

Preserving Preservationism: A Reply to Lackey

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1. Introduction

In her essay “Memory as a Generative Epistemic Source,”¹ Jennifer Lackey argues that, contrary to a common viewpoint, memory can generate rationality, justification, and even knowledge. In this paper, I will critically evaluate the case she makes for memory’s epistemically generative abilities and find it wanting. In particular, I will argue that her alleged counterexamples are not compelling and can reasonably be resisted by her opponent. More importantly, I will argue that even if her examples show the principle against which they are aimed to be false, she has nevertheless not shown that memory is a generative epistemic source.

Before evaluating Lackey’s examples, I should mention that there is a section of Lackey’s paper that I will not be addressing. In section 4, she argues that memory can be epistemically generative because it can produce new beliefs. For example, it is plausible to think we often take in more visual information than we process into doxastic states. At a later time, we may recall past visual experiences and come to form new, justified beliefs based on them. There is an obvious sense in which memory functions generatively here, and I have no wish to deny the obvious. However, since such examples are also instances of *belief* generation, they are very much unlike the main examples in her paper. The main sections of her paper, and the ones with which I shall be taking issue, are intended to show that memory can be epistemically generative even when it is not doxastically generative.² And it is her argument for this that I take to be mistaken.

¹ Jennifer Lackey, “Memory as a Generative Epistemic Source,” forthcoming in *Philosophy and Phenomenological Research* 70: 636–58.

² Although I do not find Lackey’s cases to be instances of epistemic generation in the absence of doxastic generation, I do believe that there are such examples. Interestingly, they do not prevent a carefully articulated version of preservationism from being true. For a discussion of this, see my as yet unpublished paper, “Epistemic Generation and Memory.”

2. Setting Up Her Target

Cognitive processes such as perception and introspection are generally thought to be sources of epistemic generation. That is to say, these processes not only produce beliefs, they also produce positive epistemic qualities like justification and “epistemization” (i.e., that quantity enough of which will turn true belief into knowledge).³ So suppose I see a water bottle on my desk in good light and form the justified belief, and even come to know, that there is a water bottle on my desk. The cognitive source of the belief thus generates not only the belief but it also has a vital role in producing the belief’s justification and epistemization (since I will have frequent cause to use this conjunction of terms, I will henceforth abbreviate it to “j&e”). Memory, however, seems not to be like this. Arguably, when I later recall my belief that the water bottle was on the desk, my j&e are not *generated* by memory but rather have been *preserved* by memory. The j&e generated by perception, along with the preserving aid of memory, are what warrants my belief now. The essence of what I will call “preservationism” is the thesis that in the absence of any additional evidence or epistemic support from another source, the j&e of a memory belief can be no greater than it was when the belief was first formed; that is, a belief cannot gain j&e by simply being held for a time. It is this view, I take it, that Lackey attempts to capture in what she calls the “Preservation View of Memory” (the “PVM” for short). Here’s her official formulation of the PVM:

PVM: S knows (justifiably believes) that p on the basis of memory at T2 only if: (i) S knows (justifiably believes) that p at an earlier time T1, and (ii) S acquired the knowledge that p (justification with respect to p) at T1 via a source other than memory.⁴

In a nutshell, PVM claims that if I now hold a belief on the basis of memory, and that belief is justified or counts as knowledge, then it must be because of the activity of some generative epistemic process or the presence of an epistemically generative event that occurred when I first formed the belief (or at least at some time earlier than now). Memory can preserve j&e, but it can’t create them.

³ I take the term “epistemization” from William P. Alston. I mean nothing contentious in distinguishing justification and epistemization—the latter might well include the former, and one who holds that knowledge simply *is* justified true belief will merely take “justification” and “epistemization” to be coextensive.

⁴ In her paper, Lackey also includes “rationally believes” in the parenthetical phrases of PVM. But since I don’t propose to talk about rationality in what follows, I’ve left it out of the original specification of the theory. Still, I think the comments I will make about justification will apply to rationality as well.

