

# The Illusion of Discretion

## Abstract

Recent writers have invoked the idea that epistemic rationality gives us options in an attempt to show that we can exercise direct doxastic control without irrationality. Specifically, they suggest that when the evidence for  $p$  is sufficient but not conclusive, it would be rational either to believe  $p$  or to be agnostic on  $p$ , and they hold that we can in these cases effectively decide to form either attitude without irrationality. This paper argues against the version of epistemic permissivism (“Discretion”) invoked by these writers and shows that other defensible permissivisms do not support their cause. It proceeds as follows. §1 introduces the issue. §2 undermines two arguments for Discretion and uses some lessons from their failure to mount an argument against Discretion. §3 presents a further argument against Discretion. §4 offers an error theory to explain our misguided attraction to Discretion. §5 explains why other defensible permissivisms do not help to support the view that we can exercise direct doxastic control without irrationality.

**Keywords:** Ethics of belief; rationality; doxastic control; permissivism; agnosticism

## 1 Discretion and its Role in the Ethics of Belief

When evidence is inconclusive a gap is thought to open for the will to operate.

—Adler (2002: 111)

Consider a familiar question: to what extent can we control our doxastic attitudes? It is uncontroversial that we can sometimes *indirectly* control them via deviant processes like self-deception and non-deviant processes like reconsideration of the evidence or gathering of new evidence.<sup>1</sup> But could we ever directly execute a decision to form a doxastic attitude? Many have thought not—some on normative grounds, some on conceptual grounds, and some on psychological grounds.<sup>2</sup> A few have claimed that it is conceivable for a person to directly execute a decision to form a doxastic attitude, though the cases offered involve people with deviant psychologies.<sup>3</sup> But such cases afford slim vindication of direct doxastic control. An interesting form of direct doxastic control, one might think, wouldn’t require epistemic irrationality.

With that thought in mind, recent writers have sought to defend a more interesting form of direct doxastic control by invoking a version of the thesis that epistemic rationality gives us options. Specifically, these writers think that when the evidence for  $p$  is sufficient but not conclusive, it would be rational either to believe  $p$  or to suspend judgment on  $p$ , and they argue that we can in some of these cases directly execute a decision to form one of these attitudes without any epistemic irrationality. The most recent defenders of this suggestion are Frankish (2007), Nickel (2010), and McHugh (2013). Nickel (2010: 312–2) writes that:

[a] person presented with adequate but not conclusive evidence for a proposition is in a position voluntarily to acquire belief in that proposition, or to suspend judgment about it. [...] The fact that there is more than one rationally permissible doxastic option, together with the reasons-responsiveness of the belief that  $p$ , together make it plausible that the formation of the belief that  $p$  is voluntary.

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<sup>1</sup>Cf. Alston (1988) and Feldman (2000).

<sup>2</sup>See Williams (1973), Scott-Kakures (1994), and Adler (2002) for normative and conceptual arguments, and Alston (1988), Curley (1975) and Feldman (2000) for (broadly) psychological arguments.

<sup>3</sup>See, for example, Bennett (1990)’s example of the Credamites.

In a similar vein, Frankish (2007: 541) says:

[T]here is a distinction between reasons that are sufficient to permit belief and reasons that are sufficient to compel it. There are propositions for which we have sufficient reason in the former sense but not in the later, and it is in relation to such propositions [...] that active belief formation can be practiced.

Similar thoughts can be found in McHugh (2013: 6–7). The suggestion also appears in earlier writers. In attacking Williams’s argument against direct doxastic control, Raz (1999: 9) wrote:

There are many cases in which there are reasons to believe a proposition which are not decisive, meaning that while they make it rational to believe it, they do not make it irrational to withhold belief. In such cases just as our choices (when underdetermined by reason) reveal our character and tastes so do our beliefs. [...] In this, coming to believe is analogous to choosing.

Ginet (2001) also appealed to such examples in defense of direct doxastic control. And as Adler (2002: 59–63) suggests, the idea goes back to James (1896/1979), who held that with respect to some propositions that cannot be settled by the evidence, we can “lawfully” will to believe.<sup>4</sup>

Although there are important differences between the views of these writers, a common underlying argument unites them. This argument can be put as follows:

#### **The Argument from Discretion**

(1: Discretion) There are cases where it would be epistemically rational for a person either to believe *p* or to be agnostic on *p* given her total evidence *E*.

(2) If there are such cases, then an epistemically rational subject would have the ability to decide to form either attitude in many of them.

(3) Having this ability would constitute a significant form of direct doxastic control.

(4) So, there are cases in which we can exercise a significant form of direct doxastic control.

Ginet, Frankish, Nickel, McHugh, and Raz embrace (1) and (2) for similar reasons. They disagree, however, about why (3) is true. This is because they disagree about exactly what a significant kind of direct doxastic control would involve.

Ginet, Frankish and Nickel think that the significant kind of control we get in the relevant cases is direct voluntary control. By contrast, McHugh and Raz aren’t seeking to vindicate direct *voluntary* control, though they think we can in a different sense exercise direct doxastic control. Indeed, McHugh elsewhere argues that having direct voluntary control over our doxastic attitudes would undermine our doxastic freedom.<sup>5</sup> The significant kind of control that McHugh and Raz think we get is better described as a kind of autonomy. We wouldn’t be manifesting autonomy if we could will to form a belief for reasons we took to be bad or for no reason at all. But if epistemic rationality gives us options, it is not implausible that we could exercise autonomy by deciding to believe rather than to suspend (or vice versa).<sup>6</sup>

For our purposes, it does not matter which explanation of (3) is correct. What matters is that for everyone involved, the kind of doxastic control allegedly secured is a kind that

<sup>4</sup>Though as Adler stresses (2002: 63), the cases that interested James were ones where the absence of decisive evidence wasn’t merely a temporary limitation; other voluntarists “want the blessing to extend much farther”.

<sup>5</sup>See McHugh (2014). Cf. Hieronymi (2008).

<sup>6</sup>One might think that using the word “decide” implicates the will, in which case McHugh and Raz would not strictly speaking accept (2). But using the word “decide” needn’t implicate the will—though admittedly Raz (1999: 10) writes as if it did. Deciding to believe *p* could on a given occasion just consist in settling the question whether *p* in the affirmative, with one thereby coming to believe *p*. This gloss does not say anything about the will; indeed, some dictionary definitions of “decide” (cf. the *Oxford English Dictionary*) do not refer explicitly to the will but rather gloss deciding as the *settling* or *determining* of something. Of course, deciding to believe does involve coming to believe in an active rather than a passive way. But one could understand the active in a Reason-based way rather than by reference to the will, as Raz himself does and as McHugh (2011) acknowledges (citing Hieronymi (2009)).

involves none of the self-deception or Pascalian manoeuvring displayed by some examples of indirect control and none of the irrationality displayed by far-fetched examples of direct control. Finagling and irrationality seem avoidable in the cases of interest because it is already plausible in them that more than one attitude would be epistemically rational. If so, there is no need to manipulate the evidence to arrive at a different attitude in the way there would be if one wanted, e.g., to believe something one takes to be disfavored by the evidence.

Accordingly, it is no accident that these writers base their view on putative cases where epistemic rationality gives us options. It might initially have seemed peculiar to find a broadly psychological claim being defended on normative grounds.<sup>7</sup> But normative grounds prove crucial for securing the kind of control at stake, which is not a kind whose exercise requires irrationality, self-deception, or Pascalian manoeuvring.

## 1.1 The Goals and the Plan

The aim of this paper is to undermine the Argument from Discretion by showing that epistemic rationality does not give us the kind of discretion these authors take to support direct doxastic control. I will argue that Discretion (premise (1)) is false, and that replacing it with the only truths in the neighborhood would undermine premise (2). There are, I will observe, weaker kinds of normative discretion that we plausibly have over our intellectual lives, but they would not provide a foundation for the kind of direct doxastic control these authors are after.<sup>8</sup>

With these goals in view, here is the plan. After making some preliminary clarifications about the relationship between Discretion and other forms of epistemic permissivism in §1.3, I will turn in §2 to undermine two arguments for Discretion and to offer an argument against it. First, I will argue that Discretion is not supported by the apparent fact that we lack positive epistemic duties. Second, I will consider some examples of sufficient but inconclusive evidence that people have taken to support Discretion and argue that they provide no more support than was provided by the case against positive epistemic duties. Indeed, I argue that properly understood, these cases support the negation of Discretion. In §3, I give a further argument against Discretion from the nature of agnosticism. The upshot of these sections is that if agnosticism is an attitude in its own right rather than a mere form of non-belief, we should reject Discretion. With that conclusion in mind, I give an error theory in §4 to explain away the appeal of Discretion, noting how it is easily confused with a weaker thesis. I return to the Argument from Discretion in §5 and argue that this weaker thesis—as well as some other defensible theses—cannot play the role that Discretion was supposed to play.

## 1.2 Remarks about Discretion and Some Nearby Theses

Before proceeding, it is worth saying a bit about how the key premise in the Argument from Discretion relates to some superficially similar claims discussed elsewhere in epistemology:

**(Discretion)** There are cases where it would be epistemically rational for a person either to believe  $p$  or to be agnostic on  $p$  given total evidence  $E$ .

