

**CRITICAL NOTICE**

**RATIONAL STARTING POINTS**

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*The Theory of Epistemic Rationality*, by Richard Foley. Cambridge, Massachusetts: Harvard University Press, 1987

Epistemic justification has been claimed to be a special case of argument by philosophers such as Michael Williams, Keith Lehrer, Donald Davidson, and Richard Foley. Accordingly for each attempt, epistemic justification is the occasion of the arguer making a case for some conclusion based on other premises, when the audience and the arguer are the same person. The dialectical model of argument is used to inform how it is that a subject could come to justify her beliefs. In contemporary epistemology, such a move has been viewed as a move away from traditional foundationalism. Just as frequently, such a move has been seen to be dangerously close to a form of vulgar relativism. Among its defenders, Foley is unique in that he explicitly holds out hope that a "subjective foundationalism" can be truth conducive.

First, we must examine Foley's reasoning for this claim. Unfortunately, his robust optimism regarding the epistemic power of subjective foundationalism is found to be lacking in virtue of the inadequate epistemic "starting points" that he must use. To foreshadow a bit, the problem with his starting points are that they are either too strong to preserve the subjective nature of his theory of rationality, or else they are too weak to be truth conducive in any meaningful way. Finally, the lessons learned from this examination of Foley will be directed towards a more considered understanding of the limitations of an account of epistemic justification as intra-personal argument.

Even though the account fails in an important way, the theory of epistemic justification that is provided by Richard Foley is the most interesting attempt at fully working out the implications of justification as intra-personal argument. Consider his opening paragraph of the book *The Theory of Epistemic Rationality*, in which he calls for a minimal understanding of argument:

The idea, more exactly, would be to look for arguments such that were the people involved to be reflective, they would think that these arguments are likely to be truth preserving and in addition they would think that there is no reason to be suspicious of their premises. This constitutes an outline of what might be called "the theory of persuasive argument."<sup>1</sup>

And later on that first page how he wishes to apply it to an epistemic context,

The theory of epistemic rationality, I suggest, is in important ways analogous to the theory of persuasive argument. The most important difference is that the theory of epistemic rationality is a first-person theory and that as such it attempts to describe not the propositions of whose truth two or more persons who are seeking agreement via argument should believe. Rather, it seeks to describe what an individual person should believe insofar as he wants now to have true beliefs and now not to have false beliefs. Even so, one way of thinking about the theory of epistemic rationality is to think of it as a theory of first-person persuasive argument. (Foley, *TER*, pp. 4-5)

Foley begins by building the case that we can initially get the epistemic process moving under the assumption that our belief accumulating faculties are essentially sound.<sup>2</sup> He shows that it is rational to believe what we happen to believe, so as to get the first-person argument off the ground. Furthermore, he is quick to dismiss any relationship between a proposition being believed and the truth of the proposition. Of course he is right that this is a relationship that ought to be dismissed. Yet, as his theory is worked out (specifically what will count as an uncontroversial proposition), he steers dangerously close to an endorsement of just such a relationship.

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<sup>1</sup> Richard Foley, *The Theory of Epistemic Rationality*, Cambridge, Massachusetts: Harvard University Press, 1987, p. 4 (hereafter, references to this work will be indicated by "Foley, *TER*"). Passages from this book are quoted frequently over the next pages of this section in order to substantiate the damaging assessment that Foley's theory of epistemic rationality does not meet his own guiding principles. Incidentally, in his more recent book, *Working Without a Net: A Study of Egocentric Epistemology* (New York, New York: Oxford University Press, 1993), Foley extends the reach of the conclusions of the earlier book, but does not modify (or even spend any time mentioning) the results of the earlier book.

<sup>2</sup> Foley, *TER*, p. 9. His middle, conservative, strategy is a rough approximation of the epistemic theory that he develops over the course of his book. As an introduction, it is interesting that the model that guides his theory deflates skepticism. This would not be unusual, and it need not even be unprofitable to set aside skeptical worries. Except, Foley does later argue that his theory shows why skepticism is wrong.

He further specifies the starting points as

an argument's premises can be used to argue for its conclusion in a way that is uncontroversial for an individual S just if on reflection S would believe that most possible situations in which the argument's premises are true are situations in which the argument's conclusion is true. (Foley, *TER*, p.15)

Notice that with the use of the word "most," he leaves the door open for non-deductively valid, yet still strong reasoning to be used to form justificatory support. He is describing one of the two ways that an argument needs to be uncontroversial in order to be effective: here he states that the reasoning must be uncontroversial, later in the book he states that the premises must be uncontroversial. It is this second aspect of his account of argumentation that is the focus of this discussion. Yet, one might suspect that ultimately his lack of squeamishness about "inductive" reasoning is symptomatic of one who thinks that a proper theory of epistemology must *defeat* the skeptic.

