

## Contextualism and Warranted Assertion

Contextualism is the view that the truth conditions of knowledge ascriptions can shift according to the context in which the ascriptions are made. Truth conditions vary because epistemic standards (in effect, how many not-p worlds S must be able to rule out in order to know p) can change from low to high in different conversational contexts. An advertisement for contextualism is that it supposedly enables us to defeat skepticism without having to find a fallacy in skeptical arguments. In challenging my claim to know I have hands ('How do you know you're not a brain in a vat?'), the skeptic replaces ordinary, low epistemic standards with a higher standard that requires me to rule out my being a BIV. It hardly follows that my utterance would express a false proposition if the skeptic were nowhere in sight.

Contextualism must first account for how knowledge ascriptions behave in practical contexts, however. As Keith DeRose observes, 'the contextualist's appeal to varying standards for knowledge in his solution to skepticism would rightly seem unmotivated and ad hoc if we didn't have independent reason from nonphilosophical talk to think such shifts in the content of knowledge attributions occur' (DeRose 2002, p. 169). To motivate their view, contextualists typically offer 'low standards' cases where a speaker seems truthfully to ascribe knowledge to a

subject S, paired with 'high standards' cases, where something more important is at stake, and another speaker denies just as truthfully that S has that knowledge (see DeRose, p. 169). These cases are meant to show that a variety of knowledge standards are in play in different ordinary contexts.<sup>1</sup> In parts I, II, and III of what follows, I will show that the 'low-high standards' practical cases contextualists give show nothing of the sort.

All is not lost for contextualism, however, for DeRose offers an ingenious argument for the conclusion that standards for knowledge really *do* go up in high-stakes cases. According to the knowledge account of assertion (Kn), one must know p to be positioned well enough to assert p flat-out. Plainly we sometimes should be more circumspect in making assertions when more is at stake. As DeRose points out, 'the knowledge account of assertion together with the context sensitivity of assertability yields contextualism about knowledge' (DeRose 2002, p. 187). But is Kn correct? In part IV, I offer a rival account of warranted assertion (RA). I argue that RA beats Kn as a response to the 'knowledge' version of Moore's Paradox. Part V answers arguments for Kn given by Timothy Williamson, Peter Unger, V. H. Dudman, and Dana Nelkin. As RA emerges as an attractive alternative, Kn cannot be deployed to support the view that knowledge standards change in practical contexts. Given DeRose's reasonable requirement, therefore, contextualism as a response to skepticism

is unmotivated and ad hoc.

## I

Consider the Bank Cases. According to DeRose, 'one character (myself, as it happens) claims to know that the bank is open on Saturday mornings in the "low standards" case. This belief is true, and is based on quite solid grounds: I was at the bank just two weeks ago on a Saturday, and found that it was open until noon on Saturday' (DeRose 2002, p. 169). Given that nothing of much importance is at stake 'almost any speaker in my situation would claim to know the bank is open on Saturdays' (p. 170). Indeed, 'almost all of us would judge such a claim to know to be true' (p. 170). 'But in the "high standards case" disaster...would ensue if we waited until Saturday to find we were too late...' (p. 170) Consequently 'my wife seems reasonable in not being satisfied with my grounds, and, after reminding me of how much is at stake, in raising...the possibility....that the bank may have changed its hours in the last couple of weeks' (p. 170). DeRose concludes that '[h]ere I seem quite reasonable in admitting to her that I "don't know" that the bank is open on Saturdays, and in endeavoring to "make sure." Almost everyone will accept this as a reasonable admission, and it will seem true to almost everyone' (p. 170).

Consider my utterance 'I know the bank is open on

Saturdays,' however. What am I claiming to know? The sentence 'The bank is open on Saturdays,' might express the proposition (A) that for every Saturday, the bank is open on it, or (B) that the bank's policy is to generally be open on Saturdays--these are regular business hours. A is false (there are bank holidays on Saturday), and even if we set this aside, I still don't know A; for the bank may close some Saturday for repainting or renovation, because of a broken water main, for repairs to the plumbing or the electrical wiring, a blizzard or some other civil catastrophe. Of course this is consistent with B, for it could still be true that the bank's policy is to be open on Saturdays. Note that B doesn't entail (C) that the bank will be open tomorrow (that is, *this* Saturday), or vice versa. For the bank might be open tomorrow on account of some special event even though there are no regular business hours on Saturday. B and C are logically independent. In the low-stakes case I don't know A, I do know B, but I don't know C--though C is probable given B.

In the high-stakes case 'We have just written a very large and very important check, and will be left in a very bad situation if the check bounces, as it will if we do not deposit our paychecks before Monday' (p. 170). What we urgently need to determine, therefore, is whether the bank will be open *tomorrow*. We don't know C in either bank case, though in both we have the same good reason to believe it--C has the same subjective

probability, .7, say. In the high-stakes case I don't know A, I know B, but I don't know C (maybe tomorrow is a holiday, maybe the bank will close for painting or renovations...). Nothing epistemic has shifted. What has changed is that the price of being mistaken about C is so much higher that it's become imprudent to proceed on that probability. As to the possibility that the bank has changed its hours in the last couple of weeks, frankly (placing myself in the situation) I've never in over half a century heard of a bank that was open Saturdays which changed that policy. Further there would surely have been signs announcing the change when I visited the bank two weeks ago, as well as notification in my bank statements. For me, that prospect is too remote to take seriously.