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<sup>7</sup>Arguments of this form are not unprecedented in the relevant literature, however. From Williams (1973) onwards, many arguments for involuntarism have appealed to substantive norms like the truth norm, the knowledge norm, or evidentialist norms. See, e.g., Foley (1993: 16), Hieronymi (2006), and Velleman (2000). Some of these writers appeal only directly to the idea that belief has a certain aim, which might appear to be a non-normative claim. But as Wedgwood (2002), Shah (2003), Shah and Velleman (2005) and Gibbard (2006) argue, the idea that belief has an aim is best understood in terms of a normative standard of correctness.

<sup>8</sup>Some opponents of direct voluntarism considered the kinds of cases invoked by proponents of the Argument from Discretion and defended a conclusion like mine. Alston (1988: 264-6), Feldman (2000: 681), and Adler (2002: 62) consider cases of good but inconclusive evidence and argue that when carefully examined, these cases don't support direct voluntarism. Proponents of the Argument from Discretion neglect these earlier diagnoses of their cases.

Discretion is a thesis in the spirit of the “moderate permissivism” discussed by White (2005: 452-4).<sup>9</sup> A minor difference is that Discretion as stated contains no deontic vocabulary. This is deliberate: the Argument from Discretion would otherwise seem question-begging to those who think the applicability of deontic concepts to doxastic attitudes requires direct doxastic control. But setting this difference aside, Discretion is nearly identical to the moderate permissivist thesis that “there are cases in which a reasonable assessment of the evidence rules out a belief that not-P, but does not dictate whether one should believe that P or suspend judgment.”<sup>10</sup>

Defenders of the Argument from Discretion actually embrace a more precise thesis that is restricted to cases where the evidence is sufficient (or “adequate”) but inconclusive.<sup>11</sup> This restriction is sensible. Either the evidence is sufficient to rationalize belief or it isn’t. If it isn’t, belief wouldn’t be epistemically rational. So, if belief and agnosticism are both rational options, the evidence must be sufficient. Moreover, either the evidence is conclusive or it is inconclusive. While belief may be epistemically rational in both cases, it is less plausible that agnosticism would be epistemically rational in the first case. So, the best illustrations of Discretion are precisely cases where the evidence is sufficient but inconclusive.

Why focus on Discretion? Aren’t there other permissivist theses that one should consider in this context? There are, of course, other permissivist theses that epistemologists have found plausible in other contexts. But I think we can set most of these aside. For apart from the fact that Discretion is the common starting point for defenders of the Argument from Discretion, other plausible versions of epistemic permissivism couldn’t clearly play the same role.

Recall that the main context in which epistemic permissivism has been discussed is the peer disagreement debate. For the purposes of this debate, the permissivist theses that matter are *interpersonal* theses—i.e., ones that say that two individuals with the same total evidence can rationally hold conflicting doxastic attitudes. Interpersonal versions of permissivism are plausible in the light of apparent reasonable disagreement among people with the same evidence. And they are defensible for other reasons noted by Ballantyne and Coffman (2011): if we should combine evidence internalism with rationality externalism, it is plausible that we should also accept an interpersonal version of permissivism.

I agree that interpersonal versions of permissivism are defensible. But as Kelly (2014: 304) stresses, it is entirely possible to hold a view that is “permissive across individuals but that is impermissive with respect to the range of options open to any particular individual”. And I think it is plausible to hold interpersonal permissivism without intrapersonal permissivism: the main arguments for interpersonal permissivism do not support intrapersonal permissivism.

The fact that two people with the same evidence can rationally hold different attitudes implies nothing about whether more than one attitude is ever rationally available to a single person given some fixed body of evidence. Indeed, if the reason why two people reasonably disagree on *p* is some externalist difference between them—say, that one of them has com-

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<sup>9</sup>Discretion might be traced back as far as Chisholm. In particular, Chisholm (1977) defines epistemic “acceptability” in a way that makes room for Discretion, and embraces Discretion for epistemic acceptability:

All propositions that are beyond reasonable doubt will, of course, be acceptable, but there are many acceptable propositions that are not beyond reasonable doubt. Any adequate theory of perception, for example, might require us to say this: if I have that experience which might naturally be expressed by saying that I ‘seem to see’ a certain state of affairs (e.g., ‘I seem to see a man standing there’), then the state of affairs that I thus seem to perceive... is one that is, for me, ipso facto acceptable. It may be, however, that although the proposition is thus acceptable, it is not beyond reasonable doubt: i.e., although withholding it is not more reasonable than believing it, believing it cannot be said to be more reasonable than withholding it.

Similar claims appear in Chisholm (1982: 15). Interestingly, however, he here thinks that there is a difference between acceptability and reasonableness: “‘Acceptable’, then, expresses less praise than does ‘reasonable’”. And elsewhere he defines reasonableness in a way that seems to preclude Discretion for it; e.g., in Chisholm (1988: 82) and Chisholm (1966: 22), he stipulates that a belief is reasonable iff believing is preferable to withholding.

<sup>10</sup>White (2005: 453)

<sup>11</sup>McHugh and Frankish use the term “sufficient”, while Nickel uses the term “adequate”. Raz and Ginet use neither term, but it seems clear that they have the same cases in mind.

petences that the other lacks, but which are necessary for rationally believing  $p$  given the evidence—this apparent fact clearly does not support an intrapersonal form of permissivism. For at a given time, a single person cannot both have and lack the relevant externalist property.

Of course, over time, a person might acquire new discriminatory or inferential competences. And so it might well be possible for a person to rationally hold an attitude in response to total evidence  $E$  at  $t$  that it wouldn't have been rational for her to hold in response to  $E$  before  $t$ . But if this were true, it wouldn't mark a substantially different discovery than the discovery of the truth of the interpersonal version of permissivism.

The interpersonal version of permissivism cannot play the role that Discretion plays in the Argument from Discretion, since the Argument from Discretion is meant to establish an intrapersonal claim. Even if two people could reasonably have different attitudes given the same total evidence, that fact would not suggest that one of them would have the ability to rationally decide to form a different attitude without some change in her total evidence (e.g., without acquiring the higher-order evidence provided by the fact of disagreement).

What about a diachronic intrapersonal permissivism that says that one and the same individual can, at different times, rationally hold different attitudes in response to the same body of evidence? It is implausible that this view alone could play the role that Discretion is supposed to play. After all, this view might be true merely because (i) rationality depends not only on evidence but on what one could competently believe on the basis of the evidence and (ii) one can acquire new epistemic competences over time. If diachronic permissivism were true merely for this reason, it wouldn't follow that a subject could rationally decide to form another attitude. The subject would have to change in externalist respects first.

Mightn't there be internalist reasons why one could rationally hold different attitudes given the same evidence at different times? Perhaps a person could rationally come to a different view because she thinks of a new explanation that seems better. As Douven (2009: 352-3) notes, it is plausible that this person could at these different times be rational in holding different attitudes in response to the same body of evidence. But if diachronic permissivism were true for this reason, we still get no support for any interesting kind of doxastic control. To switch attitudes, one must first discover some alternative hypothesis that strikes one as better explaining the evidence. Reflecting on the possible explanations is perhaps something one can do at will. But discovering an explanation that strikes one as better is not. Moreover, the control that such reflection would give one over one's doxastic attitudes would be indirect.<sup>12</sup>

For these reasons, I think the version of permissivism that matters here is a synchronic intrapersonal version. So I will henceforth focus on this more explicit version of Discretion:

**(Discretion—Explicit)** There are possible times  $t$  when it would be epistemically rational for one either to believe  $p$  at  $t$  or to be agnostic about whether  $p$  at  $t$  given total evidence  $E$  at  $t$ .

Some different version of permissivism might be true. But I would deny that it could aid a revised version of the Argument from Discretion. I will return to this thought in §4 and §5.

## 2 Two Cases for Discretion and a New Case against It

I turn now to consider two arguments for Discretion, which I will call the *No Positive Epistemic Duties Argument* and the *Inconclusiveness Argument*. Seeing why these arguments fail will bring out some lessons that can be used to directly undermine Discretion. Hence, in the final third of the section, I will present a direct argument against Discretion.

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<sup>12</sup>I will return to this point again later, since it will play a role in my error theory. Precisely this point led Alston to doubt that cases where the evidence supports a proposition inconclusively are cases in which we can exercise direct doxastic control: “[H]ere too belief follows automatically, without intervention by the will, from the way things seem at the moment to the subject.” (1988: 266)

## 2.1 The No Positive Epistemic Duties Argument

One might think that Discretion is a simple upshot of the apparent fact that there are no positive epistemic duties. Having some beliefs might be a practical necessity. But it is hard to believe that there is anything that we are epistemically required to believe. Yet if we aren't epistemically required to believe any propositions, doesn't it follow that we are epistemically permitted to be agnostic on them?<sup>13</sup> One might be tempted to say "Yes".

For further support for this line, note that the evidence supports an infinite number of uninteresting conclusions whenever it supports any conclusion.<sup>14</sup> Suppose, for example, I see three birds eating from the bird feeder and know that the bird feeder does not have room for more than five birds. My evidence supports thinking that there is more than one bird, more than two, at least three, fewer than six, fewer than seven, and so on *ad infinitum*. My evidence also supports an infinite number of disjunctive propositions one of whose disjuncts is the proposition that there are three birds on the feeder. I am not epistemically required to believe these propositions. So, one might conclude, I am epistemically permitted to be agnostic on them. Which propositions supported by my evidence are worth believing? Presumably the ones that are interesting or useful to me—but those are (broadly) practical reasons.

Let's put this argument more officially:

### The No Positive Epistemic Duties Argument

1. We are never epistemically required to believe anything.
2. If (1), then we are always epistemically permitted to be agnostic.
3. We are sometimes also epistemically permitted to believe.
4. So, sometimes belief and agnosticism are both epistemically permissible options.

