

Defeaters and Rising Standards of Justification

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Abstract The purpose of this paper is to refute the widespread view that challenging a knowledge-claim always raises the original standards of justification—a view often associated with contextualism. To that purpose the distinction between undermining and overriding defeaters will be used. Three kinds of challenges will be considered that differ in their degree of specification. In all three kinds of challenges, the rising standards of justification model fails to capture the dialectic of justification in the case of undermining defeaters. At the end, the skeptical challenge will more briefly be given a similar analysis.

Keywords Justification · Contextualism · Overriding and undermining defeaters · Skepticism

1

Following David Lewis' influential works, contextualists like Stewart Cohen and Keith DeRose analyze a challenge directed against a knowledge-claim as raising the original standards of justification.¹ Such a “semantic ascent” takes place both when an unspecified challenge such as “Are you sure?” or “Do you really know that?” is

¹Following Lewis, the rise in standards of justification consists in an expansion of the range of relevant alternatives, often called error possibilities, that the subject must be in a position to eliminate in order to count as knowing (paraphrasing (DeRose 1995 n. 11) who presents and criticizes Lewis' rules of accommodation from (Lewis 1979) in Sect. 3, 7–13). Lewis singles out knowledge and specifies rules for ignoring and eliminating alternatives in his later paper (Lewis 1996). However, precisely how to order the alternatives as close or distant to the actual circumstances is not explained by any account to the knowledge of this author. Until this is done, eliminating error possibilities remain a poor measure of strength of justification (or anything else). See Sect. 3 below.

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raised as well as when more specific challenges are introduced as in the airport example below. Call this the “rising standards of justification model” or the RSJM for short. This rise in standards changes the context to one in which the asserter lacks the knowledge she possessed in the original context. The mark of correctness thus varies with context. However, the metric of strength itself, where the marks of correctness are placed, constitutes an invariant feature of the dialectic of justification. (The standards could not be classified as higher or lower otherwise).

Despite its popularity among contextualists, the RSJM can be accepted independently of contextualism. For instance, by having indefeasibility as a necessary condition for knowledge, one can leave knowledge out of the equation and simply increase and decrease a certain degree of justification.²

Conversational versions of contextualism are primarily semantic theories about the meaning of knowledge ascriptions. Nevertheless, contextualists frequently use a more traditional epistemological vocabulary like “justification” and “evidence”, for instance in characterizing the scenarios that will be analyzed in some detail below.³ These terms and these scenarios provide the entry points for the objections of this paper. Since these contextualists are content to mix the traditional epistemological vocabulary with their own technical vocabulary, the burden of proof is upon them to provide the necessary correlations. They must, for instance, give an account of evidence and justification in terms of elimination of error possibilities. Otherwise, there would be no way to relate conversational versions of contextualism with the more traditional debates within epistemology. Moreover, since these versions are supposed to be attractive partly because of their ability to handle these scenarios, there ought to be sufficiently neutral ways of characterizing these scenarios that do not presuppose the framework of the version of contextualism they are intended to support. Without such an account, they are begging the question.

The strategy of this paper is thus not to offer internal criticism against currently popular conversational versions of contextualism. Rather, the strategy is to raise objections against an assumption, i.e., the RSJM, that belongs to the intersection between these contextualist versions and more traditional forms of epistemology and which thus will be formulated in a more traditional terminology here.

Cohen’s airport scenario contains examples of specified challenges. A couple wants to know whether their flight to New York will have a layover in Chicago. They are especially interested in knowing this since they have an important business contact there. They overhear a fellow traveler saying that she knows the airplane will stop in Chicago since she has checked the flight itinerary. The couple challenges the reliability of the itinerary by introducing the possibilities that it contains a misprint or that it is outdated. The couple concludes that the fellow traveler does not really know that the flight will stop in Chicago. Cohen claims that the couple employs a stricter standard (according to which one does not know that the flight will stop in

² For example, if one demands indefeasible justification for knowledge, one could still allow degrees beneath that, perhaps unreachable, level and that challenges raise these required degrees.