I know B in the second case, but I certainly don't know C. I might well express this ignorance by saying that I don't know the bank is open on Saturdays (meaning that I don't know either A or C)), but now DeRose's examples depend on an equivocation about what I claim to know. In the low-stakes case I claim to know B; in the high-stakes case I admit that I don't know C. The truth of both assertions is consistent with invariantism, for the propositions that I claim to know and not to know are different. Of course in the high-stakes case I would 'make sure' that the bank will be open tomorrow, but not because I don't know that the bank's policy is to be open on Saturdays.

But suppose (per impossibile) I know that the *only* way the bank will be closed tomorrow is if the hours have changed. Probably I would respond to my wife's concern by making sure. I know that I'm a fallible human being, after all, and, given these circumstances, I'm likely to get nervous. Maybe I don't know what I think I do. As checking B's truth is easy, why not do it? I would probably check, but that's no reason to conclude that in the second case I don't know B. Or suppose that A is true, in fact, and my inductive grounds for believing A are very strong-- there are no bank holidays and the bank has never missed a Saturday for as long as anybody can remember. I would check, but that's no reason to conclude that I don't know A (or C). It can be reasonable to check, and even to doubt that I know, what I do in fact know (more about this later).

In an earlier article, DeRose gives another statement of the Bank Case example. In the low-stakes case my wife remarks in passing, 'Maybe the bank won't be open tomorrow. Lots of banks are closed on Saturdays.' I reply, 'No, I know it'll be open. I was just there two weeks ago on Saturday. It's open until noon' (DeRose 1992, p. 913). On the face of things, she's wondering whether the bank has business hours on Saturday. I assure her that it does; I'm claiming to know B. In the high-stakes case she reminds me of the awful consequences of the bank's being closed tomorrow. She says 'Banks do change their hours. Do you know the

bank will be open tomorrow?' (p. 913). I admit that I don't know that, of course, but neither did I know it in the first case. We are shifting from the question 'Do you know B' to 'Do you know C?' Again, DeRose's examples depend upon an equivocation concerning what I claim to know. If conversational context matters in these cases, it doesn't raise or lower standards for knowledge. Rather it determines what it's plausible to take me to be claiming to know. As what I know is the same in both cases, the Bank Cases do not support contextualism.

## II

Stewart Cohen offers the Airport Case: 'Mary and John are at the L.A. airport contemplating taking a certain flight to New York. ...They overhear someone ask a passenger Smith if he knows whether the flight stops in Chicago. Smith looks at the flight itinerary he got from the travel agent and responds, "Yes I know-it does stop in Chicago." As they must meet an important business contact in the Chicago airport, they agree that Smith doesn't really *know* that the flight will stop in Chicago and decide to check with the airline agent. 'Mary says, "How reliable is that itinerary? It could contain a misprint. They could have changed the schedule at the last minute"' (Cohen 1999, p. 58). Cohen takes this case to support the idea that 'Since the standards for knowledge ascriptions can vary across contexts,

each claim, Smith's as well as Mary and John's, can be correct in the context in which it was made' (p. 59).

Cohen acknowledges that a natural response to the case as he describes it is that plainly Smith does *not* know the flight stops in Chicago (p. 59). I second this. If Smith's case is at all typical, he received his ticket well before the flight. Travel agents make plenty of mistakes and airlines are notorious for changing their schedules. Even if contextualism is true, it's implausible that standards for knowledge go *that* low. The case seems a non-starter. Cohen responds that 'In everyday contexts, we readily ascribe knowledge to someone on the basis of written information contained in things like flight itineraries.' He continues: 'If we deny that Smith knows, then we have to deny that we know in many of the everyday cases where we claim to know. We would have to say that a considerable amount of the time in our everyday lives, we speak falsely when we say we know things' (p. 59). As Smith does not know that the flight is scheduled to stop in Chicago, however, it's hard to see why acknowledging this commits us to the claim that we often speak falsely when we say we know things--unless, of course, we often *do* speak falsely when we say we know things. We need a more plausible case, where it's less plain that Smith doesn't know, to generate a problem.

It's helpful to recognize that the question 'Do you know



whether p?' needn't be a request for knowledge, or if it is, it isn't necessarily for the knowledge that p. Indeed, the response 'I know p' needn't express either a knowledge claim or the claim to know p. You ask me: 'Do you know what you'll be doing tomorrow afternoon?' 'Yes' I respond. 'I'm reading a paper in Edwardsville. I'll drive there in the morning.' The skeptic interrupts: 'How do you know that your car will start, that it won't have a flat tire, that you won't wake up with the flu?' These questions are inapt, not because our epistemic standards are lower than hers but because you aren't asking me whether I know what I'll be doing tomorrow. Rather, you're asking if I have definite plans for tomorrow afternoon. That's why the response 'I plan to read a paper in Edwardsville' would answer your question perfectly.