Unfortunately, this argument overgeneralizes. Suppose I walk past a sign that has printed on it the question: "Can horses speak English?" If I consider that question, agnosticism is not an epistemically permissible response. To be agnostic would be irrationally underconfident. The answer is obviously "No". Of course, I am not required to disbelieve that horses can speak English. But that is because I am not required to give this question any attention. That fact does not suggest that agnosticism is permitted. It suggests that no doxastic attitude, including agnosticism, is required because ignoring the question is permitted. Lacking belief and disbelief is not sufficient for agnosticism, as this case suggests.

Accordingly, Discretion does not follow from the apparent fact that there is no epistemic duty to take stances on propositions. The only thing that follows is the following:

**(Permissible Oblivion)** For infinitely many propositions  $p$ , it is not epistemically irrational for one not to believe  $p$  or  $\neg p$  even if one has sufficient evidence to settle whether  $p$ .

Work on the nature of agnosticism confirms the importance of distinguishing Permissible Oblivion and Discretion. Friedman (2013) and others argue that agnosticism is not merely a form of non-belief, including a form of principled non-belief. It is an attitude in its own right—a *committed neutrality*, to use Sturgeon (2010)'s phrase. It is true that it can be epistemically permissible either to believe that  $p$  or to avoid or lack belief in  $p$  or  $\neg p$  for a reason. But if agnosticism is not just principled non-belief, we do not hereby get a good reason to think that it can be epistemically permissible either to believe or to be agnostic.

Does this distinction make a difference for proponents of the Argument from Discretion? Could they substitute Permissible Oblivion for Discretion? No. For although it is not difficult to come to have a belief in a proposition that I am permitted to ignore (e.g., I can instead

<sup>13</sup>Way (2007) expresses this tempting inference nicely: "It is far from obvious why there cannot be evidential states good enough to permit belief in  $p$ , without requiring belief in  $p$ , and thereby also permitting suspension of belief in  $p$ " (228; italics mine).

<sup>14</sup>For a defense of the non-existence of positive epistemic duties along these lines, see Nelson (2010).

consider this proposition), it does not follow that I hereby exercise any interesting form of direct doxastic control. Once I consider the proposition that horses do not speak English, belief arises automatically in response to the manifest truth of this proposition. While getting myself to have this belief doesn't involve any complicated manoeuvring, *my* influence on what I believe remains of an indirect, uncontroversial sort.

Interestingly, some friends of Discretion are sensitive to the difference between non-belief and agnosticism.<sup>15</sup> But they haven't appreciated the implications of the difference for their arguments. For while they do rely on more interesting cases for Discretion than the cases dismissed in this subsection, these cases do not advance their goals any more than the cases that motivate Permissible Oblivion. Or so I will argue.

## 2.2 The Inconclusiveness Argument

While the No Positive Epistemic Duties Argument may explain why some are tempted to embrace Discretion, this is not the main argument that defenders of direct doxastic control have given. I will now consider their main argument at greater length.

This argument appeals to cases where propositions seem to be *sufficiently* (or "*adequately*") but not *conclusively* supported by our evidence. It can be put as follows:

### The Inconclusiveness Argument

1. Sometimes people have sufficient but not conclusive evidence for believing a proposition.
2. At these times, it would be epistemically rational for these subjects to believe the proposition but it would also be epistemically rational for them to be agnostic instead.
3. If (2), Discretion is true.
4. So, Discretion is true.

My case against this argument will center on (2). I do not take (1) to be controversial if it is read in a non-question-begging way. There is, it is worth noting, a way of defining the terms in (1) that would make (2) follow trivially. One might use "conclusive evidence for p" to mean *evidence that renders disbelief in p and agnosticism in p epistemically irrational* and "sufficient evidence for p" to mean *evidence that merely renders disbelief epistemically irrational*. If the terms were defined in this way, then it is premise (1) that I would question. But neither I nor the proponents of this argument understand the terms in this way.

How should these terms be understood? I assume that "sufficient" evidence for p is evidence sufficient to justify belief in p. I also assume that "conclusive" evidence for p is evidence that rules out p's falsity. There are several things one could mean by saying that evidence E "rules out" the falsity of a proposition p. One could mean that E entails p. Or, following Dretske (1971), one could mean that if E were so,  $\neg p$  couldn't be so, where the "couldn't" picks out something less than metaphysical impossibility. For present purposes, it won't matter which we choose. But the second way makes things more interesting and it is the way that some fans of Discretion have in mind.<sup>16</sup> I also take it that many people (including me) would agree that (1) is true when the terms are understood in this way, since many people would deny that justifying evidence must be infallible. So (1) is not the more controversial premise.

With that clarification in mind, let's consider the case for premise (2). I will focus on the way Nickel defends (2) because it is representative and it is the most detailed of the defenses that have been given. There are many examples that different defenders of this argument have given to support (2). I lack space to consider all of them, but the points that I will make about Nickel's cases generalize to other cases.

Here is a putative example of sufficient but inconclusive evidence from Nickel (2010: 313):

<sup>15</sup>McHugh (2013) approvingly cites Friedman when explaining how he is understanding suspension of judgment.

<sup>16</sup>McHugh and Nickel both understand "conclusive evidence" in this way. Other fans of Discretion are less clear on what "conclusive evidence" is meant to mean.

(**BIG LIZARD TESTIMONY**) “My roommate, a serious and sensible person, announces to me that he has just been outside and seen a three-foot lizard in the driveway. I have never seen such a large lizard in the area before, and I have some reason to doubt whether any lizards of that size live naturally in the area.”

How might this case support Discretion? There are two forms of support that one might take **BIG LIZARD TESTIMONY** to lend to Discretion. Firstly, one might claim that given the evidence, it would be epistemically rational to believe that there was a big lizard in the driveway (because one’s friend is serious, reliable, sensible...), but also epistemically rational to be agnostic (because that would be an oddly big lizard). If one’s evidence in **BIG LIZARD TESTIMONY** is indeed sufficient, that yields discretion with respect to the following non-normative proposition:

- (i) There is a big lizard outside.

Secondly, one might also claim that with respect to the normative proposition,

- (ii) I have sufficient evidence to think that there is a big lizard outside,

it would be epistemically permissible to believe but also permissible to be agnostic.

Nickel seems to think that we have both forms of discretion in cases like **BIG LIZARD TESTIMONY**. It is tempting, I agree, to think that we do. But it is worth probing a bit deeper into why it seems that one could rationally hold either attitude with respect to (i) in this case. When we see why, we will discover some facts that undermine the Inconclusiveness Argument.

Note that Nickel at several points implies that what gives one seeming discretion with respect to (i)-type propositions is that one has seeming discretion with respect to (ii)-type propositions. Nickel writes of **BIG LIZARD TESTIMONY**: “Here again, I think, is a case in which I am in a position to take my roommate’s testimony as providing adequate reason to believe that there was a three-foot lizard in the driveway, or to suspend belief and demand more evidence. If I do adopt the belief that there was such a lizard, it will, I propose, be voluntarily so.”<sup>17</sup> The thought is even more vivid when Nickel discusses another case in support of (2):

(**TRAIN SOUNDS**) “I have lived for three years in an area where I have never heard the sound of a train, although I have observed some seemingly unused train tracks. I do not know whether the train tracks have fallen into disrepair. One morning, as I am working, I hear the sound of a train whistle, and I feel the distinctive vibration of a locomotive.”<sup>18</sup>

Nickel says of **TRAIN SOUNDS**:

This, I propose, is a situation in which I am in a position voluntarily to adopt the belief that there is a locomotive nearby. *I accomplish this by taking the reasons I have to support that belief. But I have more than one reasonable option. I may take the sound of the locomotive to provide adequate reason to believe that there is a locomotive, or I may take it not to provide adequate reason for that belief.*<sup>19</sup>

Similar thoughts apply naturally to the first case. It is easiest to imagine you being agnostic because you worry that mere testimony is not sufficient evidence for (i).

This feature of Nickel’s defense uncovers a problem for the Inconclusiveness Argument that will lead me to an argument against Discretion in §2.3. According to proponents of Discretion, it is permissible for you to be agnostic even when your evidence is sufficient, provided that it is also not conclusive. But the fact that it is most natural to regard you as becoming agnostic by *getting yourself to take the evidence to be insufficient* suggests that it is not easy to regard oneself as having discretion in these kinds of cases. If it were clear that we had discretion in

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<sup>17</sup>Nickel (2010: 314).

<sup>18</sup>Verbatim from Nickel (2010: 313–314).

<sup>19</sup>Nickel (2010: 314); italics mine.

these kinds of cases, we would not have to regard the testimony as providing insufficiently strong evidence for (ii) in order to be agnostic. We should be able to regard it as sufficient but remain agnostic. But we cannot do so while remaining fully rational. It is akratic and underconfident to think: “The evidence is not merely good but sufficient to justify belief. Still, I am agnostic.” While underconfidence is perhaps a less serious mistake than overconfidence, it is still a mistake. Indeed, in this case, the underconfidence is an example of epistemic akrasia.<sup>20</sup>

Of course, you can regard the testimony as providing good reason for thinking that (i) is true while rationally being agnostic on (i). Indeed, you can regard the testimony as providing very good reason for thinking that (i) is true while being rationally agnostic on (i). But good reasons—even very good reasons—are not the same as sufficient reasons. So we must ask: can you with full confidence regard the testimony as good enough to justify belief while rationally being agnostic? No. I suspect the only reason why it might be hard to regard our agent as underconfident is that it is hard to see how someone could sincerely think with full confidence that the relevant testimony is sufficient to justify belief in (i).

