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Smithies' Mentalism and E=K

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Central to the project of Smithies' excellent *The Epistemic Role of Consciousness* (2019) is a doctrine he calls *mentalism*, that "epistemic justification depends solely on your mental states, rather than the reliability of their connections to the external world" (193). That is by no means a trivial thesis. However, it does not pin down what is distinctive of Smithies' synoptic theory of epistemology and philosophy of mind. Someone quite unsympathetic to Smithies could endorse mentalism, for instance a Williamsonian who thinks one's evidence comprises one's knowledge, that knowing is a mental state, and that epistemic justification depends solely on evidence.¹ The Smithies brand of mentalism is *phenomenal mentalism*,

which says that epistemic justification is determined solely by your phenomenally individuated mental states. These include not only your conscious experiences, which are individuated by their phenomenal character, but also your consciously accessible beliefs, which are individuated by their phenomenal dispositions. (193)

Smithies argues for his favored brand of mentalism in chapter 6. It is intended to have the consequence that you and your brain-in-a-vat counterpart are equally justified—I will come back to this later.

What is epistemic justification? To Smithies' credit, he does not take the notion for granted. Everyday examples of detectives and plumbers investigating murders and malfunctioning dishwashers suggest that an epistemically justified belief is one that is supported by one's evidence. The detective has an epistemically justified belief that the undergardener did it, because she has a mass of evidence about means, motive and opportunity that finger the undergardener. The plumber does not have an epistemically justified belief that the dishwasher drain is clogged because the standing water could equally well be caused by a broken pump. Smithies sensibly embraces *evidentialism*, which "explains epistemic justification in terms of what your evidence supports" (196). Admittedly Smithies does say that phenomenal mentalism "can be defended without any commitment to evidentialism" (197), so perhaps his own

¹ As Smithies of course recognizes (205). See Williamson 2000, chs. 1, 9.

commitment is less than solid. Still, evidentialism is well-motivated, and it is worth investigating how phenomenal mentalism fares under this assumption.

The notion of “evidential support” is given a probabilistic gloss:

the degree to which a proposition is supported by your evidence is given by its evidential probability—that is, by its probability conditional upon your evidence. (196)

That is, “epistemically justified beliefs are evidentially likely to be true in the sense that they are probable given your evidence”. Smithies notes that evidential probability “cannot be defined in terms of chance or credence—objective probability or subjective probability. Instead, evidential probability is a *sui generis* kind of probability”. It is a kind of probability because it is “constrained by the axioms of the probability calculus” (196).

How probable does an epistemically justified belief need to be? If one is epistemically justified in believing p one is not epistemically justified in believing $\text{not-}p$, so the probability has to be $> .5$. Could it be < 1 ? Smithies implies that it could:

If your evidence supports p to a high enough degree, then you have justification to believe that p . (195).

What is evidence? If one’s evidence is e , the evidential probability of a proposition p is the probability of p conditional on e , which given the usual ratio definition is $\text{Prob}(p\&e)/\text{Prob}(e)$. For this to make sense, e must also be a proposition. It is natural to take only true propositions to be evidence: the proposition that COVID-19 vaccines don’t work is not evidence for anything, although someone might treat it as evidence. In other words, only facts are evidence.

Does Smithies agree that only facts are evidence? Yes and no. He distinguishes two kinds of evidence. With respect to the first kind, only facts are evidence; with respect to the second kind, false propositions may be evidence.

Two kinds of evidence?

Following Pryor 2005, Smithies makes a distinction between *justification-making* evidence and *justification-showing* evidence:

Your evidence in the *justification-making* sense is constituted by the contingent facts that determine which propositions you have justification to

believe. In contrast, your evidence in the *justification-showing sense* is constituted by the propositions you have justification to believe, which you are thereby rationally permitted to use as premises in reasoning to further conclusions. In effect, your evidence can be defined either as the facts that make propositions evident to you or as the propositions that are thereby made evident to you. Both conceptions of evidence are perfectly legitimate, but conflating them can lead to serious confusion. *Unless I explicitly say otherwise, I will use the term 'evidence' in the justification-making sense, rather than the justification-showing sense.* (196, last emphasis added)

Theorists disagree on what facts “make propositions evident to you”, resulting in different accounts of evidence in the justification-making sense. Smithies provides the following helpful list:

Reliabilism: Your evidence consists of facts about you that are reliable indicators of facts about the external world.