This suggests a principle of interpretation for questions: a way of telling what an interrogative utterance is asking is to determine what a wholly satisfactory answer would be. If I say to Smith 'Do you happen to know whether this flight stops in Chicago?', probably what I'm asking is 'Do you know anything pertaining to whether this flight stops in Chicago?' A satisfactory answer will give me information that makes it reasonable to believe the plane does (or doesn't) stop there. That's why the response: 'According to my itinerary it stops in Chicago from 1:15 to 2 PM' answers my question, and why my

retorting: 'I asked whether you *know* whether the flight stops in Chicago. You haven't answered my question. Do you *know*?' seems wrongheaded. I don't care whether Smith knows that the plane stops in Chicago, nor must I construe his utterance 'Yes, I know--it does stop in Chicago' as the claim 'I know that the plane stops in Chicago.' If a student asks me 'Do you know the year Boethius was born?' and the answer 'The sources I've read say he was born 480 AD' is perfectly satisfactory, this indicates that she isn't asking me whether there is a proposition *p* of the form 'Boethius was born year *x*', where *x* is replaced by a number, such that my epistemic relation to *p* rises to the level of knowledge. When I prefix 'yes' to my answer, I'm maintaining only that I know some information that makes it reasonable to believe that Boethius was born a certain year. If an omniscient tyrant tells me he will kill my children if I give the wrong answer, however, I will admit I don't know and research the issue carefully--but not because standards for knowledge have gone up.

Cohen continues: 'And it gets worse. If someone's life were at stake, we might not even be willing to ascribe knowledge on the basis of the testimony of the airline agent. We might insist on checking with the pilot. So it does not look promising to say that Smith's standard is too weak' (p. 59). Of course talk of 'weaker' and 'stronger' standards for knowledge is part of what these examples are supposed to motivate; that somebody makes a

false knowledge claim (concerning a true proposition) hardly entails that his 'standard for knowledge' is different from those who disagree with him, or even that there are such standards. But setting that aside, we seem to be shifting from the question 'Is the flight scheduled to stop in Chicago?' to the different one 'Will it stop in Chicago?' Surely the testimony of the airline agent, or the sign at the gate proclaiming that Fl 365 to NY stops in Chicago, is enough to know that the plane is scheduled to stop in Chicago, even if somebody's life is at stake. On the other hand, a conversation with the pilot could be relevant to the second question: he might say that the flight may be diverted if a storm front in the area threatens its approach to Chicago.

Suppose, however, that I ask Smith if he knows if the flight is scheduled to stop in Chicago. 'Yes,' he answers. 'I know the plane has a layover there. I just checked at the gate five minutes ago. The agent says so and the Chicago stop is posted.' Suppose it is of critical importance that I *know* whether the plane is scheduled to stop in Chicago. Isn't there the possibility that the schedule has changed in the last couple of minutes? If it's happened, Smith doesn't know! I hurry off to the gate to check. The agent assures me the flight is scheduled to stop in Chicago; indeed, it's posted on the gate. I would say that Smith *did* know what he said he knew--I doubted that he knew it, but it turns out he did. Knowledge ascriptions don't have to

be accepted or rejected, after all; we may reserve judgement while we do more checking. If I'm not sure whether Smith knows  $p$ , and I must know the truth, it's reasonable for me to check; but that isn't yet judging that he doesn't know. This isn't a case where my knowledge-standards shift. If they were initially so high that the schedule's changing in the last couple of minutes needed to be ruled out, I would have rejected Smith's knowledge claim as false and there's no reason why my checking at the gate would have lowered them.

This poses a dilemma for the contextualist. If the difference in the alleged standards is stark (as in Cohen's first example), there is little inclination to say that Smith knows the plane is going to Chicago. On the other hand, if the difference is slight (as in the case I just described), so that there is really an inclination to say that Smith knows, but we check anyhow because something crucial is at stake, we are more inclined to reserve judgement about Smith's knowledge ascription than to deny that he knows. In neither case can we generate an example that supports contextualism.

To sum up: the invariantist has ample resources to deal with the examples we've canvassed, none of which is particularly persuasive to begin with. Further, there appears to be a principled reason why there can't be persuasive examples of the sort the contextualist needs. Contextualism is unmotivated,

therefore, unless the contextualist can provide a better reason to take it seriously.

### III

Let me touch briefly on an historically important contextualist example which will figure in the discussion of warranted assertion that follows. J. L. Austin writes:

Sometimes, it is said, we use 'I know' where we should be prepared to substitute 'I believe', as when we say 'I know he's in, because his hat is in the hall': thus 'know' is used loosely for 'believe', so why should we believe there is a fundamental difference between them? But the question is, what exactly do we mean by 'prepared to substitute' and 'loosely'? We are 'prepared to substitute' *believe* for *know* not as an *equivalent* expression but as a weaker and therefore preferable expression, in view of the seriousness with which, as has become apparent, the matter is to be treated: the presence of the hat, which would serve as a proof of it's owner's presence in many circumstances, could only through laxity be adduced as a proof in a court of law (Austin 1979, p. 108 n. 1).

The suggestion that 'I believe' is not fundamentally different from 'I know' is a bad one, obviously, but consider another case. I call the philosophy department secretary in a

city I'm visiting and say: 'I thought I'd walk over and say hello to my old friend, Professor Jones. I'm a short walk away; it's a lovely day. Do you happen to know if he's in?' Consider these responses: (a) 'I'm sure he's in. His hat is in the hall.' (b) 'I'm positive he's in. His hat is in the hall' (c) 'I'm certain he's in....' (d) 'I know he's in. His hat is in the hall.' a, b, c, and d answer my question equally well. Nonetheless d alone entails that Jones is in; and, even if he's in, a, b, and c could be true if d were false (as it is: for all the secretary knows, Jones forgot his hat). But, even though d isn't equivalent to a, b, or c, it's hardly unreasonable (and certainly it's charitable) to take the secretary to be asserting a, b, and/or c by uttering d. After all, people aren't that meticulous and careful under such circumstances; sometimes 'know' is used loosely for 'positive.'