³ Lewis severs the link between justification and knowledge on externalist grounds (Lewis 1996, 551). However, he seems happy to retain the term “evidence”. By contrast, Cohen endorses internalism in (Cohen 1999).

Chicago merely on the basis of checking the itinerary).⁴ Crucially, by making these error possibilities salient, the couple has raised the required standards of justification to these stricter ones.

Another case analyzed along these lines is the skeptical challenge where the introduction of the familiar skeptical hypotheses is interpreted as raising the standards of justification to a higher degree than in common sense contexts. In fact, according to DeRose and Cohen, the skeptical challenge requires unattainable standards of justification and thus cannot be met.

Here we have a simple, uniform and effective model for analyzing the dialectic of justification and its defeaters. Let us investigate whether it is also accurate.

2

John Pollock and, more recently, Albert Casullo⁵ introduce a fruitful distinction between undermining and overriding defeaters by which we can assess this model. An overriding defeater to a knowledge-claim P provides justification for non- P , while an undermining defeater to P defeats the justification provided for P . In the latter case, no justification has thereby been provided for non- P .⁶

In the airport example, the cases of misprints in the itinerary and it being outdated constitute undermining defeaters. The defeaters undermine the justification provided for the knowledge-claim that the airplane will stop in Chicago. By contrast, an overriding defeater might be that the billboard in the hall of departures reveals that the airplane instead stops in Philadelphia, which together with the take-off and landing hours make it impossible for the airplane to stop in Chicago as well.

Overriding defeaters seemingly lend themselves easily to the RSJM. If the evidence for the overriding defeater outweighs the evidence for P , that is the evidence for non- P is stronger than the evidence for P , then P is defeated. In response, the maker of the knowledge-claim P may in turn attempt to give new stronger evidence for P than the challenger has given for non- P and so on. Even though there are reasons to suspect that the RSJM is inaccurate in the case of

⁴ (Cohen 2000, 95–6 and 98). He adds the qualification that the standard is stricter “in some sense”. The paper contains a further qualification in note 4, but these unspecified qualifications are here ignored for dialectical purposes.

Strictly speaking according to contextualism, the fellow traveler still knows that the flight has a layover in Chicago, according to the lower standards she herself employs in the conversation the couple overheard where error possibilities concerning the itinerary has not become salient in the conversation. Contextualism formulates this point in a meta language where these different scenarios and corresponding standards thus employ different senses of “know”. See note no. 9 below.

⁵ In (Pollock and Cruz 1999, 196) and (Casullo 2003, 44–5). Pollock employs the terms rebutting for overriding and undercutting for undermining defeaters. By habit, Casullo’s terminology will be employed here.

⁶ If justification is a relation R with at least two relata, the evidence E and the proposition (or belief that) P , then an undermining defeater can defeat E , i.e., show that $\neg E$ holds, or accept E but deny that E stands in R to P – i.e., show that $\neg R$ holds (as the skeptic does, see Sect. 4). However, sometimes by defeating E one may override P , as in the case of an inductive inference concerning the color of swans: the observation of a non-white swan overrides the generalization that all swans are white. In those cases we have, thus, instead found an overriding defeater.

overriding defeaters as well, the focus of this paper will be upon undermining defeaters.

By providing an undermining defeater to a knowledge-claim you do not demand a higher level of justification. If you suspect that the flight itinerary is outdated, then you claim that the *original* justification is defective. However, this result does not amount to a rise in standards of justification since an outdated flight itinerary does not provide sufficient justification in the original case to begin with. If there is evidence suggesting that the flight itinerary is too old, then the original justification is defective. Even if the undermining defeater is constituted by evidence that was unbeknownst to the maker/the asserter,⁷ that evidence still undermines the original attempt at justification. The maker of the knowledge-claim ends up with a failed attempt at justification, but not because the standards rose by the introduction of the undermining defeater. Instead, the undermining defeater reveals the failure that took place according to the original standards. Given that failure, the original knowledge-claim never reached the level of justification that was demanded by the original standards.⁸