Taking Her Shot

Lackey attacks the PVM via two counterexamples. Each example is a case in which a subject forms a belief that would be justified, and would even count as an instance of knowledge, were it not for a defeater. When the subject recalls the belief at a later time, however, the defeater is either not relevant or nonexistent. So the belief that was not an instance of knowledge when first formed, becomes known with the passage of time. Here are the details of the cases:

Case 1: Aunt Lola, a generally reliable person, tells Arthur that the mayor of their city has been caught taking bribes. She has heard this from the mayor's secretary who is also generally reliable, although she did not tell Arthur her source. So Arthur believes Lola and forms the appropriate belief about the mayor. But neither Arthur nor Lola is in the habit of paying any attention to the media, which in an effort to cover up the mayor's wrongdoing, are ubiquitously reporting that assertions that the mayor has been caught taking bribes are false. Had either picked up a paper, turned on a radio, or watched any televised news, he or she would have heard the story. But neither did, and so Lola remains the only source for Arthur's belief about the mayor's misconduct. It turns out, however, that the media has it wrong; the accusations are true. Lola, and so Arthur, has it right: the mayor is on the take. After a time, the truth about the media's false reporting comes out, and this too is widely reported and becomes public knowledge. So in the end, the mayor's wrongdoing and the media's attempt to cover it up are both common knowledge (although the latter is never known to Lola and Arthur).

Lackey's take: According to Lackey, Arthur did not know that the mayor took bribes when Aunt Lola first told him. The knowledge he would have had was defeated by a normative defeater. A normative defeater is a proposition that one should believe (i.e., a proposition that one would have believed had one been behaving in an epistemically responsible manner) that bears a significant negative evidential relation to the belief it defeats. Arthur ought to have been paying at least minimal attention to the goings on in his town, and if he had, he would have believed the reports that the mayor didn't take the bribes. However, after the story of the cover-up is known, and it is clear that earlier assertions of the mayor's innocence were wrong, there are now no relevant normative defeaters (because if Arthur were paying attention all along he'd now know the initial reports were wrong). So were it not for the false media reports, Arthur would have known that the mayor took bribes when Aunt Lola first told him (since she is a reliable source, her source is also reliable, and the belief is true). Therefore, later when the media's false reporting is public knowledge and Arthur

no longer has a defeater, he has knowledge. In short, Arthur's memory belief was formerly not knowledge but now is, even though Arthur has come by no new evidence. Hence, Case 1 shows that PVM is false and that memory can generate knowledge.

Case 2: Nora is generally reliable and careful about accepting testimony. But in college she has a couple friends who convince her that the testimony of atheists is unreliable. Nora has another friend, Calvin, whom she knows to be an atheist. Calvin is an extremely reliable source of information and Nora has every reason to believe he is both competent and sincere regarding his claims. One day after class, Calvin tells Nora that Hitler was raised a Christian. Nora is caught off guard (i.e., she fails to call to mind her beliefs that atheists are unreliable and that Calvin is an atheist) and finds herself believing Calvin. Several years later, the belief that atheists are unreliable has faded from Nora's memory and she no longer believes it. But she still believes on the basis of her memory "dating back solely to Calvin's testimony" (Lackey's phrase) that Hitler was raised a Christian.⁵

Lackey's take: Because Nora believes that atheists are unreliable, she has a defeater for her belief that Hitler was raised a Christian, since she knows that the basis for her belief is the testimony of an atheist. So at and around the time she formed the belief, Nora did not know, or even justifiably believe, that Hitler was raised a Christian. But once time passes and her memory fades, she forgets the doxastic defeater. Originally, it was this defeater that kept her from being justified and having knowledge. Since her belief was initially reliably formed, and she even had evidence of the general reliability of the source, and since she now is without the defeater she once had, she currently has justified belief and knowledge.

4. Why the Counterexamples Don't Succeed

In what follows, I differ with Lackey's take on both cases. That is, I will argue that these are not successful counterexamples because they do not compel assent and, contrary to Lackey's claims, the preservationist has the theoretical means for explaining his competing intuitions about the cases. However, as will become apparent in due time, I do

⁵ It is important to keep in mind here that in order for this case to count against PVM, Nora cannot in the meantime have come by evidence that shows that the general claim that atheists are unreliable is false. The PVM allows that a belief that is unjustified when formed can become justified later if some new source of evidence is added. In order for Nora's case to be problematic for the PVM, we must assume that the only epistemically relevant difference between Nora when she first formed the belief, and Nora now, is the subtraction of her belief about the unreliability of atheists.

not think the decision about Lackey's cases much matters: even if we grant her that her examples show that PVM is false, the preservationist can take heart. Lackey's examples do not and indeed *cannot* show that memory is epistemically generative.