He then claims that one's background beliefs (essentially composed of professions of the trustworthiness of our faculties and the regularity of the world) are used as a guide to determine which arguments are worthy of consideration. It is odd that he is here concerned with evaluating the argument in terms of the evaluation of the *conclusion*. It would be more natural to judge the argument in terms of the premises and the reasoning, and see the conclusion as a function of them. He is suggesting, in short, that we skip through these difficult and substantive issues of evaluating an inference and its premises and decide prior to the argument whether or not we like the conclusion. Aside from being distastefully dogmatic as a means of assessing arguments, his analysis is necessary to avoid the epistemically binding conclusion of skepticism. His response to skeptical worries is to throw the arguments that lead to it as a conclusion out of court immediately.<sup>3</sup>

In order to defend his reliance upon certain background beliefs against the charge of liberal relativism (one of his self-described opponents), he further specifies that usable background beliefs are *uncontroversial*:

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<sup>3</sup> I am reluctant to provide a complete analysis of rationality, but it strikes me that a core characteristic is that one is rational if one is always willing to follow a sound argument to wherever it leads. He is not so much suggesting an account of rational reflection, as he is stifling doubts. Consider how he focuses on the an evaluation of a conclusion rather than an evaluation of an argument itself: "These beliefs in effect function as a kind of anchor, preventing situations that S regards as too distant from his current situation from being of concern when deciding whether believing the conclusion of an argument is an acceptable epistemic risk." (Foley, *TER*, p. 22)

What is it for a proposition to be uncontroversial for an individual? As an initial characterization, we can say that a proposition is uncontroversial for an individual just in case the individual believes it with such confidence that nothing else he believes with comparable confidence gives him reason to be suspicious of it. So, at a minimum the individual needs to be convinced of the proposition's truth if it is to be uncontroversial for him. (Foley, *TER*, p.40)

These two characterizations that are suggested to be similar to each other are not similar at all. The first mentioned characterization implies that the person has *no reason not to believe*, the latter characterization implies that the person has *a reason to believe*. Call the first one a lack of a negative reason against a belief and call the other the presence of a positive reason for a belief. Although this difference is obscured in Foley's book, he needs to stand on the former characterization to get the ball rolling against the skeptic in the same way that Lehrer reordered his epistemic dialogue with the skeptic to win the day. This is a serious flaw in Foley's theory. And the charge that that flaw is unavoidable within his guidelines requires serious substantiation. The process of the substantiation begins six pages later with his gloss of the concept of 'controversiality',

Details aside, then, a proposition *p* is controversial for an individual *S* if there is an argument for not *p* that he on reflection is likely to regard as truth preserving and that has premises that he believes as confidently as *p*. (Foley, *TER*, p. 46)

It is not definitive, but this gloss is closer to the negative characterization suggested above. Furthermore, it is too weak to function as a usable starting point. It is also rational to regard a belief as controversial if the sole evidence for that belief is undermined. For example, suppose Joan thinks that it is 80 degrees today because she looked at her thermometer, and it showed that the temperature was 80 degrees. Now, suppose that Joan comes to believe that her thermometer is rusty and has stuck on 80 degrees. Even though she has no reason to think that it is any temperature other than 80, she still seems bound by epistemic responsibility to regard the proposition that it is 80 degrees as controversial. This problem is of direct relevance to Foley's resolution of skeptical issues. The most powerful (and philosophically typical) gambit of the radical skeptic is not to show that our beliefs are *wrong*, but to show that what we took to be evidence for their veracity is not sufficient. Foley's suggestion will not help to resolve the kind of skepticism that originates in Cartesian doubt

A few pages later, he reformulates this account of an uncontroversial belief as

One way of summarizing the discussion is to say that a proposition *p* is uncontroversial for an individual *S* only if it is "argument proof" for him, in the sense that all possible arguments against it are implausible. (Foley, *TER*, p. 48)

Again, this suggests that the lack of negative evidence is sufficient for a belief to be uncontroversial. But, Foley is still approaching the general issue of acceptable starting points in a general way. But, then on page 49, Foley addresses the contention that his theory of rationality might seem to endorse a kind of fallacy from ignorance, e.g., that one has no reason not to believe that there are an even number of grains of sand on Cape Cod, hence one can uncontroversially believe that it is true without violating any expectation of epistemic responsibility. It is at this point that he begins the real work of developing the theory because this is just the sort of problem that drives a wedge between the judgment of the positive and negative characterization of an epistemically acceptable starting point. The route he takes to meet this task to articulate that what it takes for a proposition to be uncontroversial is not only that no defeaters are known, but also that the person *happens to believe* it prior to the argument. Now, this appears to be enlarging his previous "lack of negative evidence" suggestion into something like what we referred to as the positive characterization that requires some kind of evidential support. It seems positive insofar as we also assume that one must be at least minimally rational. Specifically, it is a positive characterization if one does not believe just any old belief that comes to mind. If one is minimally rational then somewhere in the justificatory history of the belief in question some positive reason can be found which supports the belief. The point of pressure in this matter is that if the determination that a belief is an acceptable starting point is along the lines of the positive characteristic, then it appears that the skeptical attack can be focused on whatever reason is offered for the starting point, yet if the characterization is negative, then epistemic rationality is far too weak a positive endorsement to be useful or interesting. This is the resurfacing of the classic epistemic problem of choosing between ugly dogma and empty skepticism. Trying to find a workable middle ground has been the epistemic grail in philosophy since at least Descartes. In the end, he will try to have it both ways: this appearance of a positive reason will not be adopted, and he will nonetheless treat skepticism as being rationally discharged.