Both the maker (the asserter) and the challenger, thus remain in a state of ignorance concerning P. If the maker responds by showing that the flight itinerary is up to date despite its age or by supporting P with other evidence (gazing at the electronic billboard in the hall of departures), then the maker succeeds. Yet, that score is again provided by the original standards, which she fulfills by her ensuing attempt(s). All along, both the justification provided for P and the undermining defeater are treated according to the original standards. The alternative analysis presented here can thus account for the fact that subjects withdraw their knowledge-claim when challenged by an undermining defeater without bringing in a rise of standards of justification.⁹

At this point, a defender of the RSJM may respond that an important ingredient has been left out of the original example. What is missing is what is at stake for the couple. It is very important for them that the airplane stops in Chicago while the fellow traveler does not care as much. This is the reason why the standards of

⁷ Truth conduciveness is the criterion of justification according to this author. Using the notion of justification to evaluate the epistemic performance of the maker/asserter is of secondary importance. Many accounts of justification (and defeasibility) do not separate this criterion from the latter *desideratum*(?) or clarify their relative priority. The truth conduciveness of the justification of P is independent of whether the error possibility or undermining defeater is known to the maker/asserter. This author is grateful to an anonymous referee for pressing the author on these points.

⁸ Although relying on an itinerary that is vulnerable to such undermining defeaters is presumably more truth-conducive than consulting oracles.

⁹ The contextualist analysis of this scenario in its own terminology is given in note 4 above. This analysis thus has the counterintuitive consequence that there is one sense of knowing about the flight on the basis of the itinerary without assessing the latter. If truth conduciveness is a criterion of justification, then it is difficult to understand how the itinerary can serve as the basis of the knowledge-claim in a justificatory sense without any assessment of the itinerary. In an externalist analysis the itinerary can of course serve as the cause of the belief that P, but how does it work in Cohen's internalist version? By contrast, the objection raised in the main text is that the undermining defeaters regarding the itinerary defeat any attempt at justification, and thus knowledge, based upon the itinerary that does not meet these challenges. If these ensuing challenges are not met, the original knowledge-claim was thus never sufficiently justified according to the original standards. Thanks to an anonymous referee for demanding clarification of these points.

justification rise when the couple introduces their undermining defeater concerning the itinerary, rather than any defective property that the original justification may suffer from.¹⁰ The higher the stakes are, the higher the standards of justification become, or so the argument goes.

In response, it may be pointed out that the salience of high stakes in this example transforms the example from a pure epistemological inquiry into one of practical reasoning. High stakes do not figure in evidential, i.e., justificatory or defeating, relations. As justification is a logical relation in the wide sense of term, the *relata* of the justificatory relation are located in the “space of reasons” while high stakes refer rather to facts in the “realm of natural law” that we need to take into account in practical reasoning as causally determining our beliefs.¹¹

To introduce rules of practical reasoning indeed constitute a change of context of sorts, just not the one proposed by either contextualism or the RSJM—even granted higher standards of justification are thereby introduced. What we have is instead a change of topic, at least as an enlargement, and that is the reason why the original standards of justification are too low in the new context—not that the original justification was epistemically defective.¹²

We can, thus, conclude that the RSJM fails to capture specific challenges in the form of undermining defeaters. Let us next turn to less specific challenges.

¹⁰ (Cohen 1999, 59, 61 and 2000, 97; Lewis 1996, 556).

¹¹ The term “space of reasons” is coined by Sellars. In (McDowell 1994) the term is contrasted with the “realm of natural law”. With a partly different aim in mind, Adler notes the irrelevance of such considerations for epistemology “contextualists overlook that withdrawal [of assertion] requires an evidential, or other epistemic, reason. Differences in costs or risks cannot play this role” (Adler 2006, 284).