The invariantist isn't saddled with the view that the secretary asserted a falsehood, therefore, unless we insist that utterances involving such locutions must be taken dead literally ('This was a *knowledge claim*, after all!'). However there's nothing the matter with saying she spoke carelessly and so uttered a falsehood, though I think she actually asserted another proposition. But what about the hat? If, as Austin claims, under the circumstances it proves its owner's presence, doesn't the secretary know what she says she does--though she wouldn't know

it in a court of law? However the hat no more proves its owner's presence in this circumstance than it would in a law court. What it does do is make his presence likely enough to settle whether it's worth my trouble to walk over to the philosophy department: it decides the practical question.

#### IV

It is plain that the epistemic standards according to which unqualified assertions are warranted vary according to practical context. As DeRose observes: 'What one can flat-out assert in some "easy" contexts can be put forward in only a hedged manner...when more stringent contexts hold sway' (DeRose 2002, p. 197). If I tell the secretary that I will have to walk barefoot through the snow to see Jones, she ought to say something qualified, like 'Probably he's in. His hat is in the hall.' In the original case, however, she appears to be warranted in responding: 'Yes, he's in. His hat is in the hall.'

Under what circumstances am I warranted in flat-out asserting p? According to the knowledge account of assertion (Kn), one must know p in order to be positioned well enough to assert it (DeRose 2002, p. 179). Kn can be deployed as part of an argument for contextualism. As DeRose points out, 'the knowledge account of assertion together with the context sensitivity of assertability yields contextualism about knowledge' (p. 187). As

the argument is valid, and assertability is context sensitive, the invariantist must deny Kn.

There are independent reasons to do this, in fact, for the motto 'Only knowledge warrants assertion' seems too demanding. My colleague takes me for a ride in his 'new Porsche,' shows me the title, and so on, but the car is rented and the title forged. The whole thing is a plot to get me to assert a falsehood. I tell my wife 'Hanks bought a Porsche--he took me for a ride in it,' an assertion that seems wholly warranted under the circumstances. Friends of Kn respond that, while I shouldn't assert what I do, 'my assertion is warranted in a *secondary* way, since I reasonably take myself to know what I assert' (DeRose 2002, n. 23, 199). Timothy Williamson writes: 'One may reasonably do something impermissible because one reasonably but falsely believes it to be permissible' (Williamson 2000, p. 256). But why bifurcate warrant beyond necessity? On grounds of simplicity, it is reasonable to seek an account where I'm univocally entitled to assert p.

Further, taking myself to know p might well involve the occurrent thought 'I know p' (certainly I would assert this if asked), an inner assertion which, given Kn, I'm not entitled to make. How can a belief I shouldn't have provide warrant, even in a 'secondary' way, for an assertion I shouldn't make? If I'm straightforwardly entitled to the belief, why not the assertion?



'Secondary warrant' can't flow merely from my trying to follow the rule 'Assert only what you know,' for in that case a zany inner assertion that I know p, based on a crystal ball, would make my assertion that p just as warranted. If my taking myself to know p is *itself* warranted in a secondary way, however, we're off on a regress.<sup>2</sup> Suppose, on the other hand, that I do not 'take myself' to know p, but merely consider my knowing p to be a good bet--though maybe I don't know it. Now surely I know p in these circumstances *if* p (it isn't as though I didn't get a good enough look at the Porsche and the title; if p is true, I certainly wouldn't have believed it if it had been false); so if I have a reservation about my knowing p, it would be a reservation about p's being true. But then, given Kn, I'm *not* entitled, even in a secondary way, to flat-out assert p. I should have been more careful.

More important, there are plausible cases where p is true, S does not know p, but asserting p is warranted nonetheless. In the first case, the secretary, though she doesn't *know* that Jones is in the department, is entitled to respond: 'Yes, he's in. His hat is in the hall.' Why? Because the hat makes his presence likely enough that, under the circumstances, it's prudent for me to walk over to see him. Generally, where some course of action is at issue, S is entitled to assert p when S's reasonable belief that p is based on grounds that makes p so likely that acting on p is

prudent. In asserting  $p$  flat-out,  $S$  represents herself as confident of this. This is why the secretary, in the first case, can assert flat-out that Jones is in, but should hedge her assertion if I tell her that I must walk barefoot through the snow (or that I'm bringing a life-saving serum which Jones must take in the next twenty minutes or die). In neither case does she know that Jones is in;  $p$  has the same subjective probability, .7, say. Flat-out assertion is unwarranted in the second cases simply because the price of being mistaken is higher. Nothing epistemic shifts; assertion is directly sensitive to prudential concerns.<sup>3</sup>

The rival account (RA) helps explain  $Kn$ 's intuitive appeal. Note that  $S$  may be unwarranted in asserting her reasonable belief *if* the action in question is imprudent given  $p$ 's likelihood on her grounds for believing it. When  $p$ 's truth is very important, therefore, warranted assertion may require knowledge. On the other hand, if there's no contemplated action (e.g. I simply inform my wife that Hanks has bought a Porsche), or little is at stake, reasonable belief can be sufficient to warrant flat-out assertion. Sometimes, however, where  $p$  is of great intrinsic interest (e.g. that there is intelligent life on Mars), so that accepting  $p$  if it's false is deemed strongly (but intrinsically) disutile, the act of accepting the assertion may be imprudent unless  $S$  knows  $p$ . The kernel of truth underlying  $Kn$  is that knowledge is often required for warranted assertion.