On page 52, we get another crucial principle of Foley's theory. So far, his account of how a belief comes to be rationally believed leaves him open to a possibility of an infinite regress (for each rational belief must be the conclusion of an argument with rational beliefs as premises). His block to this is to argue that some beliefs are self-justified. He discusses two kinds of self-justification. The first is familiar from the traditional foundationalist literature (e.g., Chisholm): some beliefs imply themselves. For example, if I think that I

am in pain then I am in pain. The second is more daring. Some belief patterns are so ingrained in us, that they do not appear to need further evidence. For example, if I believe that I see a cat on the mat, then in fact I do see a cat on the mat.<sup>4</sup>

Still working to get closer to a precise and adequate notion of an uncontroversial starting point, Foley offers the following attempt:

Thus propositions that are genuinely uncontroversial for S to use as premises are those that are not only uncontroversial simpliciter but also epistemically basic. They are, in other words, propositions that are believed by S with such confidence that nothing can be used to argue against them and that in addition are such that S's believing them gives him a reason to think that they are likely to be true. They are epistemically basic as well as epistemically secure. (Foley, *TER*, p. 59)

Here he offers both the lack of a reason against, and more importantly the presence of (some kind) of positive reason. In the narrower, Chisholm-sense of self-justifying, this latter requirement is simple: the belief has no defeaters, and it has some positive evidence (namely itself). But in Foley's wider sense of self-justifying, the requirement is that the belief has no defeaters and it is believed. It still remains to be seen if mere believing can provide any positive support for a belief. On the face of it, it seems an unlikely starting point for an account of rationality that has some critical force. What Foley must do therefore, is to explain why it is that merely believing a proposition gives it some initial credibility.<sup>5</sup> The key, in Foley's eyes, is to articulate a theory of subjective foundationalism where the foundations do not have some kind of absolute, extra-subjective privileged status. Rather, the foundations in the theory must only have a level of subjective acceptability that warrants their use as foundational beliefs. But Foley is clear that what he is describing is not a traditional foundationalism.<sup>6</sup> Consider his claims about how such foundation-

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<sup>4</sup> This and the previous examples are from Foley, *TER*, p. 53. These two types of cases strike me as a conflation between putative self-justification and putative incorrigibility. But the real problem with this analysis, and the use to which he puts it, is still ahead of us.

<sup>5</sup> Remember back to the first paragraph of the book (quoted earlier), where he wisely dismisses such a claim. Foley is now staged to tackle this issue, the heart of his account.

<sup>6</sup> Foley, *TER*, p. 69: "Likewise, there is nothing in the definition [of subjective foundationalism] to indicate that those propositions that are uncontroversial for a person to assume must be irrevocable, and nothing to indicate that the kind of propositions uncontroversial for one person cannot be significantly different from the kind of propositions uncontroversial for another person."

alism impacts the delicate issue of determining what beliefs are uncontroversial:

So, contrary to what is claimed by the traditional foundationalist, it is not so much an objective guarantee of truth as it is a subjective persuasiveness that makes a proposition properly basic for a person. No guarantee of truth will make a proposition properly basic if the proposition is not uncontroversial for a person, given his perspective, and correspondingly the lack of a guarantee will not preclude a proposition from being properly basic if it is uncontroversial for him, given his perspective.<sup>7</sup>

This second clause is telling. Foley has moved away from the suggestion that a proposition being uncontroversial implies that there is a positive reason for the proposition. This reduces his sense of self-justifying to the circumstance of no defeaters plus the mere fact that the belief is believed (without any presumption that such beliefs are minimally rational). As such, his foray into the consideration of adding some positive reason to the characterization of an acceptable starting place is left behind.

So finally we have Foley's resolution of this central problem with his account of epistemic rationality. He words it this way:

The subjective foundationalist, by way of contrast [to traditional foundationalism], need not draw a skeptical conclusion from such a hypothesis. Nothing in subjective foundationalism implies that if unbeknownst to us there is such a demon, then no proposition about the external world or the past is epistemically rational for us. (Foley, *TER*, p. 73)

Foley answers the skeptic by answering that there is no reason to accept the demon hypothesis (while admitting that there is no reason against it either).

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This is a continuation of Foley distancing himself from what he takes to be the standard form of foundationalism.