One might worry that these points only show that we lack more than one rational option in *reflective* cases where we believe that our evidence is sufficient.<sup>21</sup> There are *unreflective* cases where we do not have any beliefs about the quality of our evidence. What about those cases? Couldn't we still have Discretion in them for all I have said?

While I agree that it is non-trivial to draw a conclusion about the status of Discretion in unreflective cases on the basis of the reflective cases I have been considering, I will show that we can properly draw this conclusion in the next section on the basis of facts about the relationship between akrasia and reasons. For the moment, however, our observations should make us worried about the stated case for (2) and unconvinced by examples like BIG LIZARD TESTIMONY. Indeed, the versions of these cases in which agnosticism most clearly seems rational are precisely reflective cases in which one has doubts about the sufficiency of the evidence. So the argument for (2) is still undermined by my observations.

There is another reason to doubt that cases like BIG LIZARD TESTIMONY support (2). Think about what normally happens when one rationally takes the evidence to be insufficient. One considers the evidence and gains some higher-order evidence: it strikes one as insufficiently clear that the evidence is strong enough, or it strikes one as clear that the evidence is strong enough. One then responds with a doxastic attitude. Notice that in these cases, one's stock of *total* evidence appears to increase. It now includes some higher-order evidence concerning the quality of the evidence for the relevant (i)-type proposition.

If this higher-order evidence is part of the total evidence, we should be doubtful for another reason that cases like BIG LIZARD TESTIMONY support premise (2). Premise (2) says that if one has sufficient evidence for *p*, it can be permissible either to believe or to be agnostic on *p*. The sufficiency of a given piece of evidence is to be assessed relative to the total evidence. If the total evidence is different in the case in which one can rationally believe and the case in which one can rationally be agnostic, we get no obvious support for premise (2). We already knew that it can be rational to believe *p* given total evidence *E* and rational to be agnostic given slightly changed total evidence *E\**. If the total evidence is not the same when it is rational for one to believe and when it is rational for one to be agnostic, we should be suspicious.

Now, there are different views about the impact that higher-order evidence can have on what is epistemically rational at the first order. Some theorists—*level splitters*, to use Horowitz (forthcoming)'s term—think that it has no impact on what is rationally permissible at the first-order. Level splitters will, however, typically agree that it has some effect on what is excusable or blameless at the first-order.<sup>22</sup> Others—*level bridgers*—think that higher-order evidence can

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<sup>20</sup>By “akrasia” I do not mean weakness of will; like Holton (2009), I would distinguish the two. I rather mean acting or forming attitudes in a way that would amount to a failure to correctly respond to reasons if one's beliefs about the reasons in play were true. So defined, claiming that there is such a thing as epistemic akrasia doesn't presuppose that we have any kind of control over our attitudes.

<sup>21</sup>Credit goes to an anonymous reviewer for pressing me to talk more explicitly about this objection.

<sup>22</sup>Some prominent level splitters include Lasonen-Aarnio (2010, 2014), Weatherston (MS), and Williamson (2011). All

have an impact on what is epistemically rational at the first order.<sup>23</sup> But both views undermine the case for premise (2).

Level bridgers will think that if one acquires the higher-order evidence that one's first-order evidence for *p* appears insufficient, that higher-order evidence undercuts the support for *p*. So, on a level-bridging view, it is clear that we get no case for Discretion if what makes agnosticism become rational is the appearance that one's evidence is insufficient. In that case, it will not be rational for one to believe the first-order proposition. It was rational moments before. But one's total evidence was different.

Level splitters, by contrast, will think that if believing *p* was rationally permissible before the evidence appeared insufficient, believing *p* is still rationally permissible afterwards. But given the appearance, one couldn't be blamed for taking one's evidence to be insufficient, and so couldn't be blamed for being agnostic on that basis. Level-splitting views also do not aid the case for premise (2). While these views agree that both believing *p* and being agnostic about whether *p* could each merit *some* positive appraisal, they will deny that these attitudes could at one time merit the *same* appraisal. Believing *p* is rationally permissible, while being agnostic is excusable, blameless, or whatever.

So, we have a second reason for doubting that cases like BIG LIZARD TESTIMONY supports Discretion. It will often be by reflecting on the first-order evidence and gaining some higher-order evidence that one figures out whether to believe or to be agnostic. On a level-bridging view, what happens in the case in which one is agnostic is that one's total evidence goes from sufficiently supporting to not sufficiently supporting the (i)-type proposition. That scenario provides no support for Discretion. On a level-splitting view, what happens when one proceeds to be agnostic is that the evidence remains the same, but one's decision to be agnostic is excusable given the status that the evidence appears to have. It does not follow that agnosticism is rationally permitted. The motivations for splitting levels require us not to draw that conclusion. Without that conclusion, we get no support for Discretion.

I have now assessed the case for premise (2) with respect to (i)-type propositions. But remember: cases like BIG LIZARD TESTIMONY were supposed to provide two avenues of support for premise (2). They were supposed to make it plausible that we not only have discretion with respect to (i)-type propositions, but also with respect to (ii)-type propositions.

I have not explicitly assessed whether we have discretion with respect to (ii)-type propositions. Still, it is easy to see why we should doubt that we have discretion with respect to (ii)-type propositions. We have discretion here only if it can be true that

- (a) We have sufficient reason for thinking that (ii) is true,

while it is true that

- (b) We are rationally permitted to be agnostic on (ii).

But again, if it is clear that (a) is the case, it would be underconfident to remain agnostic on (ii). If we had discretion in these cases, we wouldn't expect that. On the other hand, if it is not clear to one that (a) is the case, one could rationally be agnostic about (ii). On what basis would one be agnostic? Presumably on the basis of the fact that it is not sufficiently clear that (a) is so. But now our earlier points apply. The fact that (a) is not sufficiently clear will be a piece of higher-order evidence. Our earlier points about higher-order evidence apply again. We can run the dilemma we ran before to show that we get no support for premise (2).

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three are sympathetic to the idea that there is a distinction between justification and some weaker status, though they have different words for that status—"reasonable" in Lasonen-Aarnio's case, "praiseworthy" in Weatherson's case (cf. Weatherson (2008)), and "excusable" in Williamson's case (cf. Williamson (2007) and (2013)).

<sup>23</sup>See Christensen (2010), Elga (2007), Horowitz (forthcoming) and Kelly (2010).

### 2.3 An Argument against Discretion from Underconfidence

I conclude that cases like *BIG LIZARD TESTIMONY* provide insufficient support for premise (2). Indeed, key observations about these cases actually support an argument against Discretion. Reflection on these cases brought out the following datum:

**(Underconfidence Datum)** It is less than fully rational to believe at *t* that the evidence for *p* is sufficient but to remain agnostic on *p* at *t*. This amounts to akratic underconfidence.

Given this datum, it is easy to argue directly against this more precise version of Discretion:

**(Discretion for Sufficient but Inconclusive Cases (DSIC))** When a person's evidence for *p* at *t* is sufficient but not conclusive, it would be epistemically rational for this person to believe *p* at *t* but also epistemically rational for her to be agnostic on *p* at *t* instead.

How does the argument go?

The Underconfidence Datum tells us that a certain combination of states is less than fully rational: believing that the evidence for *p* is sufficient and being agnostic. Accordingly, there is plausibly a wide-scope rational requirement banning this combination of attitudes:

**(REQ)** Rationality requires that: if one believes the evidence for *p* is sufficient at *t*, one is not agnostic about *p* at *t*.

REQ is a requirement that belongs to the family of coherence requirements that Broome (2013) calls "enkratic" requirements. These are requirements that ban akratic combinations of attitudes. Related plausible enkratic requirements include:

**(REQ-1)** Rationality requires that: if you believe you have sufficient evidence that *p* at *t*, you don't disbelieve that *p* at *t*.

**(REQ-2)** Rationality requires that: if you believe that there is sufficient evidence that *p* at *t* and you believe that if *p* then *q* at *t*, you don't disbelieve that *q* at *t*.<sup>24</sup>

Enkratic requirements are not free-floating requirements. To see why, remember that the point of these requirements is to ban cases of akrasia. What are cases of akrasia? By a standard definition, they are cases in which it is true that if

one's beliefs about the reasons in play were true,

it would be true that

one would be doing something that these reasons require one not to do.

Conditionals of this sort are true partly in virtue of background principles about reasons. I will illustrate this point first with a non-epistemic case of akrasia. The case to be considered is one where one pursues a sufficient means *M* for an end *E* that one takes oneself to have conclusive reason not to pursue. Let's consider why it is true that if

one's belief that one has conclusive reason not to pursue end *E* were true

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<sup>24</sup>Admittedly, these requirements are inconsistent with an *extreme* synchronic intrapersonal permissivism. But I have serious doubts about whether anyone would accept such a view. An *interpersonal* extreme permissivism might be plausible, and so might a *diachronic intrapersonal* extreme permissivism. Moreover, as Douven (2009) notes, it might be plausible to hold the *counterfactual* intrapersonal extreme permissivist claim that one *could* have had the same evidence at *t* and been rational in holding an opposite attitude on *p* at *t* to the one that one now rationally holds at *t* had one's priors been different. But none of these claims conflicts with REQ-1 or REQ-2.

it would be true that

one would be doing something one shouldn't do in pursuing means M.