DeRose believes that one of the most important recommendations for Kn is its ability to handle the 'knowledge' version of Moore's Paradox, namely, Kn enables us to explain the oddity of

1.  $p$ , but I don't know  $p$ .

Conjunctions of this form can be true, yet asserting them seems inconsistent. Moore writes: 'By asserting  $p$  positively you *imply*, though you don't assert, that you know that  $p$ ' (Moore 1962, p. 277). But the second conjunct denies what I implied is the case in asserting the first conjunct. The inconsistency, according to Moore, is between what I imply by asserting  $p$  and what I assert by 'I don't know  $p$ .' In short, Kn explains the paradox: in asserting  $p$ , I represent myself as being warranted in asserting  $p$ ; hence I represent myself as knowing what I go on to deny I know.

On RA,  $S$  is entitled to assert  $p$  when  $S$  believes  $p$  on the basis of evidence that makes believing  $p$  reasonable, so much so that, under the circumstances, it's prudent to act on  $p$ . In asserting  $p$  flat-out,  $S$  represents herself as confident of this. Typically when we say 'I don't know  $p$ ' we are expressing a real reservation about  $p$ 's being true, not merely pointing out that our epistemic relation to  $p$  does not rise to the level of knowledge. Often we have some positive reason to doubt  $p$ 's truth. Indeed, the utterance 'I don't know  $p$ ' is often taken as reason

to conclude that S doesn't even believe p (e.g. 'Is Jones in?' 'I don't know'). Naturally we are taken to imply that these reservations concern p's truth as it is relevant to the practical problem at hand, that is, as to whether p has sufficient probability to make it prudent to act on p under the circumstances. The utterance 'I don't know p' implies a lack of confidence about this.

Suppose that, when I explain I'm a short walk away and ask whether Jones is in, the secretary responds, 'He's in, but I don't know it.' She's unlikely to be complaining that, even though Jones is standing before her, maybe she's a brain in a vat. Asserting the first conjunct represents her as confident that she believes p on the basis of evidence that makes p so probable that it is prudent for me to walk over. The inconsistency is between this representation, on the one hand, and what asserting 'I don't know p' suggests in the context of the conversation, namely, that she isn't confident that her belief that p is sufficiently likely that it's prudent for me to act on p. In short, the appearance of inconsistency is explained by the fact that the assertion 'I don't know p,' typically implies that I have real reservations about p's being true, especially as regards the prudence of acting on p.

This negative suggestion can be cancelled, however. My friend is desperate to borrow money; I say that I have none to

lend.

'But I bought you a lottery ticket,' he pleads.

'The odds of my winning are one in five billion!'

'Still, you don't *know* you will lose.'

'Any one of those ticket-holders might win, as far as I know' I agree. 'I'm one of them, so I don't know I'll lose. An epistemic feature of lotteries is that any chance of winning, however tiny, defeats that knowledge claim. I *can't* know I'll lose a fair lottery. Nevertheless the chance of my winning is one in five billion, so remote that it would be foolish to count it in any practical deliberation. Face it. I'm going to lose the lottery.'<sup>4</sup>

This doesn't seem inconsistent, because (a) it's clear that 'I don't know' is merely pointing out that my epistemic relation to *p* does not rise to the level of knowledge under these (extraordinarily demanding) circumstances, and (b) the prospects of my winning are vanishingly small.<sup>5</sup> At the very least, I'm entitled to assert *p* if I'm entitled to be confident that *p* and the behaviour I would undertake on the supposition that not-*p* is wildly imprudent under the circumstances.<sup>6</sup>

DeRose writes: 'What would show that the knowledge account of assertion is too strong are cases where it's apparent that a speaker in some way properly asserts what she doesn't even reasonably take herself to know' (DeRose 2002, note 23, p. 200). So *Kn* is too strong. What I say *would* be inconsistent on the

knowledge account, of course; for in asserting that I will lose the lottery I imply that I know I will lose it, which I've just denied. Where entitlement to be confident and knowledge come apart, Kn fails.

V

Timothy Williamson, a champion of Kn, maintains that in lotteries 'probabilistic evidence warrants only the assertion that something is probable' (Williamson 2000, p. 248). He writes: Suppose that you have bought a ticket in a very large lottery. Only one ticket wins. Although the draw has been held, the result has not yet been announced. In fact your ticket did not win, but I have no inside information to that effect. On the merely probabilistic grounds that your ticket was only one of very many, I assert to you flat-out 'Your ticket did not win,' without telling you my grounds. Intuitively, my grounds are quite inadequate for that outright unqualified assertion, even though one can construct the example to make its probability on my evidence as high as one likes, short of 1, by increasing the number of tickets in the lottery. You will still be entitled to feel some resentment when you later discover the merely probabilistic grounds for my assertion. I was representing myself to you as having a kind of authority to make the

flat-out assertion which in reality I lacked. I was cheating (p. 246).

This is a bad example. In asserting 'Your ticket did not win' without telling you my grounds, I create the misleading appearance that I'm reporting to you the result of the draw (that is, I'm conveying information based causally on what number was drawn). I've heard the announcement, which you will suppose has just been made, or I have in some other way learned the result. This is worth resenting, as I lack the grounds to report what I know I will be taken to be reporting. It hardly follows that the probabilistic grounds don't warrant the assertion when it isn't misleading. My desperate friend has worked himself into a hopeful state at the thought that perhaps he will win the lottery, though he knows the odds; he's about to spend money foolishly. Following Williamson, suppose there are five billion people in the lottery. I explain patiently what one billion amounts to, what five billion amounts to, what one in five billion amounts to, and I conclude: 'Believe me. Your ticket did not win.' 'But perhaps it did!' he objects. 'We are entitled to be confident that it did not,' I say correctly, which is sufficient to entitle my utterance. Once the misleading context of utterance is removed, probabilistic grounds warrant the assertion.