<sup>7</sup> Foley, *TER*, p. 71. It is worth reflecting for a moment what the import of the implied guarantee is. Compare this to what he has to say on pages 93-94 about the guarantee: "According to the subjective foundationalist, the traditional foundationalist gets the structure of epistemic rationality right (distinguishing properly basic propositions from those that are epistemically rational but not properly basic), but much of the spirit of traditional foundationalism, with its emphasis on guarantees of truth, is misguided. With the coherentist, matters are reversed. According to the subjective foundationalist, the coherentist is mistaken about the structure of epistemic rationality, but there is much in its spirit, with its emphasis upon the person's actual doxastic situation, that is fundamentally correct."

By pulling back from a guarantee, Foley is dismissing a positive requirement from uncontroversial propositions.

Hence, our subjectively properly basic beliefs are open to be used as the premises in a first person argument with ourselves in order to conclude that particular beliefs about the external world are justified and rational. This resolution is only legitimate if his account of an uncontroversial proposition includes only that there is no reason against the belief. So his foray into the inclusion of a positive reason for the belief seems to have been just a red herring. As he himself warned at the outset, such an account would be an endorsement of the fallacy of the appeal to ignorance and an epistemically irresponsible declaration of one's omniscience.

When first year students respond to the Cartesian evil demon hypothesis by claiming that we have no reason to suppose that there is such an evil demon, we respond that that is irrelevant, for the skeptic is only offering a *hypothesis*. The challenge that the Cartesian is addressing is to show that (after all) one does have a reason for believing particular propositions about the external world. Foley is at one time arguing that Cartesian foundationalism will not be successful and that we can overturn the skeptic by positing that there is no reason to believe the hypothesis. Now, fairness should demand that one be willing to admit in principle that methodological doubt is not a viable means of discovering what one knows. But this is contingent upon being shown why this is so. (For example, the attacks on the Cartesian method of doubt by Thomas Reid and Keith Lehrer are fair.) But Foley is not being as fair, for he professes to have addressed the skepticism that is incumbent upon the method, yet his answer is clearly not adequate. Perhaps he does not recognize that the skeptic gets her program going, not by showing that our beliefs are false, but by showing that we do not have good evidence that our beliefs are true. Cartesians offer the demon *hypothesis*, not the demon *assertion*.

The only apparent way to patch up Foley's account to rectify this problem would be to add a positive requirement for propositional uncontroversiality. Since he feints, but ultimately does not go in this direction, the problem is obscured. Furthermore, to add such a requirement would reduce his theory to a standard foundationalism. Since he is adamant that his rejection of such an account is a central achievement of the theory, it is fair to say that this problem is irresolvable for him.

Foley himself makes a judgment about standard foundationalist that comes curiously close to this result:

Chisholm and other such foundationalists tend to think that properly basic propositions must be ones whose truth is guaranteed when we believe them. They think that if a proposition is not in this way guaranteed to be true, it needs to be defended; it cannot simply be assumed. Accordingly, if there were no propositions that are guaranteed to be true when we believe them, there would be a problem with a regress. Moreover, traditionally inclined foundationalists tend to think that

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properly basic propositions are ones that cannot be defended using other propositions. Properly basic propositions are in this sense epistemically independent from one another; they cannot be used to argue for one another. (Foley, *TER*, p. 75)<sup>8</sup>

His intention is clearly to avoid the foundationalist dilemma of radical skepticism or dogmatism. But the full expression of the theory is one that is radically dogmatic in that far too much is allowed to serve as the proper basis for our justified beliefs. Advancing beyond this minimal conception of the foundations, Foley adds that “properly basic propositions are to be thought of as propositions that need not be argued for, rather than as propositions that cannot be argued for.”(Foley, *TER*, p. 76) This claim resonates with the account of epistemic justification as intra-personal argument offered here, for in the analysis that provided in this chapter one can still talk about local foundationalism, but the two accounts differ with regard to what it is for a proposition to “need not be argued for”. The heart of his theory is that in the absence of a defeater, a proposition need not be argued for. An extension of the suggested account of justification is that a proposition need not be argued for if there is some positive reason for it. (And if every positive reason begets another argument for it in turn, we get a circular justification structure or a regress.)