Knowledge-First: Your evidence consists of facts about your knowledge.²

The Phenomenal Conception: Your evidence consists of facts about your phenomenally individuated mental states. (197)

Facts about reliable head-world connections are not usually available for “premises in reasoning”, so the reliabilist’s evidence is clearly not the “justification-showing” type. Matters might seem different for the knowledge-firster, since a known fact is an available premise *par excellence*. But a closer look shows there is no difference (see also 211-2). When you know p , there are two relevant facts: p , and the fact that you know p . According to the knowledge-firster, the first fact, p , is part of your evidence in the justification-showing sense. But the second fact, that you know p , need not be, and in fact won’t be if you don’t know that you know p . It is the second fact that makes it the case that you are permitted to use p as a premise, and so it is this fact that is (in Smithies’ terminology) your “justification-making evidence”.

What about the phenomenal conception? As Smithies says, “phenomenal mentalism draws interesting connections between” the two senses of evidence (210). The connection is made in

² One could be a “knowledge-firster” in the sense of taking knowledge as an unanalyzed starting point for epistemology without accepting that evidence can be analyzed in terms of knowledge, but we can stick with Smithies’ label.

chapter 5, where Smithies argues that mental states that are “phenomenally individuated by phenomenal character or by phenomenal dispositions” are “introspectively luminous” (178); these mental states are such that “you’re always in a position to know by introspection whether or not you’re in them” (170). That is, if p is part of your justification-making evidence on the phenomenal conception, you are in a position to know p . Since Smithies agrees that you are rationally permitted to use known facts as premises in reasoning, if p is part of your justification-making evidence on the phenomenal conception, you are in a position to make p part of your justification-showing evidence.³

Is “justification-making evidence” really evidence? Suppose Declan sees a cat, and comes to believe that there is a cat before him (p). He is, we may suppose, justified in believing p . What makes him justified? Suppose it’s the fact that he is in brain state B and that in normal conditions one is only in B if there is a cat before one (q).⁴ This view is designed to secure the result that in a situation in which Declan is a brain in a vat, having the same internally individuated perceptual experiences, he also justifiably believes that there is a cat before him. Envatted Declan is in brain state B, which in normal conditions one is only in if there is a cat before one. There is no such cat, but that doesn’t spoil envatted Declan’s justification because *abnormal* conditions prevail.

The fact q , we are supposing, is part of Declan’s justification-making evidence. Since Declan is justified in believing p , q should support p . Does it? That is not clear at all. To be sure, if the fact that Declan is in normal conditions (r) were also part of Declan’s justification-making evidence, then his evidence would include q and r , which entails p . But there seems no reason to include r among Declan’s justification-making evidence. Declan, we may suppose, has no opinion about whether conditions are “normal”, in the technical sense required by the theory we are considering. And what about envatted Declan? He is also justified in believing p , that there is a cat before him. But he is not in normal conditions, and so r cannot be among his evidence.

More importantly, q supports q , provided q has non-zero probability: $\text{prob}(q/q)=1$. Since Declan’s “evidence supports [q] to a high enough degree” (namely the maximum degree), then Declan has justification to believe q . But Declan has no business at all believing some such

³ Smithies actually says something stronger: “all justification-making evidence is justification-showing evidence, although not vice versa” (210). And: “everything you’re in a position to know is included in your evidence, since you’re rationally permitted to use anything you’re in a position to know as a premise in reasoning” (215).

⁴ For a proposal roughly along these lines, see Leplin 2007.

proposition about his brain states. “Justification-making evidence”, as far as I can see, is *not* a legitimate conception of evidence.

This is not to say Smithies’ distinction is unhelpful. Its utility is apparent in the case of knowledge firstism: one should distinguish between the fact that one knows p , which may not itself be among one’s evidence, and the fact p , which has the status of evidence precisely because of the first fact. There are evidence-making facts (e.g. one knows p), and then there’s the evidence made (p). But on any defensible conception of evidence, the evidence-making facts are not necessarily evidence themselves.