Williamson responds to the objection, but mistakes its provenance. 'The idea would be that my assertion was misleading

because you...were entitled to assume that the grounds...were not obviously already available to you, so you were entitled to assume I had inside information about the result of the lottery' (p. 246). According to Williamson, the motivating principle (P) is that generally you are entitled to assume that the grounds on which I make an assertion were not obviously already available to you. Williamson has no objection to P, but he argues that P fails to ground an objection to his example. For the objection in terms of P would extend to my assertion (a) 'Your ticket is almost certain not to have won,' which, given P, would represent me as having inside information that I lack, e.g. that the lottery is almost certainly rigged against you. But there's nothing the matter with (a), Williamson observes. And the objection would *not* apply to (b) 'Your ticket has lost' if I have new information about how many tickets were sold. Yet (b) would still be problematic. Therefore P does *not* explain what's wrong with the assertion; the explanation must be that probabilistic evidence is insufficient to warrant the assertion that your ticket has lost.

My objection to Williamson's lottery example does not rely on P, however. P is false, in fact. In my revised version, plainly I'm not giving my friend grounds that aren't already available to him. I'm trying to get him to appreciate the force of the grounds he has already. Suppose, though, that he already appreciates his situation; he says ruefully: 'The chances of my



winning are vanishingly small!' I agree, sadly: 'They're very remote.' Is he entitled to assume that my assertion is based on information new to him? Indeed, many assertions are meant to point out what everybody already knows on precisely the grounds on which they know it (I say to my wife on our wedding anniversary: 'Love is one of the best things there is'). (a) is unproblematic simply because P is false. (b) is indeed problematic in Williamson's case, even if I have new information about how many tickets were sold, because the draw has happened, you're awaiting the result, and my asserting (b) will be taken to be reporting it.

A similar difficulty infects an example from Peter Unger: For example, one might think of a colleague asserting that *his* manuscript *had* just been accepted by a certain publisher or periodical. Now, suppose that though the colleague believes this, and justifiably so, and though it is true that his work has been accepted, he doesn't really *know* it has....For example, his secretary might have told him that he has an envelope from the publisher which looks to be of the sort in which they send their acceptances--but she can't be absolutely sure, she says (Unger 1975, p. 262).

Unger rightly concludes that this man shouldn't make the assertion, but this hardly supports Kn; for plainly the fellow is creating the misleading appearance that he's reporting reading an

acceptance letter from the publisher.<sup>7</sup>

V. H. Dudman appeals to lotteries to show that there is no connection between 'assertability' and high subjective probability. He proposes that we consider a lottery where the probability of losing is just short of certainty. What happens to assertability?

The result is a knock-down blow to the probabilistic programme: I can withhold assent even when the subjective probability is enormous. Full knowing that the chance of my ticket's winning is extremely small, I nevertheless vigorously dissent from 'My ticket won't win.' I would not have bought it unless I had thought it *might* win. I do not expect it to win, and agree that it *probably* won't win, but I disagree that it won't win simpliciter. Someone has to win: why not me? (Dudman 1992, p. 205)

This argument is beside the point, however. The counter-thesis is that I *can* assert that I will lose the lottery on the basis of the probabilities (even though I don't know I will lose it), not that I *must* do so. That it's permissible for my friend to disagree with my assertion 'Your ticket did not win,' ('Maybe it didn't; maybe it did,' he responds), doesn't show that it was impermissible for me to make it. Dudman asserts that 'even the smallest uncertainty is enough to cohibit' assertion. He writes: 'Since mere probability leaves open the contrary possibility,

assenting on the basis of ...mere probability would be to treat admitted possibilities to the contrary as if they were impossibilities.' (p. 205) But assenting in these circumstances doesn't treat possibilities as impossibilities, merely as too remote to be worth considering. The bald claim that even the smallest uncertainty cohibits assertion begs the question against RA.

Williamson argues that 'Conversational patterns confirm the knowledge account' (Williamson 2000, p. 252).

Consider a standard response to an assertion, the question 'How do you know?'. The question presupposes that it has an answer, that somehow you do know. If not only knowledge warrants assertion, what makes that presupposition legitimate (p. 252)?

But the force of the question 'How do you know p?' is often 'What makes you confident that p?' Typically I know p just in case I'm entitled to be confident that p (in which case it is usually true that p), and so it's natural to suppose that I'm entitled to be confident that p only if I know p. Hence the question is in order, as well as the presupposition that I do know. But, as I've argued above, this hardly confirms Kn; for sometimes knowledge and entitlement come apart. When I tell my friend to face the fact that I'm going to lose the lottery, it's sufficient to respond to the question 'How do you know that?' by saying: 'I

can't know it, so I don't, but we're entitled to be confident of it nonetheless.'

Indeed, conversational patterns count against Kn. Unger considers a case where he asserts that Bob Hope is richer than Nelson Rockefeller.