Yet another direction from which to illuminate this essential problem with Foley’s starting points is to look at his discussion of how pedestrian the beliefs are at the foundational level,

In summary, the kinds of propositions that are the best candidates to be properly basic, given subjective foundationalism, are just the kinds of propositions that common sense tells us are generally the least problematic — propositions about our current, conscious psychological states (say, that I have a headache), simple perceptual propositions (say, that I see a cat on the mat), simple memory propositions (say, that I remember being at the zoo last Saturday), fundamental “general” propositions (for example, that there are material objects), and simple propositions that we on reflection would take to be necessarily true (for example, that  $2 + 3 = 5$ ). (Foley, *TER*, p. 81)

Foley gathers powerful weapons to defeat the skeptic. Notice that many of these are not self-justifying in the traditional sense. They are Foley-self-justifying in that we have no reason to think that they are false. Again, he misses that the issue is not that we have no reason to think that they are

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<sup>8</sup> In addition to showing a blindness to the most currently popular version of foundationalism, fallibilism, these claims drive home the point that for Foley a proposition can be properly basic (or uncontroversial) even without some positive reason or guarantee for it to be true.

false; the issue is whether we have reason to doubt them. With the exceptions of the last category (a priori truths) and perhaps the first (phenomenal truths), it seems epistemically responsible to proceed under the Cartesian assumption that one has initial reasons to doubt. This is to say that one does not initially have positive evidence that one's beliefs about the external world are justified. In his dismissal of coherentism, we get the clearest expression of his position of defending the negative characterization of epistemic uncontroversiality:

There is, however, a stronger interpretation of the [coherentist] maxim that there is no exit from the circle of one's beliefs, an interpretation that most coherentists would endorse but one that a subjective foundationalist cannot accept. In particular, coherentists are likely to use this maxim to express the idea that only another belief can make a belief rational. Most coherentists will insist, in other words, that if an individual S is to have a reason in favor of a proposition p that he believes, then something else that he believes must provide him with a reason. This is a claim that the subjective foundationalist cannot accept, since according to subjective foundationalist some beliefs are self-justifying; there are some propositions such that S's believing them is enough to give him a reason to think that they are true. (Foley, *TER*, p. 94)

So here we have the admission that he was reluctant to offer early on. He deflates the promised "positive reason" clause of epistemic uncontroversiality into the claim that reduces to the no-defeater clause. An uncontroversial proposition need not have any reason in favor of it. It is clear here that he is not merely making the well-worn response that some non-belief psychological state can provide reason for a belief. He is making the daring claim that properly basic beliefs need no reason whatsoever.

Up to now, the formal part of Foley's theory only describes justification as a process of intra-personal argumentation where the basic premises need to be uncontroversial. It has remained an open possibility that one might not have any properly basic beliefs, that no propositions are uncontroversial for a person. But with the following caveats, the application of the theory is severely limited,

This appeal to our nature as believers is characteristic of subjective foundationalisms. There is nothing in the formal part of the theory that guarantees that our simplest and most fundamental beliefs about the external world, the past, and the future are likely to be epistemically rational for us, but the formal part of the theory together with plausible assumptions about our nature as believers does imply that such beliefs are likely to be epistemically rational for us. ... In this admittedly non-standard sense subjective foundationalism encourages a naturalization of epistemology. (Foley, *TER*, p. 111, intervening material deleted)

Foley here applies the theory to “normal” believers who uncontroversially believe in the external world and its accessibility to them. Given the present criticisms of the formal part of the theory (specifically concerning what should count as an uncontroversial proposition), this appeal will not help. For now the question is whether such beliefs can be uncontroversial to anyone, Cartesian doubters or normal people.

An interesting question here is whether Foley’s theory, when applied to a radical skeptic, yields an account similar to that offered here. First of all, he is willing to grant that one can be a skeptic and be rational, but only rational in a trivial sense. But since he explicitly points out that subjective foundationalism is inconsistent with local foundationalism (or as BonJour sometimes calls it, “local, linear justification”), the skeptic will not have even “contextually basic” beliefs, so there will not even be the phenomena of local linear justification structures. It is these local, linear structures that are the heart of the present proposal. Tangentially, Foley initiates a sketch of a wider sense of epistemic justification that is potentially profitable:

For convenience, suppose that we say that first-level arguments are arguments with premises that are properly basic for S and with conclusions that are made epistemically rational for S by these premises, and suppose we say that other arguments are second-level arguments. (Foley, *TER*, p. 115)

Foley is describing a derivative form of argument.<sup>9</sup> First level arguments are the kind portrayed previously as those that have as premises uncontroversial propositions. Since reducing one’s reasons to these basic arguments is tedious, we tend to offer reasons in the form of arguments that have premises that are not truly properly basic. A second-level argument is such a “crutch” argument, and importantly they can be reduced to first-level arguments if necessary. First, notice that this adds nothing structurally new to the account (not that Foley claims it will). Second, notice that this weaker level of argument is much closer to the analysis of justification that is suggested in this chapter. Notably, such arguments make no pretense of having found an epistemological, objective rock bottom; they are merely a demonstration that within a certain context (hence, they are local issues) they provide reason for the belief. As such, the arguments can at best provide only provisional justification in that the reasons for the reasons are not necessarily in question. But, they *can* be questioned, contra the premises of Foley’s first-level arguments.

In short, the final assessment of Foley’s theory is that his theory of first-level argument as the model of justificatory evidence is not adequate in light

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<sup>9</sup> His labels of first- and second-level argument are therefore misleading in this regard.

of his use of uncontroversial propositions, but his description of second-level arguments is an interesting place to begin rebuilding a theory of epistemic rationality in order to see if Foley is right that subjective foundationalism can be truth conducive.