E=K

As Smithies recognizes, it is crucial to his project to resist Williamson’s E=K thesis, that one’s evidence comprises one’s knowledge. Declan and envatted-Declan are both equally justified. Since justification is explained in terms of what one’s evidence supports, they must have the same evidence. Let K^D , E^D , and K^{D^\dagger} , E^{D^\dagger} be Declan and envatted-Declan’s knowledge and evidence, respectively. Declan is no skeptic, and agrees that he knows he teaches at OSU. (See 216-7.) Envatted-Declan teaches nowhere, so $K^D \neq K^{D^\dagger}$. If E=K, $E^D \neq E^{D^\dagger}$. That is, if E=K, Declan has some evidence that his counterfactually envatted self does not, and so they are not equally justified.

How does Smithies resist the argument for E=K? He sets it out as follows:

- (1) Only known facts are evidence.
- (2) All known facts are evidence.

Therefore:

- (3) All and only known facts are evidence. (213, minor typographical changes)

He starts by giving some modest objections to premise (1), trying to force the defender of E=K to retreat to a weaker version of the thesis, “according to which your evidence is what you’re in a *position* to know, rather than what you *know*” (213). Smithies then sets out the argument for the weaker thesis:

- (1*) Only knowable facts are evidence.
- (2*) All knowable facts are evidence.

Therefore:

(3*) All and only knowable facts are evidence. (214, minor typographical changes)

He directs his central objection against this second argument.

Since it is of interest if Smithies has shown that (3*) should be preferred to (3), let us begin by examining his case for replacing ‘known’ with ‘knowably’ in premise (1). His first objection is that:

...facts about your experience can give you justification to believe their contents whether or not you know that they obtain. These facts about your experience are included in your evidence because they play a justification-making role. (213)

This relies on the assumption that “justification-making evidence” is evidence; as argued, it is not, so this objection fails. Smithies next addresses an argument of Williamson’s that “evidence must be believed” because otherwise one could not use one’s evidence to explain hypotheses. Smithies offers two objections, the first of which is that the argument:

...overintellectualizes the role of evidence in reasoning. Unreflective creatures, including some human infants and nonhuman animals, can acquire knowledge on the basis of evidence provided by their perceptual experience without having the conceptual abilities required to grasp propositions about their own experience. (214)

Again, Smithies is assuming that justification-making evidence is evidence, and that one’s justification-making evidence in the case of perceptual beliefs consists in facts about one’s experiences. He is surely right that unreflective creatures can have plenty of perceptual knowledge without knowing or believing anything about their perceptual experiences. But once justification-making evidence is seen to be mislabeled and the objection is run in terms of justification-showing evidence, then it loses its force. The (justification-showing) evidence “provided by” perception comprises—at least in the case of unreflective creatures—facts about the environment, not facts about perceptual experiences. There is thus no overintellectualization.

Smithies’ second objection is that:

...evidence is defined in terms of its epistemic role as a source of propositional justification, rather than doxastic justification. You can have evidence that gives you propositional justification to form beliefs even if you cannot form doxastically justified beliefs on the basis of your evidence. Your evidence is not constrained in this way by the limits of your doxastic capacities. (214)

This objection and the previous one seem also to cut against the retreat to ‘knowably’ (or ‘in a position to know’), with “evidence” taken to be the justification-making facts. If “unreflective creatures” lack “the conceptual abilities required to grasp propositions about their own experience”, in what sense are they in a position to know propositions about their own experience? Normally the bar for being in a position to know p is set fairly high: one can know p by reflecting and reasoning, or by attending to what is before one’s eyes, or something like that. If one could only know p by drastically improving one’s conceptual powers, one is not in a position to know it.