Stanley claims that “knowledge is conceptually connected to practical interests” in (Stanley 2005, 89), which makes the difference with the point in the main text a terminological one – especially if we focus upon the case of justification rather than knowledge since justification does not figure as a constituent of knowledge in his account (ibid, vii). Moreover, since champions of the RSJM do not follow Stanley suite concerning the conceptual connections between knowledge and practical interests, his account is of no immediate help to them. In fact, in his talk at the Bled Epistemology Conference in May-June 2007, Cohen said that the role of high stakes rather is to make error possibilities salient. However, it is not clear how and which error possibilities are thereby selected.

In addition to this main point, further more tentative remarks can be given. The challengers are interested in whether the airplane stops in Chicago since they need to act upon the information and in high stake cases it may not solely be knowledge, or even good justification, that always is of relevance, but perhaps foolproof rules, rather than rules of thumb, for action. The time interval at the disposal of the agents is one practical factor that might motivate the choice of such strict rules, whereas this practical factor is something we can ignore in our epistemological examination of the defeating force of this undermining defeater. Another practical factor to consider for the couple is how trustworthy the fellow traveler is, which we can ignore in an epistemological examination of the defeating force of that undermining defeater. That the fellow traveler reads itineraries poorly does not mean that they constitute bad sources of justification, but makes her untrustworthy as a guide for their choice of action.

¹² Besides, this argument presents a bad example of practical reasoning insofar as an agent in high stake situations is required to consider *all* error possibilities and not only specific ones. Such a demand opens up for an unlimited investigation only stopping short by missed opportunities or complete paralysis.

3

Another sort of challenge is one in which the challenger does not specify any defeater, but says something like “Are you sure?” or “Do you really know?” It is what Michael Williams calls a naked challenge.¹³ Despite their lack of determination, such challenges are by champions of the RSJM interpreted as raising the standards of justification. The most charitable interpretation of such challenges is that they constitute undermining defeaters. Even though these challenges do not specify what error possibilities the challenger has in mind, nor consequently evidence that any of them obtain, these challenges still compel the maker to give stronger justification for her knowledge-claim than in the original setting, or so it seems.

A case in between is when the challenger specifies an error possibility but no evidence that this particular error obtains. The challenger asks if the flight itinerary is outdated, but does not provide any evidence for that being the case. Even in the absence of any evidence in favor of that particular undermining defeater, the maker must, nevertheless, rule out this error possibility. Since that was not explicitly accomplished by the justification provided in the original setting, a rise of standards occurs according to the RSJM. Call this a semi-specified case.

Irrespective of the degree of specification concerning the challenges, indefeasible justification would per definition defeat any defeater. Now, in the unspecified and semi-specified cases, there is not so much to go on for the maker/asserter who is challenged to defend her knowledge-claim (or for us epistemologists). It is, therefore, understandable that insofar as one takes these challenges seriously, one aims for indefeasible justification. In the absence of any necessary conditions, the sufficient condition that indefeasible justification provides fills the void. Even though infallibilism and the RSJM are mutually independent,¹⁴ champions of the RSJM seem driven in that direction by these considerations regarding unspecified challenges.

However, several objections can be raised against the claim that, as a result of these two kinds of challenges, the maker finds herself in a new context where indefeasible justification provides the standard. First of all, to merely point out that the justification in the original scenario is defeasible does not constitute an undermining defeater. It does so only on the assumption that such justification is required to begin with, which precisely is what was supposed to be established. It is thus question begging to argue in that way. If the challenger thinks so, but the maker does not, then—aside for interpreting them as advanced epistemological equilibrists—the result is two competing standards of justification rather than the rise that the RSJM predicts. The challenger may convince the maker to adopt her standards and then a rise would occur, but that is not the kind of rise that defenders of the RSJM have in mind. That would instead be a rise from insufficient standards of justification to sufficient ones rather than a rise from previously sufficient standards that become insufficient merely by being challenged in this way.

