified in believing <I don’t believe P> without being justified in (believing P and believing <I don’t believe P>).

But, these sorts of cases aside, Kiesewetter holds that justification agglomerates, so that the following holds:

**justification agglomeration (qualified):** If I am justified in believing P, and I am justified in believing Q, and adopting one of these beliefs does not undermine the justification of the other, then I am justified in (believing P and believing Q).

Moreover, Kiesewetter insists, it is not plausible that in the lottery case my believing, say, L4 undermines my justification for believing L3.

(He also needs that my (believing L3, believing L2, . . . , and believing L4) does not undermine my justification for believing L4+1.)

Suppose we deny justification agglomeration (qualified). Consider Lotta, who successively adds a belief in each lottery proposition until she transitions from having beliefs in L1, L2, . . . , and Lmax that together are justified to having beliefs in L1, L2, . . . , and Lmax+1 that together are unjustified. Kiesewetter assumes that there must be some (epistemically) rational way for her to revise one of her beliefs in L1, L2, . . . , and Lmax+1, but he sees no way for her to do so: either the basis of her revision is a reason of the wrong kind (about what other beliefs she has), or the basis of her revision is the very same basis on which she formed the belief being dropped (which, Kiesewetter insists, means that the formation and the dropping can’t both be epistemically rational).