Setting aside for a moment the complete articulation and defense of any such account, a sketch of justification as intra-personal argument can be provided. There are five interesting characteristics of such justification:

First, justification would have to be a linear relation from belief(s) to belief(s). Note that the otherwise poorly named property of linearity is suggested by the paradigm of argumentative inference. In a complicated, serial argument there are often intermediate conclusions or corollaries that are first shown to follow from prior premises, and then are themselves used as the premises in a further inference that is needed along the path to the conclusion. For example, consider the following relatively simple argument (taken out of any context, since the specification of a context is not relevant to the present point):

1. If Vincent studies then he will know the material.
2. If Vincent knows the material then he will pass the test
3. Therefore, if he studies then he will pass the test
4. Vincent will study
5. Therefore, he will pass the test.

As a matter of convention, it might be acceptable to say of this argument that premises one through four, as a group, are such that if they are true, then they show that the conclusion is true. But, this would of course be a deficient description. One adds considerably to the description if it is noted that the first two premises show that proposition three is true, and then three with four show that the conclusion is true. A non-linear or "holistic" account of inference would be rich enough to indicate that the conclusion is inferable from the premises, or perhaps more accurately (and weaker) that the conclusion is a member of an appropriately inferentially related set of propositions. In simple arguments where a single prong of inference is used, a non-linear account of inference is potentially adequate, but for more common arguments containing serial, nested, and parallel inferences, a non-linear account is not adequate to express argumentative structure. Accordingly, the inference relations among the propositions of an argument are most helpfully and accurately described as linear. Therefore, if epistemic justification is a special case of argument, then it should be expected that epistemic justification is essentially a linear relation.

Even if, as Quine argues, it may take many beliefs to justify a belief that is no reason to suppose that justification is not articulated.<sup>10</sup> A move away from linear justification, however well motivated otherwise, simply does not have the resources to capture doxastic complexity.

Second, an argument properly understood can at best show that under the assumption of the truth of certain premises, the conclusion is true. It is misleading to say, therefore, that an argument can be used to demonstrate the truth of a conclusion. Rather, an argument is used to show that if the premises are true, then the conclusion is true. In this way, arguments have at most a provisional force; as sets of propositions they show a conclusion to be true *provided* the premises are true, and as dialectical devices they have rhetorical force *provided* the audience accepts the premises. Therefore, if epistemic justification is a special case of argument, then it should be expected that epistemic justification is provisional.

Third, since arguments in contexts are occasions where the truth of one claim is shown to follow from other claims that are independently acceptable, an argument is best understood as an actual occasion or episode of inference. That episode is inferentially delineated to begin at the appeal to undefended premises and is ended at the arrival at the conclusion. Importantly, if the premises offered were not acceptable by the audience, then they would have to be defended by appeal to other premises. But, then that would be a different context, and therefore would be an expanded and different episode of inference. Therefore, it should be expected that epistemic justification should be similarly *episodic* or *occasional*. Specifically, these episodes begin with the presentation of acceptable beliefs that satisfactorily justify the endpoint of the target belief. In other words an episode of justification is initiated by a call for justification of a target belief and seeks justification in the form of acceptable beliefs that justify that target belief. This would indicate that a call for justification generates an occasion of justification that is delineated by appeal to those beliefs that mediate justify the target belief and the target belief itself.

Fourth, inter-personal argument in whatever structural variant it appears, to be successful, must ultimately appeal to some premise or premises that needs no further argument for the audience to accept. These premises are the only propositions of the argument set that are argumentatively “founda-

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<sup>10</sup> See Quine and Ullian, *The Web of Belief*, New York, New York: Harper 1961, pp. 3-8. Compare the holism of Quine and Ullian with that Keith Lehrer calls “the circle of belief”. Lehrer’s doctrine implies not only that can we never make a non-doxastic appeal for justification, but also (and relevant here) that those appeals for justification are a matter of specific beliefs in specific relationships. See his “Systemic Justification” in *Essays on Knowledge and Justification* edited By Pappas and Swain, Cornell University Press, 1978, p. 288.

tional". Thus, in addition to the bifurcation of argument propositions into premises and conclusions, we can also overlay the bifurcation of argument propositions into those propositions that require an argument to be acceptable and those that do not. In a simple argument, this bifurcation will be extensionally identical to the premise/conclusion distinction. But, in a complicated argument (perhaps containing sub-arguments) this need not be the case. Therefore, within an episode of justification, if epistemic justification is a special case of argument, we should expect that the structure be essentially foundational.