This conditional is true partly because if one has conclusive reason not to pursue some end E, one also has conclusive reason not to pursue a sufficient means M for E. This gives us our background principle about reasons:

(P-INT) If there is conclusive reason not to pursue some end E, there is also conclusive reason not to pursue a sufficient means M for E.

And this principle underwrites the following enkratic requirement:

(REQ-INT) Rationality requires that: if one believes there is conclusive reason not to pursue some end E, one does not pursue a sufficient means M for E.

By parity of reasoning, we can see that to REQ-1 and REQ-2 there correspond the following principles about epistemic reasons:

(P1) If there is sufficient epistemic reason for one to believe that p at t, then there is not sufficient epistemic reason for one to disbelieve that p at t.

(P2) If there is sufficient epistemic reason for one to believe that p at t and that p entails q at t, then there is not sufficient epistemic reason to disbelieve q at t.

Any enkratic requirement will be accompanied by principles like P1 and P2. These principles are what make it true that if one's beliefs about the reasons were true, one would do something that these reasons require one not to do. The cases that enkratic requirements like REQ-1 and REQ-2 ban wouldn't even be cases of akrasia if principles like P1 and P2 weren't true.

Notice now that these principles double as norms that you might violate—e.g., you might violate P1 when you have sufficient evidence that p and you disbelieve p. Notice moreover that when you violate REQ-1, that is because you would be violating P1 if your relevant beliefs were true, and that when you violate REQ-2, that is because you would be violating P2 if your relevant beliefs were true. We can generalize: whenever you violate an enkratic requirement, you are such that if your relevant beliefs were true, you would be violating a norm that, like P1 and P2, doubles as a principle about reasons.

If that is right, however, we can consider REQ and ask: what is the norm that you would be violating if your relevant beliefs were true? Symmetry suggests that it is this norm:

(P) If one's evidence for p is sufficient at t, one lacks sufficient epistemic reason to be agnostic on p at t.

But this norm is inconsistent with DSIC. So we should reject DSIC. To put this argument more officially:

#### **The Underconfidence Argument**

1. The Underconfidence Datum is a datum.
2. If (1), REQ is a true enkratic requirement.
3. If REQ is a true enkratic requirement, (P) is a true norm.
4. If (P) is a true norm, DSIC is false.
5. So, DSIC is false.

Since I've already defended the premises, we should reject DSIC.

Of course, DSIC is not identical to Discretion. But we should still reject Discretion if we reject DSIC. This is because cases of sufficient but inconclusive evidence just are the only cases where Discretion seems plausible. Again, either the evidence is sufficient to rationalize belief or it isn't. If it isn't, belief isn't a rational option, and so at most one of belief and agnosticism is a rational option. Moreover, either the evidence is conclusive or it isn't. If it is, agnosticism isn't plausibly a rational option, and so at most one of belief and agnosticism is a rational option. The only cases left to consider are cases where the evidence is sufficient but not conclusive.

We can now see the answer to the lingering worry from the last subsection. There I noted that if you believe that your evidence is sufficient, it would be underconfident to be agnostic. From this it followed that we lack Discretion in cases where we believe that our evidence is sufficient. But one might have worried that nothing follows about unreflective cases in which we don't have beliefs about the quality of our evidence. This worry is answered by the fact that enkratic requirements are underwritten by principles about reasons that double as further norms. This fact ensures that if the Underconfidence Datum is a datum, DSIC is false.

### 3 The Nature of Agnosticism and the Falsity of Discretion

I have undermined two arguments for Discretion and offered one argument against it. I am now going to show how a plausible view about agnosticism motivates the rejection of Discretion. As I will note at the end of this section, I think this view about agnosticism explains the Underconfidence Datum and, by explaining it, receives further support. But I think this view is independently defensible, as the rest of this section will illustrate.

I am not going to give an analysis of agnosticism. Rather, I am going to highlight an important necessary condition on agnosticism that should constrain our final analysis of agnosticism if it is analysable; even if it is unanalysable, there can still be illuminating necessary conditions on it. And I will argue that if this necessary condition holds, we should deny that it is ever epistemically rational to be agnostic on  $p$  when the evidence for  $p$  is sufficient. Since cases of sufficient but inconclusive evidence are the only plausible witnesses for Discretion (given the distinction between non-belief and agnosticism), we should also reject Discretion.

What is the necessary condition that I have in mind? We can see it by reflecting on a point that Friedman (2013) makes about agnosticism. Friedman maintains—convincingly, I think—that considering a question and holding no attitude vis-a-vis that question is insufficient for being agnostic on the question. To support this thought, she asks us to consider two subjects, A and B:

A is prompted to consider whether my mother was a juror for a bank robbery trial in late 1970 (p). quickly recognizes that she has no relevant evidence and has absolutely no idea and suspends judgment about my mother's jury duties. B knows a bit about me and so starts to think about my mother's jury duties. But before he gets very far, the plumber calls over to fix his leaky shower, and he drops the question about my other completely. At 15:07 (while he's explaining the problem to the plumber), B has stopped considering  $p$  and is in a state of non-belief with respect to  $p$ , but B is not agnostic about  $p$  at 15:07; he isn't suspending judgment about my mother's jury duties. . . . A might be agnostic about  $p$ , but B is not.<sup>25</sup>

Friedman says of B that "he never seems to get to the bit where he actually suspends" and that "[d]eliberation cuts out before he does whatever he would need to do to move into a state of suspended judgment". I agree. Now here is a question:

(Q) What features is B's case missing that a case of agnosticism would display?

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<sup>25</sup>Friedman (2012: 170).

I do not want to try to give a complete answer to (Q). But I will give a partial answer, and it will be the central premise in this section's argument against Discretion.

Part of my partial answer to (Q) is that B is *not resistant to believing p* and also *not resistant to disbelieving p*. But among other things, an agnostic about p would conclude inquiry by being resistant to believing p and being resistant to disbelieving p. Resistance to belief has already been proposed as a necessary condition for agnosticism. For example, Bergmann (2005: 421) suggests that "withholding p involves resistance... to believing p and to disbelieving p". I take it that we have the same thing in mind. I don't have an analysis to give of resistance to belief and neither does Bergmann. But I can say that to be resistant to believing p is the opposite of being inclined to believe p—that is, a resistance to believe stands to an inclination to believe as repulsion stands to attraction. So understood, it is no less clear than the notion of an inclination to believe, which figures prominently in analyses of intuitive and perceptual seemings.

Friedman denies that resistance provides a complete answer to (Q). I agree. Here is one example that will suggest my fuller necessary condition. Imagine that you are interested in answering a question Z and you take yourself to have all the evidence you need to answer Z. But it is getting late and you find it hard to focus on the evidence. On this basis, you might resist trying to answer Z, and hence resist believing and disbelieving any answers to Z because you feel you cannot focus well enough on the evidence. You will return to Z in the morning. Are you agnostic? My inclination is to say that if B was not agnostic in Friedman's case above, neither are you in this case. You have not settled on any view about the matter, agnosticism included. But as Friedman claims, agnosticism is a settled attitude.

What else would be required for agnosticism? Presumably a *settled* resistance to belief and to disbelief is also required. How should settled resistance be understood? Reflecting on agnosticism in the religious case is helpful. A religious agnostic does not relate to the question of God's existence in the way that you related to the various answers to your question in the scenario I imagined. Why not? Well, the most familiar kind of religious agnostic will think that his current evidence just doesn't provide him with what he needs to answer this question. Of course, agnostics disagree about whether they could ever acquire evidence that would give them what they need to answer this question. Some agnostics think the question couldn't ever be settled by evidence. But not all agnostics are like this: some simply deny that their current evidence provides them with what they need to answer this question. Some agnostics even insist that true agnosticism necessarily involves leaving it open that we could later discover strong enough epistemic reason to believe or disbelieve.<sup>26</sup>

We can set aside whether that last idea is right. The key point is that the agnostic's state of mind is a response to the quality of their evidence.<sup>27</sup> It is in this way that agnostics differ from you in the earlier example. You think your evidence provides you with the resources you need to answer your question. Your resistance owes merely to the fact that you are too tired to use those resources well. The agnostic's resistance owes to the fact that he takes his evidence not to provide the resources he needs. He may open to changing his mind given new evidence. But given his current evidence, he is committed to resisting belief and disbelief. It is in that way that his resistance is settled—not settled forever, but settled relative to his present evidence.

With those clarifications in mind, here is the necessary condition on agnosticism on which my argument will be relying:

(NEC) S is agnostic on whether p at t only if S is at t settled on resistance to believing p and to disbelieving p on S's total evidence E at t.

Although I agree with Friedman that this isn't a sufficient condition for agnosticism, nothing she has said disqualifies it as a necessary condition. For the reasons just rehearsed, I think it is a plausible necessary condition on agnosticism.

<sup>26</sup>An entertaining example is Jorge Luis Borges, who apparently said: "Being an agnostic means that all things are possible, even god, even the Holy Trinity"; see Shenker (1971).

<sup>27</sup>What about swamp-agnostics? Such agnostics could still be dispositionally responsive to the quality of their evidence in the relevant way, even if—lacking any psychological history—they hadn't ever reflected on their evidence.

Now I can give my argument. I take it that if NEC is plausible, we should also accept:

(R) It is epistemically rational for S to be agnostic on p at t only if it is epistemically rational for S at t to be settled on resistance to believing p and to disbelieving p on S's total evidence E at t.