Since what is fundamental to my reply to both cases is easiest to see with respect to Nora, I'll discuss Lackey's cases in reverse order.

My take on Nora: Lackey thinks that Nora knows at the later time because she no longer has the doxastic defeater she had when the belief was first formed (and which explains why the belief wasn't a piece of knowledge in the first place). However, the preservationist can offer an explanation for why he thinks, *pace* Lackey, that Nora fails to know in both instances: Nora doesn't know *now* because she didn't know *then*; since she lacked knowledge (and even justification) at the time the belief was formed, and since there has been no additional positive epistemic change (e.g. she hasn't acquired new evidence or had her original belief reinforced by the workings of a process likely to get to the truth about the matter in question) her potential knowledge remains defeated despite the fact that the doxastic defeater has faded from her memory.

In her paper, Lackey has anticipated this defense of preservationism and offered two responses: first, if Nora no longer believes the defeater, then she can't possibly have a *doxastic* defeater since, by definition, such defeaters are believed. However, Lackey suspects that this retort misses the heart of the objection. The preservationist should be taken to hold that Nora's defeater is of the normative, rather than the doxastic, variety. That is, the proposition that was once a doxastic defeater has become a normative defeater. Even though Nora no longer believes that atheists are unreliable, she *should* still believe it (since her current failure to believe is due only to forgetfulness and not to an explicit rejection of the doxastic state). But this seems wrong to Lackey because she doesn't think that Nora *ought* to believe the defeater. After all, Nora's belief that atheists are unreliable was unjustified to begin with; so if Nora shouldn't have believed it when she did, why think that she should believe it now that she doesn't?

Lackey is here assuming that the belief is defeated at *t* only if there is a doxastic or normative defeater at *t*. But this assumption is rejected by the preservationist. For it is part and parcel of the preservationist claim that, without the addition of an epistemic boost, the epistemic status of a memory belief cannot be greater than its status at the time the belief was formed. That is to say, in the absence of new evidence, a belief's being defeated at an earlier time is sufficient for its being defeated at the later time. The response that the preservationist should give to the case of Nora is that since the original belief was defeated by her

belief that atheists are generally unreliable,⁶ then, *ceteris paribus*, her having that defeater at the earlier time serves to defeat her belief at the later time. That is, the defeater continues its work when the belief is remembered even if it is neither a doxastic nor a normative defeater, indeed even if it no longer exists.

Further support for the idea that items no longer remembered can nevertheless have an epistemic effect can be had by considering “forgotten evidence” cases. We often form beliefs on the basis of good evidence or testimony, and later forget the sources of our beliefs. Yet in many of these instances, it is plausible to think that when we recall these beliefs, we are justified in believing them even though the initial evidence has been forgotten. Indeed, we are justified in believing them to the point of knowing them. I believe that Abraham Lincoln was killed in Ford’s Theater. Undoubtedly, when I first formed this belief, I had another belief or beliefs I could cite as its ground (i.e., that my teacher, who is reliable, said it or that I read it in a history text). But the passage of time and the limitations of memory have conspired to rid me of my earlier, justifying beliefs. Nevertheless, I take it that my memory belief about Lincoln’s assassination is justified and likely counts as knowledge. One who accepts a preservationist account of memory will say that the latter belief is justified because the former belief was (and because my memory for important historical facts is generally reliable)—that the justificatory status of the later belief is largely a function of the justification of the earlier belief (“largely” because justification may decrease if memory is unreliable). My earlier evidence continues to provide my j&e even after it is forgotten. In the same way, the fact that a defeater was present at the time the belief was originally formed is sufficient for the defeater’s continued effect even after the proposition has been forgotten.

So my reply to the Nora case is that the preservationist will not likely share Lackey’s intuition that Nora knows at the later time, and that he will have the theoretic means of accounting for this intuition. Nora continues to lack knowledge because even though she has forgotten the defeater, it continues to defeat in just the same way that forgotten evidence continues to justify.