Fifth, argument episodes can be expanded, contracted or altered altogether by situations that call for it. Hence, different audiences under different conditions will accept different propositions as acceptable starting points. Therefore, whereas the structure of any specific argument can be said to be "foundational", this does not entail that there is a special set of propositions from which premises can be selected. In the case of inter-personal argument, this is a platitude; a premise for one argument may be the conclusion for another and vice versa. It would belie a gross misunderstanding of inter-personal argument to conclude that since *a* (or even *any*) particular argument is foundational, the set of all propositions independently can be bifurcated into those propositions that are premises and those that are not. Accordingly, the description of "premise" or "conclusion" is indexed to a proposition's role within a particular argument. Moreover, arguments do not appear in a dialectical vacuum, they are presented as windows into one's wider set of commitments. There is no reason to suppose that if the premises of an argument were repeatedly called into question (and therefore the context of the argument repeatedly changed) then eventually what served as a conclusion of an earlier argument might later serve as a premise for another. This is to say that the foundational structure of individual arguments in specific contexts does not indicate that the structure of an entire body of one's argumentative commitments is foundational. Episodic foundationalism is neutral with regard to system-wide foundationalism.

Given the possibility of treating of epistemic justification as provisional justification, an immediate question is to ask what are the epistemic occasions when we can provisionally terminate an episode of justification? Call such occasions epistemically fair assumptions; they play the role of the starting point in an episode of local justification.

Simply, an epistemically fair assumption that can be used to generate the provisional justification of a provisionally justified belief must have two characteristics:

- (i) It could itself be provisionally justified, and
- (ii) For the context in which the question of justification of the target belief is raised, the subject does not need the assumption to be justified.

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Supposing that justification is essentially an intra-personal matter, it is clear that the satisfaction of the second condition requires some candor on the part of the subject. Furthermore, as will be addressed shortly, determining that the second condition has been satisfactorily met will require all the messiness and be just as incomplete as any pragmatic judgment would invariably be.

Consider the following simplified example of an episode of provisional justification for a subject S:

S questions whether her belief that her coffee is still warm is justified. (Specifically, suppose that a friend has just asked her whether she really wants to drink out of her mug that has been standing untouched for some time.) Very quickly, she considers that in the past, this mug has maintained a satisfactory level of heat for its contents for over ten minutes. A glance at the clock indicates that it is now five minutes after one o'clock. Remembering that she poured hot coffee into the mug as she left the lobby downstairs, and remembering that she passed through the lobby at one o'clock right as it opened, she estimates that the coffee has been in the mug for just less than five minutes. With her hard-won knowledge of mathematics, she concludes that five minutes is less than ten minutes, so in fact she is justified that the coffee in her mug is still warm.

If we are to reconstruct her justification for the target belief in this case, we will find that the process ends at several other beliefs: that her mug maintains the heat of its contents for at least ten minutes, that it is now five minutes after one, that she poured the coffee at around one o'clock, that ten is greater than five, etc. We will also find there are several beliefs that we justified by some combination of the beliefs on this list, and that are used in the justification of the target belief, notably that less than five minutes has elapsed since the coffee was poured.

Has this subject been epistemically responsible? Certainly she neglected to explore the possibility of the batteries in her office clock going dead in the last few minutes. And certainly she is making at least one assumption about the uniformity of heat loss over time. These and many other possibilities for error in her target belief have not been exhaustively considered by the subject. Hence, she has not been maximally epistemically responsible. But, it would not be accurate to say that she has not been minimally epistemically responsible either. For example, she did not dogmatically retort that she would only drink hot coffee, nor did she base the justification of her belief in her belief that the world is a kind place and as such would not allow for the consumption of less than ideal coffee.

The sense of provisional justification that needs to be articulated begins with an attempt to leverage whatever epistemic *merit* there is of such an episode. If we can begin with the acknowledgment that there is some epis-

temic virtue to be salvaged here, then the task is more straightforward. What did the subject do that was at all epistemically meritorious?

- (a) She did offer *some* reason for the belief in question.
- (b) The truth of the assumptions she mustered did provide compelling reason for the belief in question.
- (c) The assumptions that she mustered were not themselves mere dogma. (This is to say, that if they were questioned, then they also could be addressed in a similar reasoned fashion.)
- (d) Given the nature of the context, the subject did not appeal to assumptions that were themselves unsatisfying. To make this claim perfectly adequate, more information about the context would need to be examined. But, for a rough evaluation, it is fairly clear that the truths of mathematics are not among the class of beliefs that are being called into question in this context; the original question that sparked this epistemic episode is presumably asking for the justification of one rather pedestrian belief against a rather pedestrian background of assumptions. If the questioner was in fact a professor of philosophy and the subject was a graduate student about to take her metaphysics and epistemology exam, then there is a different class of appropriate background assumptions to use. But, then we would have a radically different context so one should expect a radically different assessment of the situation.

These weakly positive descriptions of what the subject did well are codified above into the two requirements of an epistemically fair assumption.