I don't see how (R) could be denied if we accept NEC. If it is not epistemically rational to be resistant to believing p and disbelieving p on evidence E, then, assuming NEC, it is hard to see how it could be epistemically rational for S to be agnostic on p.

But I will now argue that if (R) is true, we should reject the restricted version of Discretion mentioned in the last section:

(DSIC) When a person's evidence for p at t is sufficient but not conclusive, it would be rational for this person to believe p at t but also rational for her to be agnostic on p at t instead.

The argument turns on the thought that in any case where the evidence for p is sufficient, it couldn't be epistemically rational for S to settle in a state of resistance to believing p and to disbelieving p on her evidence. Given this thought and (R), it follows that it would not be epistemically rational for S to be agnostic in such a case. So, given (R), we should reject DSIC.

Why think that settled resistance to believing p on the evidence wouldn't be epistemically rational when the evidence for p is sufficient? I think this verdict is immediately compelling when it is properly understood. Obviously, if S is just temporarily resisting belief because she doesn't have a clear view of the evidence (say, because S is tired), then S needn't be doing anything epistemically irrational. But as we saw earlier, that kind of temporary resistance isn't sufficient for agnosticism. Agnosticism consists in settled resistance to belief on the evidence—a committed neutrality relative to one's evidence. While there might be practical reasons for someone to have a settled resistance to believing p even given sufficient evidence for p, settled resistance given such evidence would not plausibly be epistemically rational.

There are other ways to misunderstand this verdict that obscure its plausibility. One might think: "But no one is epistemically required to believe anything on the basis of sufficient evidence." But again, this thought confuses agnosticism with non-belief. There is perhaps no epistemic requirement to consider any question. From that claim, it may plausibly follow that we are not epistemically required to believe anything. But it doesn't follow that when one is trying to settle on a stance with respect to some question, it is epistemically rational to settle on resistance to believing p given one's evidence if one's evidence for p is sufficient. Once the distinction is drawn, that further claim just seems false.

I have encountered one rationale for resisting my verdict that persists even when all the relevant distinctions are drawn. A resistor might say: "Mightn't it be epistemically rational for someone to believe that the evidence for p is insufficient even when it is sufficient? Indeed, isn't this kind of mistake easy to imagine if the evidence is sufficient but not conclusive? Yet if it could be epistemically rational for someone to falsely believe that the evidence is insufficient, couldn't it then be rational to settle on resistance even when the evidence is sufficient?"

This objection faces a dilemma that resembles one I pressed in the last section. To see it, note that a question in the background is whether the following thesis is true:

(T) It is possible to rationally believe that one's evidence for p is insufficient when it is sufficient.

One might reject (T). There is an important objection to it. Evidence for p is sufficient only when undefeated. But if it were rational to believe that the evidence for p is insufficient, that fact may amount to an undercutting defeater. If so, (T) is false. This is what the level bridger says.

Not everyone will be convinced that such higher-order defeat is possible. A level splitter might say that the sufficiency of the evidence just needn't be transparent in the way that (T) suggests. But level splitters tend to be status splitters, and arguably must be for their view to be plausible. They will say that when you have a false rational belief about the quality of the

evidence, you will merely be blameless for heeding that belief. They will distinguish blamelessness from what I've been calling "rationality" (which they might prefer to call "justification").

With these two views in view, we can see why the objection fails. The objection was that if (T) is true, it would be rational for you to be agnostic even when the evidence is sufficient. But either level bridging or level splitting is the right view about the impact of rational beliefs about the quality of one's evidence. If level bridging is right, (T) is false. If level splitting is right, the inference on which the objection relies fails. The level splitter will elsewhere say that attitudes based on false but rational beliefs about the evidence are merely blameless, not permissible. Consistency requires saying the same thing about this case. But then this isn't a case in which agnosticism is rationally permissible. So even if (T) is true, it doesn't follow that agnosticism is rationally permissible, as the objector insisted.

Wouldn't some level splitters want to equate rationality and blamelessness, and distinguish both from justification or permissibility? Yes. But the important thing to note is that for the level splitter, the case described by (T) is not a case in which there is some *single normative status*—whether it be justification, permissibility, rationality, or whatever—that the believer and the agnostic could instantiate given the evidence at *t*. Rather, it is belief that would be permissible (or justified, or rational) and agnosticism that would be blameless. Different level splitters will use different normative vocabulary, and some of them will use the term "rational" where I have been using "blameless". But that doesn't matter: for DSIC to be true, it would have to be possible for either belief or agnosticism to instantiate the same normative status given the evidence. Otherwise the evidence doesn't give us real discretion. But according to the consistent level splitter, it will not be possible for belief and agnosticism to both be candidates for the same normative status given the evidence.

Having undermined this objection, I think it is safe to conclude that DSIC is false. But as I argued in the last section, DSIC describes the only plausible scenario in which Discretion could be true. So, we should reject Discretion.

Let's take stock. What I've done in this section is presented the following argument:

#### **The Argument from the Nature of Agnosticism**

1. Being agnostic about whether *p* necessarily involves a settled resistance to believing *p* and disbelieving *p* on one's evidence.
2. If (1), then it is epistemically rational to be agnostic about whether *p* only if it is epistemically rational to have a settled resistance to believing *p* and disbelieving *p* on one's evidence.
3. But it is epistemically rational to have a settled resistance to believing *p* and disbelieving *p* on one's evidence only if one's evidence for *p* is insufficient.
4. So, it is epistemically rational to be agnostic about whether *p* only if one's evidence for *p* is insufficient.

I then said that if (4) is true, Discretion is false, and concluded that Discretion is false.

Premise (1) I took to follow from reflection on some cases from Friedman (2013). I agreed with Friedman that this necessary condition isn't a sufficient condition for agnosticism. But I only need the necessary condition and nothing she has said undermines it. Of course, necessary conditions can fail to be constitutive, so it might be misleading to call this an argument from the "nature" of agnosticism. As it happens, I do think resistance is partly constitutive of agnosticism, but I won't defend that belief here. Nor does this issue matter for the status of (2): even if resistance isn't constitutive of agnosticism but is merely causally necessary for it, it remains plausible that agnosticism will only be epistemically rational if the resistance to belief in which it is based (causally) is itself epistemically rational.

I claimed that (3) is immediately plausible once we distinguish it from other claims. It is not epistemically irrational to resist forming any attitude until one has a clear view of the evidence. We are entitled to get a clear view of the evidence before we take a stand. It is

epistemically virtuous for a person to take no stand until she has a clear view of the evidence. But we can't forget that agnosticism is itself a stand in the minimal sense that it involves settled resistance. And it is not plausible that settled resistance to believing *p* on one's evidence could be epistemically rational if one's evidence for believing *p* is indeed sufficient. While one might insist that it could be epistemically rational if one has a false rational belief to the effect that the evidence is insufficient, I showed that this objection faces a crippling dilemma.

My response to this objection could be combined with points from the last section. It should be surprising that the only case in which it seems plausibly epistemically rational to settle on resistance to belief on one's evidence is a case in which one believes that the evidence is insufficient. For as we saw in the last section, it is irrational to settle on resistance to belief given some evidence if we take it to sufficient. Insofar as we have a stance on the sufficiency of the evidence, why must that stance be negative for settled resistance to seem rational? Plausibly, because we don't after all have discretion in these cases. Combined with the points from the last section, reflection on the objection to (3) strengthens the case against Discretion.

The arguments from this section and the last cohere in a further way. (1) helps to explain the Underconfidence Datum and receives further support from it. There is something manifestly defective about thinking: "My evidence for *P* is sufficient, and yet I settle on resistance to belief in *p* (and disbelief in *p* too) on my evidence." Plausibly, then, the more fundamental reason why the Underconfidence Datum is true is that agnosticism necessarily involves settled resistance to belief on one's evidence. So (1) and the Underconfidence Datum are mutually supporting. Of course, if the only argument for (1) were that it explained the Underconfidence Datum, then the argument in this section wouldn't add new support for my rejection of Discretion. But since (1) is independently defensible, this argument adds support.

Perhaps one will reply to my rejection of Discretion by saying: "I agree that Discretion fails if it is a thesis about "agnosticism" in your sense. But this just shows that you have misunderstood the spirit of the view. It is not a thesis about agnosticism in your sense, but rather about some species of non-belief." But I think that this reply gets things backwards. This is for a reason foreshadowed in §1 that I will reinforce in the following two sections: namely, that the other thesis to which the objector alludes cannot do the work that people wanted Discretion to do. Indeed, the error theory I will use to diagnose the attraction of Discretion is that it is easily confused with the objector's other thesis.

## 4 An Error Theory

The plausibility of Discretion is, I claim, illusory. What generates the illusion?

Part of what generates it is the easiness of confusing agnosticism with non-belief of various kinds. I think the illusion is more complex than this, however. After all, it is consistent with the non-existence of positive epistemic duties that we do have a conditional epistemic duty to hold whatever attitude on a question is supported by the evidence if we are considering that question with the hope of answering it. Yet that claim too is falsified by points about some of Friedman's examples. In her example involving *A* and *B* discussed in the last section, *B* was hoping to answer the question and yet held no attitude. It is implausible that *B* was doing anything even slightly epistemically irrational in taking no stance on the question. So it cannot be that we are even *conditionally* required to hold an attitude when we are considering a question in the hope of settling it. We are not even doing anything epistemically problematic if we resist belief and disbelief in the midst of considering a question with the hope of answering it on the basis of our evidence.