Aunt Lola and Arthur: Not surprisingly, the preservationist’s response to this case is largely the same as above. Because there was a normative defeater when Arthur first formed the belief in question, he did not know that the mayor took bribes. While it may be true in the later circumstance that there is then no normative (or for that matter,

⁶ There may be reasons for doubting whether this belief really is a knowledge defeater, but it is part of the original case and I don’t plan to bicker about this here.

doxastic) defeater for that belief, it doesn't follow that the person who formed the belief at the earlier time now has an undefeated belief. Again, to think it does requires the aforementioned assumption that the preservationist has no reason to grant.

Perhaps an analogy will help make this reply more plausible. Suppose Smith wants to buy a car for \$25,000. His available cash is exactly equal to the price of the car. However, the local sales tax is 10% so Smith is \$2,500 short of what he needs. Smith notices in the fine print of the contract for the car that the buyer may choose to pay the tax directly to the local tax assessor as long as this is done within a week of the purchase. Seeing a way of getting the car for the money he has, Smith exercises this option with no intention of paying the tax. He figures that, bureaucracies being what they are, no one will ever notice that he left the tax unpaid, and that even on the off chance that it is detected, it won't be worth the effort of the powers that be to come after him. So he buys the car and fails to pay his tax. On the assumption that the tax is legitimate, he is culpable for buying the car as he did. Now suppose that two months after his purchase, the sales tax is repealed. If Smith were to buy the same car with the same resources today, his purchase would be legitimate. But the truth of this counterfactual doesn't alter the fact that Smith *is* culpable for having purchased the car as he did and for continuing to enjoy owning it without having paid the tax due. The fact that there has been a change in the "consumer environment" doesn't alter the status of illegitimate purchases made before the change. In the same way, the preservationist can claim, the change in Arthur's epistemic environment doesn't alter the epistemic status of his previously formed, defeated belief.

5. Why the Previous Section Doesn't Really Matter

So I believe that the preservationist need not accept Lackey's interpretation of Arthur's and Nora's cases. Yet there is a way that all of the above is beside the point. The preservationist claims that no positive epistemic status is generated merely in virtue of a belief's being stored in memory. In this section, I will argue that even if everything I have said heretofore is wrong, and her cases really do amount to successful counterexamples to PVM, Lackey has nevertheless failed to appreciate the essence of the preservationist's view. That is, her counterexamples turn out to be irrelevant to preservationism carefully construed, because they don't, and *can't*, support her substantive thesis that memory is a source of epistemic generation.

According to PVM, no belief that is "based on memory" can be justified or known unless it was justified or known earlier. I take it that

what “based on memory” here means is “made occurrent in the way stored beliefs often are and with no additional epistemic support over and above what this entails.” The second conjunct of that sentence might seem to be unnecessary but it isn’t. For if being based on memory means only “made occurrent in the standard way” then no one will be tempted by PVM since it will rule out the possibility that a person could recall a previously held belief which was unjustified when first believed but which has become justified now due to additional evidence just received. But surely there are such cases and the preservationist has no reason to claim that there aren’t. So the truncated reading of “based on memory” is not what is needed. Even if Lackey’s phrasing is a bit unclear, the underlying idea is, I think, straightforward enough. A belief is based on memory if one is currently recalling it, and the preservationist’s position is that in the absence of a new source of justification, a memory belief is justified or known only if it was justified or known earlier.

The preservationist is, then, committed to the claim that no positive epistemic ground is gained just in virtue of the belief’s being preserved. As with most epistemic principles, we can understand the preservationist’s position better if we think of it in light of the *prima facie/ultima facie* distinction. A belief is *prima facie* justified if it attains the level of justification which, in the absence of undefeated epistemic defeat, will be sufficient for its being *ultima facie* justified. For example, in a museum I look at a display in which a piece of parchment is encased in glass. On the basis of my sensory experience, I come to believe that the parchment is red. This perceptual belief is *prima facie* justified. But soon after forming the belief, I read the description of the display that notes that this is the only piece in the museum that is illuminated by red light. As fate would have it and (of course) unbeknownst to me, the description near the parchment was written for the exhibit taken down yesterday, and not for this new item; the parchment is under standard white light. So my *prima facie* justification is defeated, and my belief, should I continue to hold it, is not *ultima facie* justified. If, however, my *prima facie* justification were not defeated, then my belief would be *ultima facie* justified.