In any event, a defender of premise (1) (with ‘evidence’ given the legitimate justification-showing interpretation), may grant that one may believe p , have evidence q that entails p , and yet be unjustified in believing p . That is, one may have “propositional justification” for p , but not “doxastic justification”. For example, imagine that a student knows that Smithies’ first name is ‘Declan’ but is unable to retrieve that knowledge when meeting with him—a common kind of occurrence. As it happens, the student gullibly believes that Smithies’ first name begins with ‘D’ because some prankster told her that this was a requirement for being on the OSU philosophy faculty. The student’s belief is unjustified despite the fact that it is supported by her evidence. So even if (justification-showing) evidence must be known rather than merely knowable, the propositional/doxastic distinction can be maintained.

We can therefore switch back to the initial version of the argument, the one for the strong form of E=K:

- (1) Only known facts are evidence.
 - (2) All known facts are evidence.
- Therefore,
- (3) All and only known facts are evidence.

If Smithies' objection against the weaker version works, it also undermines the stronger version. The argument's "apparent plausibility", he says,

depends on conflating two concepts of evidence. Each premise is plausibly true, given minor revisions, but on different interpretations of the concept of evidence. There is no univocal concept of evidence on which both premises are true. (213)

According to Smithies, premise (1) is almost right in the justification-making sense of evidence, because "only introspectively luminous facts about my phenomenally individuated mental states are included in my evidence", and these are *knowable*, rather than always known (214). Premise (2), on the other hand, is straightforwardly true in the justification-showing sense but false in the justification-making sense.

Given that justification-making evidence is not evidence, Smithies is in effect denying the first premise while accepting the second, as opposed to diagnosing an equivocation. One reason he gives against premise (1) (and also premise (1*)) is that false propositions can be evidence:

In the justification-showing sense, premise (2) is true: everything [you] know is included in your evidence, since you're rationally permitted to use anything [you] know as a premise in reasoning. In this sense, however, premise (1) is false: if you have justification to believe a proposition, then you're rationally permitted to use it as a premise in reasoning, even if [you don't] know that it's true. In particular, you're rationally permitted to reason from any false premise that you have justification to believe. False propositions can play the justification-showing role of evidence, since they stand in logical and probabilistic relations to other propositions, and thereby serve the evidential functions of confirming, entailing, and ruling out hypotheses. (215-6)

As Smithies says, false propositions "stand in logical and probabilistic relations to other propositions". But more is demanded of evidence. In particular, we often ask what best explains our evidence.⁵ It's not just the explainer that has to be true—that goes for the explained too. That COVID-19 vaccines don't work has no explanation, because they do.

⁵ See Williamson 2000: 200.

We should concede to Smithies that false beliefs may be justified, at least in the sense that their probability on one's evidence is high. (That is also compatible with holding that they are not justified enough to be rationally believed.) In that sense—if the undergardener turns out to be innocent—the detective's false belief that he is the murderer is still justified. The evidence in her possession pointed clearly to the undergardener's guilt, and she can hardly be blamed when it is discovered that the butler did it.

Is the detective “rationally permitted” to use the false premise that the undergardener is the murderer? The detective might reason in isolation from that premise, but she also might be part of a group epistemic effort, say with her colleague the medical examiner. One of the functions of evidence is to enable the social accumulation of knowledge. Pooling the evidence possessed by different people is essential not just to the progress of science, but to the resolution of many everyday problems. If the detective is rationally permitted to reason from a premise, she is rationally permitted to share that premise with the medical examiner. However, she is not rationally permitted to do that. If she asserts that the undergardener did it, then when the butler is later exposed, she will have to acknowledge that her assertion was improper (albeit excusable), and needs to be retracted.

More strongly, the knowledge-norm of assertion is plausible.⁶ Even if the undergardener is the murderer, the detective should not assert that unless she knows that he is. This gives us an argument for premise (1) of the E=K argument.

(a) If p is part of one's evidence, it is permissible to share (assert) p .

(b) It is permissible to assert p only if one knows p .

Therefore:

(c) If p is part of one's evidence, one knows p .

In other words:

(1) Only known facts are evidence.

As we saw, Smithies accepts: (2) All known facts are evidence. Hence: E=K.⁷

⁶ Williamson 2000: ch. 11.

⁷ Many thanks to Declan for helpful correspondence and comments on a draft of this paper.

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