These observations bring out a more complete way of explaining the illusion. I think we confuse Discretion with the following claim:

**(Prerogative of Reflective Silence (PRS))** Even if belief in *p* would be epistemically rational given the evidence, it would not be epistemically irrational to hold no attitude on whether *p* even

when considering the question whether  $p$  in the hope of settling it.

Discretion is easily confused with PRS. But PRS could be true even if Discretion is false.

Agnosticism is an attitude. PRS does not entail that agnosticism would not be epistemically irrational when considering the question whether  $p$  in the hope of answering it. Indeed, since agnosticism is a settled attitude held with respect to  $p$  given one's evidence, it is plausible that it would be incoherent to be agnostic about whether  $p$  while considering the question of whether  $p$  in the hope of answering it on the basis of one's evidence. If you are agnostic about whether  $p$ , you are settled on resisting belief and disbelief in  $p$  given your current evidence. You might, of course, be open to the possibility of believing or disbelieving  $p$  given new evidence. But given your current evidence, you have settled on committed neutrality.

PRS and Discretion come apart in another way that should undermine attraction to Discretion. Notice that PRS is consistent with acceptably taking no attitude with respect to the question of whether  $p$  amidst considering whether  $p$  *even when your evidence for  $p$  is conclusive*. We have conclusive epistemic reasons to accept conclusions that take a moment to process. There are, for example, unobvious facts about our conscious mental lives that we can nonetheless know, and indeed know that we know. I can have conclusive evidence for thinking that I am suffering a visual appearance of a ten-speckled hen. Yet when presented with the question of whether I am suffering a visual appearance of a ten-speckled hen, it may take me a moment to process the evidence. But when I hold no attitude during that interval, I am not agnostic. I know I can settle the question given my evidence. Nor is it tempting to think I could rationally be agnostic here. Given my total evidence, it would be underconfident to be agnostic.

The fact that PRS is just as plausible in cases of conclusive evidence should undermine our confidence in Discretion. Of course, you might think instead that the fact that PRS is just as plausible in these cases makes it unpromising to use PRS to explain away our attraction to Discretion. But that is not right. For until we think about how PRS and Discretion could come apart, it is extremely tempting to infer Discretion from PRS.

So our error theory is attractive. And it yields a unified diagnosis of where the arguments for Discretion led us astray. The arguments discussed in §2 fail for the same reason. Both rest on a failure to distinguish between the claim that

when one has sufficient evidence for  $p$ , it would not be epistemically irrational to hold no attitude on whether  $p$  even when considering the question whether  $p$  in the hope of settling it

and the claim that

when one has sufficient evidence for  $p$ , it would not be epistemically irrational to be agnostic on whether  $p$

These claims are easy to confuse. But they come apart both when the evidence is conclusive and when the evidence is sufficient but not conclusive. In the former case, agnosticism is clearly epistemically irrational. In the latter case, agnosticism is a premature stance that is at least not fully epistemically rational (though it is less irrational than in the former case).

I don't claim to have given an exhaustive explanation of our misguided attraction to Discretion. Misguidedness is often overdetermined. There are other reasons why Discretion might be tempting. I will mention two other reasons that seem important.

One reason is that we think modesty is a virtue, and so we may be less inclined to criticize underconfidence than overconfidence. Hence, it may strike us as wrong to describe someone who is agnostic despite having sufficient evidence as falling short of any ideal.

I agree that modesty is a virtue and perhaps a virtue that we can manifest by being underconfident. And I agree that it can feel wrong to criticize people in all the cases I discussed. But even if there were a virtue that we can manifest by being underconfident, it would not follow that underconfidence can be an *epistemic* virtue. It is more natural to regard underconfidence as sometimes good but not epistemically good.

Some ethicists writing on modesty already hold this view.<sup>28</sup> It is also worth noting that ethicists who deny that modesty requires epistemic vice do so on the basis of an alternative account of modesty on which it does not require underestimation of self-worth (e.g., Brennan (2007)), and indeed some locate modesty upstream of any doxastic attitude (e.g., Bommarito (2013)). So while these ethicists don't think moral and epistemic virtues conflict, they *also* don't think that underconfidence is a virtue of any kind.

A second reason to add is that we may also be confusing Discretion with one of the versions of epistemic permissivism that I mentioned at the outset. I have nothing to say against a version of epistemic permissivism that says that a single person can at different times hold different attitudes on the same evidence without epistemic irrationality. Because I think epistemic rationality is not determined solely by evidence but also by competence, I suspect that such a view is true. Over time, we might acquire competences that enable us to rationally believe more on the basis of the same evidence. Before we acquired these competences, it might have been epistemically rational to be agnostic on questions that it is no longer epistemically rational to be agnostic on, even if our evidence is the same. It doesn't follow that agnosticism was epistemically rational given *sufficient* evidence. Sufficiency might itself be a function of competence, so that the same evidence that was insufficient before is sufficient now.

There are other reasons why this diachronic permissivist view might be true. Consider someone who believes *p* on the basis of sufficient evidence at *t* but who begins to worry about error possibilities at *t+* and through worrying loses her confidence in the sufficiency of the evidence. There is something to the thought that this person cannot epistemically rationally believe *p* at *t+* given her doubts.<sup>29</sup> There is also something to the thought that agnosticism at *t+* would be epistemically rational. Of course, if we accept these thoughts, there will also be pressure to deny that the person's evidence is still sufficient at *t+*. So we are not granting that a person could be rationally agnostic in spite of having sufficient evidence.

Still, so understood, this diachronic permissivism is also easily confused with Discretion. But it is distinct from Discretion, which is a synchronic thesis and needs to be a synchronic thesis for reasons noted at the outset.

How much of a concession would it be to grant that this diachronic permissivism is true? I think it would be no concession at all, for reasons that I will turn to explain: this view cannot play the role that Discretion was supposed to play in the Argument from Discretion.

Before I proceed to defend this claim, I want to make one more observation about this diachronic permissivism. Note that the fact that one has doubts about the sufficiency of the evidence is itself a piece of higher-order evidence. What we should say about the rational impact of one's doubts will turn on whether we accept a level-bridging or a level-splitting view of higher-order evidence. If we split levels, we should also split statuses: given unjustified doubts, agnosticism would be merely blameless given the total evidence. If we bridge levels, we should deny that the total evidence at the later time is still sufficient to rationalize belief. But either way, the view we end up holding is not really one on which different attitudes at different times could be epistemically rational given the same evidence. For reflection on the status of the evidence generates higher-order evidence. So this view is not a diachronic version of Discretion, though it is still worth calling "permissivist" in its level-bridging form.

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<sup>28</sup>See especially Driver (1989) and (2000).

<sup>29</sup>For discussion of this thought that I embrace, see Pryor (2004). Pryor invokes Broome's notion of a wide scope requirement (though with qualifications about the language of "scope") to explain these cases. He suggests that even if someone unjustifiably believes that the evidence for *p* is insufficient, this person would be violating a requirement of rationality if she believed *p* under these conditions. He also suggests that we should distinguish this notion of rationality from the notion of justification. So this view wouldn't vindicate a diachronic version of Discretion, since agnosticism here wouldn't attain the same epistemic status that belief would minus the higher-order doubt. I myself am tempted to say that the person's evidence ceases to be sufficient here, precisely because this person is not in a position to form a doxastically rational belief.

## 5 The Implications for the Argument from Discretion

This much is obvious: if Discretion is false, the Argument from Discretion is unsound. The conclusion might be true anyway. But the people who developed the argument should still be worried. For they believe that even if it were possible to directly decide to form several alternative doxastic attitudes, this ability would not constitute a *significant* form of doxastic control if it required epistemic irrationality. I think they are right: a doxastic freedom worth having would not require epistemic irrationality. They hoped to secure more by showing that we can decide to go several ways without epistemic irrationality. If Discretion is false, we lack that ability. If so, we lack what struck them as necessary for a significant form of doxastic control.

There might still be such a thing as doxastic freedom. But if my assessment is right, we cannot require for doxastic freedom that it be open to us to form various coarse-grained doxastic attitudes without epistemic irrationality. If so, our model of doxastic freedom will have to become more similar to the models of free will proposed by compatibilists who reject the Principle of Alternative Possibilities. Several defenders of epistemic freedom pursue such a model.<sup>30</sup> Since I believe in epistemic freedom, I take the failure of the Argument from Discretion to count in favor of their model. Here is not the place to defend their model. But the conditional is still significant: if we have epistemic freedom, we need a compatibilist model.<sup>31</sup>

I will return to this moral. But in the remainder of this section, I want to consider a direct way that a defender of the Argument from Discretion could respond. The response is to argue that even if Discretion is false, there is a weaker analogue of Discretion that can play the same role. I think that this response fails, but it is an important response to consider.

To bring out why I think this response cannot work, it will be instructive to consider a version of this response that proponents of the argument should agree won't work. I take it that the following weaker thesis cannot play the role that Discretion played:

**(Permissible Oblivion)** For infinitely many propositions  $p$ , it is not epistemically irrational for one not to believe  $p$  or  $\neg p$  even if one has sufficient evidence to settle whether  $p$ .

Permissible Oblivion does not help to ground an interesting form of direct doxastic control for familiar reasons. For Permissible Oblivion does not support the thought that we can without epistemic irrationality directly decide to believe. I can in a way decide without epistemic irrationality whether or not I believe propositions for which I have sufficient evidence: I can decide whether or not to consider those propositions. If I consider them, it is likely that I will come to believe them. If I don't, I will probably not come to believe them. But having the ability to decide to believe in this manner is compatible with my lacking direct control over my beliefs. After all, if the propositions are obviously true, belief will arise automatically once I consider these propositions; it would take redirection of my attention to new evidence, self-deception, or irrationality to "unbelieve" it. If these propositions are not clearly true, belief will wait until they strike me as sufficiently clear unless I am epistemically irrational.