It is important to remind us that the subject in our thought experiment can be described as being epistemically responsible while still not describing her as having attained a degree of perfect epistemic responsibility.<sup>11</sup>

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<sup>11</sup> One of the larger issues that need to be addressed is that this intuition we have of perfect epistemic responsibility can be regarded as an unattainable construct that we use to draw into focus the lesser degree of epistemic responsibility that we can attain. The mistake that we are warning against is that one should not make pretenses about one's ability to reach perfect epistemic responsibility (i.e., justification that is not provisional). The program followed here is an attempt to isolate our epistemic resources and determine what use can be made of them. That those tools cannot do a specific job is no indication that we must have started with the wrong tools or even that we have applied them poorly. Furthermore, the program followed here allows us to make some headway in explaining why it is that we fail in this regard: The radical skeptic (who asks for non-provisional justification) simply has made a mistake about what kind of epistemic answer we can give (In the same way that we can see the folly of someone who asks for an argument that proves the truth of a conclusion as opposed to an argument such that if the premises are true then the conclusion is proven true.)

This should not suggest that any offered justificational episode, or specifically any choice of starting points, is as good as any other. Charles S. Peirce and Nelson Goodman have both been taken to claim that the “basicness” of beliefs is purely relative in the sense that a belief set can be systematized in alternative ways such that any belief can be portrayed as epistemically basic.<sup>12</sup> Admittedly, there might be competing justificational stories that can be told such that one is not able to arbitrate which is better (this is to say that our ability of epistemic criticism is bounded), but on the other hand there are sufficient resources in the account to make the claim in some cases that one justificational episode is better than another. It is imperative to preserve the resources to say that there is a structure to belief sets, and that it is this structure that determines how a justificational episode is to be judged. If one were to go in the direction of Peirce and Goodman, one implication is that whatever structure there is to one’s belief set is an ad hoc overlay on an otherwise amorphous whole.

It is not merely a messy question, but also an open question what the assumptions are in a particular episode. For example, in the discussion of the coffee believer discussed above, one could make the case that in that context the subject is including among her assumptions that time flows uniformly. How is one to decide whether or not to include such a belief among those that she uses in that case to justify her belief that her coffee is still warm? There are important cues in a detailed description of the context to help us make some judgments, but with regard to the inclusion of some beliefs as assumptions, the contextual information must be underdetermining. Put another way, there is a large class of beliefs that we can rule out of the episode for reasons of contextual irrelevancy, and there is a class of beliefs that the context will require including, yet there will also inevitably be a class of beliefs that context will not either definitively rule out or rule in. This result is a function of contextual nature of this account of justification. As such, we should expect such difficulties. Perhaps also, if we could give a complete description for the context of the episode, then in principle the judgment would not be underdetermined. There are obvious limits we have at our disposal that force us give

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<sup>12</sup> See Anthony Quinton’s discussion of both Peirce and Goodman in “The Foundations of Knowledge” in *Empirical Knowledge* edited by Chisholm and Swartz, Prentice-Hall, 1973. On page 544 of that work, he interprets Peirce to be espousing that “There are no statements for which further evidence cannot be acquired; but no further evidence need be sought for those which are not disputed by anyone.” And later on that same page he says about Goodman: “Goodman has also maintained that the basicness of a statement is relative, but in a very different sense. Bodies of assertions can be systematized in many alternative ways between which the analyst has a free choice. A statement is basic only in relation to a particular, freely chosen, way of systematizing the set to which it belongs.”

a simplified description of the context which in turn limits our ability to fully articulate the propositional contents of the episode. But in principle a fully detailed account of the context could be given, and so in principle this is not an open question.

Whereas, a provisional and episodic understanding of epistemic justification is appealing for its ability to contain and address specific questions of justification, it seems particularly unsuited to address radical skeptical worries. Consider how one might, with the available resources, answer Descartes' evil demon hypothesis. For whatever starting point that is posited, a new doubt can be generated that initiates a new call for justification. It seems that clear that radical skeptical issues are outside of any specific episode of justification. From any starting point, the skeptic cannot be finally leveraged into submission. But this should not be taken to show that skepticism is somehow confused or misunderstood. Rather, it is here defended that the burden of answering the radical skeptic is poorly placed on epistemic justification. This suggests that it is possible to assent to the epistemic importance of skepticism without making it a matter of epistemic justification. We might have taken the skeptic, when she asks, "But how do you *know* that there is no evil demon systematically misleading you?" to be eliciting a justification of the belief that one is not being presently fooled by an evil demon. But, under the account of justification as intra-personal argument offered here, this question (and those questions which the skeptic will follow up with) is not readily answerable. Traditionally this has been taken to either mean that the skeptical challenge is a manifestation of a misunderstanding of the goals of philosophy, or else (more frequently) that the particular theory of justification that results in the failure is therefore incorrect. Instead, the conclusion ought to be that the view that Foley articulates (and many other presumably share) that subjective foundationalism is truth conducive, is wrong.

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