Now, I believe that I have read things from which this can be easily deduced, but I am not certain that I have. In any case, you may take it that I do *not know* that I have read them and, so, I do not *know* for certain which man is wealthier. In such a case, if I *asserted that* Hope is the richer, you would think poorly of me--even if I reasonably believed the thing and even if it was in fact true (Unger 1975, pp. 263-264).

This is implausible. Suppose you're convicted of slandering the rich and the judge imposes a symbolic fine: you must give ten cents to either Bob Hope or Nelson Rockefeller.<sup>8</sup> You tell me that you might as well give the dime to the less rich man, but which one is he? I say: 'Bob Hope is richer.' 'Why do you say that?' 'I believe I read it in Reader's Digest a couple of months ago; they were ranking rich men.' Plainly I don't *know* which man is wealthier; maybe the article was mistaken or I misremember it. Are you inclined to think poorly of me or even to think that my assertion, under the circumstances, has insufficient warrant? If you had asked 'How do you know that?', the same answer would have

been satisfactory, surely, which suggests that the question is often just a request for grounds that will make *p* reasonable. Consequently the question often does *not* presuppose that you know (or even that you are entitled to be confident that) *p*. Suppose I said: 'Bob Hope is richer. I think I read it in Reader's Digest a couple of months ago.' This is hardly paradoxical or self-defeating. It should be for Unger: I represent myself as knowing *p* and immediately give a ground that shows I don't *know p*. Unger might say that the first sentence is hedged by the second, but why not take the utterance on a plain reading? The earlier example suggests that, so taken, nothing is amiss. There is no whiff of paradox in the vicinity, certainly. Once again, *Kn* is too demanding.

Of course if something critical were at stake--you are donating a kidney to one of two people, only one of whom needs it, you would expect me to *know* the truth of my assertion: 'A is the one who needs the kidney.' But this isn't because only knowledge warrants assertion (or that, in the Bob Hope case, the standards for knowledge are exceedingly low); rather, given what's at stake, knowledge is required to make prudent giving the kidney to A.

Williamson acknowledges a concern that his arguments prove too much.

After all, something is wrong even with the assertion 'A and

I cannot be certain that A.' Does that not suggest that only something *more* than knowledge warrants assertion? What seems to be at work here is a reluctance to allow the contextually set standards for knowledge and certainty to diverge. Many people are not very happy to say things like 'She knew that A, but she could not be certain that A.' However we can to some extent effect such a separation, and then assertability goes with knowledge, not with the highest possible standards of certainty (p. 254).

But this undercuts the Moorean argument for Kn. For the same program is available to me. We are reluctant to allow that knowledge and the entitlement to be confident diverge; given p's truth (and discounting Gettier cases), if you lack one you lack the other. As it is absurd to assert 'p and I'm not entitled to be confident that p,' many are unhappy with utterances like 'p and I don't know that p.' However we can effect such a separation, as we should in lottery cases, and then it's plausible that assertability goes with entitlement, not with knowledge.

Williamson acknowledges another difficulty. Consider the idea that assertion is the outer expression of the inner state of belief; so when I'm entitled to believe p, I'm entitled to assert p. He writes:

It is plausible...that occurrently believing p stands to

asserting  $p$  as the inner stands to the outer. If so, the knowledge rule for assertion corresponds to the norm that one should believe  $p$  only if one knows  $p$ ... Given that norm, it is not reasonable to believe  $p$  when one knows that one does not know  $p$ . If one knows that what one knows is only that  $p$  is very probable, then what it is reasonable for one to believe is only that  $p$  is very probable. For example, I should not believe that my ticket will not win the lottery (pp. 255-256).

Pace Williamson, when I know the odds against my winning are five billion to one, the claim that it is not reasonable for me to believe that my ticket will lose is extremely counterintuitive. If, as Williamson owns is plausible, occurrently believing  $p$  stands to asserting  $p$  as 'the inner stands to the outer,' Kn reduces to absurdity. At the least I'm entitled to believe what I'm entitled to be confident is true; if the odds that  $p$  are five billion to one, I'm entitled to be confident that  $p$ . If believing stands to asserting as the inner stands to the outer, therefore, I'm entitled to assert  $p$  if I'm entitled to be confident that  $p$ . In short, I'm entitled both to believe and to assert what I'm entitled to be confident is true. In the lottery case I'm entitled to be confident that  $p$  even though I don't know  $p$ . (More generally, there are numerous cases where it is reasonable for me to believe what I do not know; for instance, that my university

will be open tomorrow.) Therefore Kn is false.

Dana Nelkin denies that it is even *rational* for me to believe that I'll lose the lottery, however (Nelkin, 2000). She owns that her view is counterintuitive, but she takes it to be motivated by a *reductio ad absurdum*. Suppose it is rational for me to believe my ticket will lose. Then, for every lottery-ticket *t*, it's rational for me to believe the same thing of *t* (call these beliefs *t*<sub>1</sub>, *t*<sub>2</sub>, *t*<sub>3</sub>...*t*<sub>n</sub>). As I know there will be a winner, it's also rational for me to have the belief (*b*) that I have a false *t*-belief. The set of beliefs {*t*<sub>1</sub>...*t*<sub>n</sub>, *b*} is logically inconsistent (call this set *R*), and I know it. As it's rational for me, Jim, to believe each of these *t*-beliefs as well as *b*, it follows that 'it is rational for Jim to believe inconsistent things that he knows are inconsistent' (Nelkin 2000, p. 375). The absurdity of this is doubtful, however, as other philosophers have noted (see Foley, 1979 and 1987). Take the set of all my rational beliefs (*S*), including the belief that some of my rational beliefs are false. Although I know *S* is inconsistent, every belief in *S* is rational; so, on the face of things, it's rational for me to believe 'inconsistent things.' Believing the *conjunction* of these beliefs would be irrational, for then I would believe an outright contradiction. In the lottery case, though, I do not believe the conjunction of the beliefs in *R* (call it *C*).