Proponents of the Argument from Discretion will recognize these points and agree that Permissible Oblivion cannot play the role that Discretion plays in their argument. The question is whether they can do better.

One alternative is to use the claim that it is tempting to mistake for Discretion—viz., PRS. But PRS is no more helpful than Permissible Oblivion. Recall the two permissions that PRS gives us. PRS rationally permits us to hold no attitude on  $p$  when considering whether  $p$  in the hope of settling whether  $p$ . PRS also rationally permits us to believe if the evidence is sufficient. To make use of that second permission without epistemic irrationality, a person must be satisfied that the evidence is sufficient. If an epistemically rational person is not satisfied that the evidence is sufficient, she cannot just decide to believe. This inability is unsurprising, since she

<sup>30</sup>See, for example, Ryan (2003), Hieronymi (2008), and Steup (2008, 2012).

<sup>31</sup>McHugh (2014) defends such a model. He should rely solely on this model and reject the Argument from Discretion.

is not satisfied that she is in a case where belief is epistemically rational. Once she is satisfied that the evidence is sufficient, she can no longer resist belief without epistemic irrationality. Notice that PRS accommodates this case: it merely says that resistance is not irrational when one is considering the question whether *p* in the hope of settling it. An epistemically rational person is no longer considering the question in the hope of settling it when she is satisfied that the evidence is sufficient for a specific answer to it.

So PRS cannot play the role Discretion was supposed to play. The only obvious alternative is to appeal to a different version of epistemic permissivism. But the options are limited. It will not help to appeal to an interpersonal permissivism on which different subjects can permissibly hold different doxastic attitudes to *p* given the same evidence. That view is compatible with a wholesale intrapersonal impermissivism. It also will not help to appeal to a synchronic moderate intrapersonal permissivism, since it implies Discretion.

What about a diachronic intrapersonal permissivism that says that a single individual can permissibly hold different coarse-grained doxastic attitudes given the same evidence at different times? Properly understood, this view will also not help. To see why, recall the reasons why this view may seem plausible. One reason is the thought that rationality isn't merely a function of the evidence but also a function of externalist factors, such as competence, that can change over time. We can't acquire competences at will, and even if we could, it wouldn't follow that we have a significant form of direct doxastic control. The control would still be indirect: we first change something about our epistemic circumstances that makes it rational to believe (or become agnostic) and we believe (or become agnostic) thanks to this change.

Externalism about rationality isn't the only reason why diachronic permissivism can seem plausible. Again, if a person comes to have doubts about the sufficiency of the evidence, it might then seem to become rational for her to go agnostic even though the first-order evidence on the basis of which she had rationally believed is unchanged.

But even if diachronic permissivism were plausible for this reason, we still would get no support for an interesting form of direct doxastic control. After all, it is only once the person comes to have doubts about the sufficiency of the evidence that agnosticism allegedly becomes rational. And it is implausible that whether we doubt the sufficiency of the evidence is something over which we have direct control. Obviously, one can *entertain* possible doubts about the sufficiency of the evidence. That is easy. But one may or may not react by coming to *share* these doubts. Indeed, whether one does come to share them is not plausibly something that one can control directly. In any case, even if it were possible to doubt the sufficiency of the evidence for *p* directly, it wouldn't follow that one's doxastic attitude toward *p* is under one's direct control. The change of one's attitude toward *p* that this doubt occasions would be automatic and not—or not obviously—under one's direct control. So diachronic permissivism also can't plausibly play the same role that Discretion played.

It would be rash to conclude that nothing important can be learned from cases in which we change our mind because we come to have doubts about the sufficiency of the evidence. Exercising our ability to change our mind in response to doubts we have might still seem to be a way in which we exercise doxastic responsibility. But if it is, it is because this ability is a special case of our more general ability to change our mind in response to good reasons. The upshot is just further evidence for a reasons-responsive compatibilism about doxastic responsibility.

That conception of doxastic responsibility casts doubt on relevance of having multiple attitudes open to us at a given time. For we do not need the ability to hold multiple attitudes in order to have and manifest reasons-responsiveness. The conclusion to draw is as old as the *Meditations*:

[I]n order to be free, there is no need for me to be capable of going in each of two directions; on the contrary, the more I incline in one direction—either because I clearly understand that reasons of truth and goodness point that way, or because of a divinely produced disposition of my inmost thoughts—the freer is my choice.<sup>32</sup>

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<sup>32</sup>Descartes (1641/1996: 40).

If we understand freedom in terms of reasons-responsiveness, it shouldn't matter whether the evidence sometimes gives us slack. We could manifest doxastic control without epistemic irrationality even if no alternative attitudes are open to us, normatively or psychologically.

We can now see the deeper problem with the Argument from Discretion. If Discretion struck us as relevant to the question of direct doxastic control, it is because we recognize that the kind of direct doxastic control worth desiring wouldn't require epistemic irrationality. But this recognition should lead us to recognize that being able to move in several directions without epistemic irrationality is unnecessary for doxastic control.

Of course, we might still want the ability to move in several directions anyway. But we shouldn't think that this ability is necessary for the significant kind of doxastic control. That is precisely because the significant kind of doxastic control is the kind that involves the exercise of our rational capacities. For those capacities can still be exercised in cases where we have only one option. Indeed, as some have noted, having more than one option psychologically open to us could undermine our freedom, by showing us to lack self-control.<sup>33</sup> If so, the desire for options and the desire for the kind of control that essentially involves the exercise of our rational capacities are competing desires. Yet they are combined by defenders of the Argument from Discretion. For that reason, the argument is an unstable one.

## 6 Concluding Remarks

Let's recap. I began by attacking two arguments for Discretion. According to the first, Discretion is a consequence of the fact that we are never required to believe what the evidence supports. This is a bad argument for Discretion because it turns on conflating agnosticism with the mere absence of belief. The fact that one is not epistemically irrational in lacking belief does not show that agnosticism is permitted, since the absence of belief is compatible with the absence of agnosticism. In cases where one considers a proposition that is obviously sufficiently evident (e.g., that horses do not speak English) and responds to it with agnosticism, we find that to be an underconfident response.

According to the second argument, Discretion is supported by cases where the evidence is sufficient but not conclusive (e.g., *BIG LIZARD TESTIMONY*). I observed first that to the extent that it is intuitive in these cases that one is rationally agnostic about the relevant factual proposition, it will be plausible that one is not really confident that the evidence is sufficient. If one is fully confident that the evidence is sufficient (which is hard to believe in cases like *BIG LIZARD TESTIMONY*), it will again seem like one is not fully rational in responding with agnosticism. I suggested that these data are best explained by the negation of Discretion. This suggestion was encapsulated in the Argument from Underconfidence.

Having found more evidence against Discretion than for it in considering cases of sufficient but inconclusive evidence, I turned to offer another direct argument against Discretion. I first suggested that we need a story about the nature of agnosticism that explains why it is underconfident to believe outright that the evidence is sufficient while responding with agnosticism. While I did not give an analysis of agnosticism, I suggested that the best explanation of this datum is that agnosticism about *p* requires settled resistance to believing *p* and to disbelieving *p* on one's evidence. I suggested that this is a natural thing to think about capital-'A'-agnosticism, and that we should generalize from that case. I then showed that if we do, we get an argument against Discretion. For on this type of account, agnosticism and belief oppose each other in a way that makes it impossible to have sufficient reason for each.

Of course, this left us without much of an explanation of why we found Discretion attractive. So I gave an error theory: we confuse a permission to be agnostic on *p* with a permission to hold no attitude on *p* even while considering the question whether *p* in the hope of settling it, which I called the Prerogative of Reflective Silence (PRS). This error theory explains why

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<sup>33</sup>See Weatherson (2008: 545-6) and Ryan (2003: 63-4).

one might be led astray by the two arguments discussed earlier in the paper. While one might respond by saying that PRS is all we needed anyway, this claim is wrong. PRS cannot do the work that Discretion has been asked to do. We cannot replace Discretion with PRS and thereby repair the Argument from Discretion.

At the very least, I hope to have shown that Discretion is much less plausible than it may seem and that the Argument from Discretion is seriously flawed. While other arguments for Discretion might be forthcoming, they would have to grapple with the difficulties I raised and avoid the conflation that lie behind the obvious arguments. It would be modest to forbear from declaring Discretion false. But I think we have sufficient reason to disbelieve it. So, if we take any doxastic attitude towards it at all, it ought to be disbelief. It shouldn't be agnosticism.

As I stressed several times, the conclusion of the Argument from Discretion might be true. Indeed, I think there is a real insight about doxastic control that drives the Argument from Discretion. But I also think there is a mistake that drives the argument. The insight is that the kind of doxastic control worth wanting will be a kind that is consistent with the exercise of our rational capacities. The mistake is the thought that doxastic control requires the ability to form a range of different attitudes. While there might be reasons for wanting that ability, we do not need it to have a significant kind of doxastic control. That ability might even hinder doxastic control by reflecting an underlying lack of self-control. Elsewhere I hope to defend these claims about doxastic control. For now, I recommend not mixing these two requirements on doxastic control. Mixing them leads to further mistakes, like the Argument from Discretion.

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