Just as there is a *prima/ultima facie* distinction for justification, so there is one for epistemization. A belief is *prima facie epistemized* if it attains the level of epistemization which, in the absence of undefeated epistemic defeat, will be sufficient for its being *ultima facie* epistemized. *Ultima facie* epistemized belief, then, just is undefeated *prima facie* epistemized belief. Although this terminology may be unfamiliar, the idea is hardly new. It is commonly noted that defeaters for justification and defeaters for knowledge are in principle distinct. Consider a typical

Gettier counterexample: this is a case of justified true belief that nevertheless fails to be knowledge. There is no suggestion in such cases that the justification is defeated by the Gettierizing conditions. Rather, they fail to be knowledge because their epistemization, and not their justification, is defeated.

With the *prima facie/ultima facie* distinction in mind, let's turn to the question of epistemic generation. Lackey has claimed that her cases show that memory can be a source of justification and epistemization. But now we have the theoretical means to ask a more fine-grained question. For given the distinction of the last paragraph, the thesis that memory can produce j&e is ambiguous. Does epistemic generation require that the generative process be able to produce *prima facie* justification or epistemization or does it require that the process be capable to creating *ultima facie* justification or epistemization?

We can answer this question by thinking about perception and a previous example. When I perceive the parchment and come to believe that it is red, *prima facie* j&e are generated. As we have seen from the museum case (and countless others in the literature), even when perception is working optimally, the best it can do is produce j&e sufficient to guarantee that the belief will be j&e in the absence of defeat. But this is just to say that perception generates *prima facie* j&e. Whether the belief in question makes the higher epistemic grade will depend on conditions that perception can't control (e.g., other beliefs in the belief system, deontological and social factors that determine normative defeaters, etc.). This makes it clear that the claim that a given process is epistemically generative is the claim that it can provide a belief with enough epistemic momentum to take it all the way to *ultima facie* j&e *in the absence of defeat*. Yet, as we have seen, this is just another way of stating that a process is epistemically generative just in case it produces *prima facie* j&e. Like the other processes, then, memory is epistemically generative only if it produces *prima facie* j&e.

We are now in a position to see not only that Lackey's examples fail to show that memory is epistemically generative but also that examples of the sort she offers *couldn't possibly* show this. As we have seen, a mental process is epistemically generative only if it is a source of *prima facie* justification or epistemization. So to show that memory is epistemically generative, Lackey would need to give an example wherein (i) a belief is formed that is *not* initially *prima facie* justified or epistemized but which, (ii) as a result of being stored in memory, becomes *prima facie* justified or epistemized. Yet Lackey's cases are not of this type. Both Arthur and Nora are *prima facie* j&e when they form their respective beliefs. The difference between their earlier and their later beliefs is that the *prima facie* j&e of the recalled beliefs is not defeated,

whereas the *prima facie* j&e of the beliefs when they were newly formed was defeated. But since the initial beliefs in both cases are *prima facie* j&e, Lackey's examples are structurally unable to do one of the main tasks she has for them, viz., to show that memory is epistemically generative.

6. Conclusion

I have argued that the preservationist can reasonably resist Lackey's counterexamples to PVM. But more importantly, I've argued that even if Lackey's counterexamples do show that PVM is false, the essence of preservationism is unscathed. For the core of the preservationist's position is that a belief gets no positive epistemic status merely by being in memory. We've seen that a source is epistemically generative only if it is capable of producing *prima facie* j&e. However, Lackey's counterexamples show at most that *prima facie* justified-(or-epistemized)-but-defeated beliefs can, with the passage of time and no additional positive epistemic aid, become *prima facie* justified-(or-epistemized)-and-undefeated beliefs, i.e., *ultima facie* justified (or epistemized) beliefs. Yet this is insufficient for demonstrating that memory is epistemically generative in the sense that perception and introspection are.⁷

⁷ Thanks to Jennifer Lackey, E.J. Coffman, Jack Lyons, and an anonymous referee for helpful comments on an earlier draft of this paper.