Nelkin responds that 'it is counterintuitive that one be rational as long as one is careful not to draw particular logical consequences from one's beliefs' (p. 379). That is, as I know that believing C is irrational and that C follows logically from all my R-beliefs listed as premisses, how can I rationally believe all the premisses? Given the probability calculus, and the reasonable presumption that it's irrational to believe what is unlikely given my grounds for believing it, this response has no force. As the probability of a conjunction is the probability of its conjuncts multiplied, the fact that my believing a conjunction would be irrational hardly entails that it is irrational for me to believe the conjuncts, each of which may be a virtual certainty. Objecting that high probability is insufficient to make belief rational begs the question: this is what Nelkin's argument is meant to prove. Even stipulating that the conjunction is a contradiction doesn't secure the entailment; by hypothesis, it's rational for me to believe all the beliefs in S.

Ultimately Kn fails because it cannot do justice to the context sensitivity of assertion. In the face of varying prudential concerns, assertion is more flexible than knowledge. Since Kn attaches assertion's warrant to an insufficiently flexible condition (even if standards for knowledge vary, they don't vary enough), it generates a dilemma: *either* plenty of

true, useful and apparently successful assertions are defective or we often know more than we do. According to RA, warranted assertion tracks prudential concerns directly, unmediated by knowledge standards. Consequently the dilemma is avoided. Indeed, RA helps illumine assertion's function and utility, and it explains both Rn's appeal and the sense that it defeats assertion's purpose. Intuitively, the speech act of assertion is warranted where it's useful in the way that's characteristic of successful assertion. Of the two accounts, therefore, RA alone does justice to assertion as praxis.

To conclude: As RA is an attractive alternative, Kn cannot be deployed to support the view that knowledge standards change in practical contexts. Nor do the examples contextualists offer support a contextualist account of knowledge ascriptions in cases where more or less is at risk. I've argued elsewhere that contextualism fails as a response to skepticism (myself, 2000); its implausibility as an account of knowledge ascriptions in practical contexts makes it even less tenable.<sup>9</sup>

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#### Endnotes

1. While it's conceivable that 'high-low standards' non-philosophical cases exist other than these 'high-low stakes' practical cases, the failure of contextualism for *these* cases--the ones contextualists actually give and which seem the most amenable to a contextualist treatment--would virtually demolish the program.

2. My taking myself to know that I know p can be represented as an inner assertion 'I know that I know p,' which, given Kn, I shouldn't make; it must be warranted in a secondary way, and so on.

3. 'Prudential' is meant broadly to include any agent-relative interest, including a wholly altruistic interest in another's

welfare. If I ask 'Is Jones there?' and the secretary answers 'He's in. I can see his hat in the hall,' and I'm wanting to save Jones's life with the serum, it's prudent for me to ask her to make sure. Of course, typically the secretary will answer the unexplained question 'Is Jones there?' on the presumption that nothing extraordinary is at stake; no one is bringing serum or will have to walk barefoot through the snow.

4. Plainly I'm not merely asserting that I'll very probably lose.

5. I will suppose in what follows that the lotteries all have just one winner.

6. It might be objected that I *do* know I'll lose the lottery. However my grounds are the same for believing this of each ticket-holder. Suppose I meet each one and say: 'I know you will lose.' This leads to a false judgement for one of us. How do I know I'm not him? To know I'll lose, something about my case must rule out the mistake. Further, my belief is 'insensitive' to p's truth: I believe I will lose in the closest possible win-world. Contextualists allow that I may know p in cases where I know something else (according to low, ordinary knowledge-standards) that entails I will lose--just as I know I'm not a BIV in

ordinary contexts of ascription because I know I have hands. Still in *this* case the possibility of winning is salient: 'lottery-talk' introduces a standard that requires me to rule out win-worlds. As David Lewis writes: 'For every ticket, there is the possibility that it will win. These possibilities are saliently similar...: so either every one of them may be properly ignored, or else none may. But one of them may not properly be ignored: the one that actually obtains' (Lewis 1996, p. 557).

7. Another case from Unger. I'm told at work that I will get a substantial rise in salary.

Suppose that the man who said you'll get a rise did so on the basis of a talk with his superior, the president. The president himself did not know whether you'll get a rise and admitted as much. Accordingly, the man who spoke to you could not have known. What the president said was that it was extremely likely that you will, that you will barring only the most incredible turns of events. ...Now, your informer is justified, if one ever is, in thinking and even being quite confident that you'll get a rise. But, then, he should just say something to that effect; at any rate, he shouldn't assert that you'll get it. Even if it turns out that you do get the rise, that makes little difference here (Unger 1975, p. 261).

In asserting that I'll get a substantial rise, this person (apparently my superior) creates the misleading appearance that he's relaying an official decision, or at least that the president has told him that I'll get one; he shouldn't make the assertion, therefore, because he knows that what he'll be taken to be reporting is false.

8. Unger's case is dated, sadly, but let's set this aside.

9. Thanks to Berit Brogard, Joe Salerno, and Eleonore Stump for helpful conversations or comments. Special thanks to Judith Crane.