¹³ (Williams 2001, 150).

¹⁴ Indeed, the title of one of Cohen’s papers is “How to Be a Fallibilist” (Cohen 1988).

Moreover, even if the RSJM actually got an accurate account of unspecified challenges, which is a big if, it does not thereby follow that specific and semi-specified challenges should be modeled after them. On the contrary, we should argue the other way around: specific challenges provide the model and naked challenges are incomplete challenges that need to be specified before their defeating strength can be determined.¹⁵ By analogy with overriding defeaters, an undermining defeater defeats the targeted justification if and only if the evidence that the defeater consists of outweighs the evidence that the targeted justification consists of. This is, however, a hypothesis that will not be defended here, but merely suggested.

Furthermore, the semi-specified challenges are in fact specified. They receive inductive support.¹⁶ Unfortunately, based on past experience we have good reasons to suspect that itineraries are defective in various ways. Semi-specified challenges should accordingly be sorted under the specified cases and treated as specified challenges have been here. Their inductive support is the reason why we intuitively see the need to respond to challenges concerning the itinerary, but less so the challenge that you have arrived at a fake airport.

In addition, as champions of the RSJM understand the dialectics, we should also note the substantial agreement that is assumed to hold between the maker/the asserter and the challenger. Both parties assume the same invariant metric of strength of justification and agree on the input of strength of the justification of P and its defeaters as well. They are merely disagreeing about what degree is sufficient concerning the knowledge-claim in question in that setting. But unlike the way that contextualists construe their favorite example of flatness as a contextually determined predicate, the dialectic of justification, with its different sources of justification, different kinds of defeaters and different ways of in turn defeating them, is not commensurable according to such a simple one dimensional metric of strength—not yet at least.

It is assumed rather than shown that there is some method to order every error possibility as more or less distant from the actual circumstances. This assumption relies merely on intuitions. Intuitions, however, are not up to the task. Consider how defeating an undermining defeater by either overriding it (the maker manages to show that the itinerary is in fact up to date) or undermining it (“just because the flight itinerary was printed last year does not entail that it is outdated”) measures in comparison with justifying P in some other way (by gazing at the electronic billboard in the hall of departures). If your intuitions are clear so far (they are certainly not for this author) what about the next round where the challenger either overrides or undermines the defeaters the maker came up with or when the challenger raises a new challenge to the original knowledge-claim? Since the inputs of strength of the original justification and the defeaters are missing concerning the specified challenges, like the airport case, as well as concerning the naked challenges, the RSJM does not yet admit of application for either the participants in the exchange or for us epistemologists.

¹⁵ As Williams can be interpreted as claiming in the book cited in note 13.

¹⁶ As Cohen mentions in other contexts (Cohen 1999, 67 and 2000, 103–4).

Furthermore, like other theoretical concepts, the higher the standards of justification become, the higher the demands of precision on the *concept* of justification itself become. By explicitly laying down criteria for justification, we disambiguate and fill in gaps in the common sense conception of justification. This investigation is not happily seen as moving upwards in the metric of strength of justification. It is rather by this investigation that we determine both the concept and the metric themselves. The common sense conception of justification is thus not necessarily weaker than the more full-fledged philosophical concept—it is less determinate. This suggests that the metric does not come into view until after the philosophical investigation is conducted and thus that the everyday ascriptions of justification are not easily located within any metric. This reflection thus threatens the invariant assumption regarding the metric that the RSJM rests upon.

4

The last case to be considered here is the skeptical challenge. It will be analyzed according to the by now received “argument from ignorance” (AI) form:

Premise 1: S does not know $\neg H$ (where H is a skeptical hypothesis like S is a brain in a vat).

Premise 2: If S does not know $\neg H$, then S does not know P (where P is any particular proposition about the external world).

Conclusion: S does not know P.

This author has argued elsewhere that this skeptical argument does not presuppose indefeasible or infallibilist standards of justification.¹⁷ In this vein, let us briefly analyze the skeptical challenge along the same lines as we have analyzed the other challenges.

The skeptical hypothesis constitutes an undermining defeater. It undermines the justification given by the dogmatist (maker/asserter). However, the temptation on part of the skeptic to classify the skeptical challenge as an unspecified defeater, a naked challenge, should be resisted for the reasons given in connection with the discussion concerning unspecified challenges above. In such a scenario the maker of the knowledge claim and the skeptic end up with two competing standards of justification and the maker may opt out of such a challenge by saying that she does not aim for such high standards of justification and instead settle for her standards, thereby disarming, i.e., undermining, the skeptical challenge understood as an unspecified challenge.

The skeptic, on the contrary, specifies her challenge by arguing that Premise 1 is true since the evidence that the maker of the knowledge claim relies on underdetermines $\neg H$ with respect to H according to the maker’s *own* standards. Thus, the skeptical claim is not that the maker has chosen the wrong standards of

¹⁷ In (Janvid 2006a, b) where further references are given.

justification for the occasion, but instead that the maker fails to reach her own standards of justification irrespective of whether that standard is indefeasible justification or not.

The main point of introducing the skeptical argument is to show that the RSJM fails to correctly characterize this challenge as well since making the skeptical challenge does not raise the standards of justification. Whether we can meet the skeptical challenge is an open question, but we would of course like to do so. Employing the distinction again, the maker (or an epistemologist doing so on her behalf) may in turn respond by either overriding or undermining at least one of the premises of the skeptical argument. Even though the most desirable response to skepticism would be to override the skeptical Premise 1, this is a tall order and the possibility of a weaker response of undermining the skeptical challenge should not be neglected. Premise 1 expresses the skeptical undermining defeater to the knowledge claim that P. Undermining this defeater to P does not justify the belief in the negation of Premise 1 or the belief in the conclusion. But since the skeptical undermining defeater has, as this author has argued elsewhere,¹⁸ in turn been undermined, the original knowledge-claim that P is rescued. If a successful undermining defeater does not raise the standards of justification, then much less so does an unsuccessful one, in this case the skeptical challenge expressed in Premise 1.

To sum up, we have seen that the RSJM is defective in at least two ways. First of all, challenges in the form of undermining defeaters do not raise the standards of justification. Rather, they defeat the degree of justification of the original scenario. Second, the invariant one-dimensional metric of strength of justification that champions of the RSJM assume is too underdeveloped to account for the dialectic of justification with its open ended give and take of undermining and overriding defeaters. Is there a single model that can account for the open ended nature of challenges and responses to those challenges? That is a question for another occasion.

¹⁸ Suggestions how to override and undermine the skeptical argument are discussed in a manuscript by this author "Internalism, Evidentialism and the Skeptical Challenge". One way of finding an undermining defeater to Premise 1 that is suggested in that paper, would be to investigate further into the underdetermination that the skeptic claims to hold between H and \neg H. As it stands, the skeptical hypothesis is a mere sketch and it remains for the skeptic to work out the details. The more elaborated a theory of evidence and justification becomes, the more elaborate the skeptical hypothesis that targets it will have to be. It may be the case that the skeptical hypotheses cannot be elaborated sufficiently. In the course of elaboration, the skeptical hypothesis may be saddled with empirical consequences, and thereby defeaters, that \neg H lacks – like evidence for the conspiracy of the mad scientists and the necessary technology for envattment etc. \neg H would thereby cease to underdetermine H with respect to the evidence. In order to avoid that outcome, the skeptic may then be forced to resort to parasitic permutations of the targeted theory of justification that would not pose a skeptical threat to us – like proxy functions. Instead of being incompatible rivals, proxy functions of H would rather be reformulations of H. Any theory of evidence and justification that we eventually arrive at must allow a certain amount of underdetermination of course, since all theories are underdetermined, but we may still save the theory from being underdetermined by skeptical hypotheses that actually challenge our purported knowledge of the external world.

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