

Justification as Faultlessness

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Abstract

According to deontological approaches to justification, we can analyze *justification* in deontic terms. In this paper, I try to advance the discussion of deontological approaches by applying recent insights in the semantics of deontic modals. Specifically, I use the distinction between weak necessity modals (*should*, *ought to*) and strong necessity modals (*must*, *have to*) to make progress on a question that has received surprisingly little discussion in the literature, namely: ‘What’s the best version of a deontological approach?’

The two most obvious hypotheses are the Permissive View, according to which *justified* expresses permission, and the Obligatory View, according to which *justified* expresses some species of obligation. I raise difficulties for both of these hypotheses. In light of these difficulties, I propose a new position, according to which *justified* expresses a property I call *faultlessness*, defined as the dual of weak necessity modals. According to this view, an agent is justified in ϕ -ing iff it’s not the case that she should [/ought] not ϕ . I argue that this “Faultlessness View” gives us precisely what’s needed to avoid the problems facing the Permissive and Obligatory Views.

1 Introduction

One way to make moral and epistemic evaluations is to use *justification* talk. For example:

- (1) Given the refugee crisis, the UN is justified in intervening. **moral**
- (2) Poirot is justified in believing the butler did it.¹ **epistemic**

Another way is to use deontic notions (that is, notions relating to permission and obligation). For example:

- (3) Given the refugee crisis, the UN $\left\{ \begin{array}{l} \text{should} \\ \text{may} \\ \text{must} \end{array} \right\}$ intervene. **moral**

¹I’ll be assuming that constructions such as (1) and (2) ascribe *ex ante* justification. That is, the most natural reading of (1) is one on which it’s true as long as the UN has sufficiently strong reasons for intervening; the UN need not actually intervene. Likewise, the most natural reading of (2) is one on which it’s true as long as Poirot stands in a sufficiently strong epistemic position towards the proposition that the butler did it; Poirot need not actually believe this proposition. (In §7, I briefly discuss ascriptions of *ex post* justification.) I’ll also be assuming that the *ex ante* justification in question is *ultima facie* rather than *prima facie*: on its most natural reading, (2) is false if Poirot has some evidence that the butler did it, but this is trumped by countervailing evidence that the maid did it.

- (4) Given the evidence, Poirot $\left\{ \begin{array}{l} \text{should} \\ \text{may} \\ \text{must} \end{array} \right\}$ believe the butler did it. **epistemic**

According to what are sometimes called *deontological approaches to justification*, the first type of evaluation can be reduced to the second: we can understand justification in deontic terms.²

What sort of reduction is at issue? Proponents of deontological approaches aren't always clear on this point. But one natural option is to view the reduction as a semantic analysis. According to this way of understanding a deontological approach, the meaning of (1) is given by some version of (3), and the meaning of (2) is given by some version of (4).³ In this paper, I explore the options for developing a deontological approach to justification, thus construed.

A deontological approach to justification has a number of attractive features. First, it seems that the two types of evaluations—justificatory and deontic—are closely connected. A deontological approach offers to explain these connections. Second, a deontological approach promises a unified analysis of moral and epistemic justification: moral justification ascriptions are analyzed in terms of moral uses of deontic expressions, and epistemic justification ascriptions are analyzed in terms of epistemic uses of deontic expressions. To mention one final attraction, a deontological approach has the potential to explain why justification ascriptions are normative. According to a deontological approach, justification ascriptions are normative because they are deontic, and deontic notions are normative notions *par excellence*.

Thus far, most of the literature on deontological approaches to justification has focused on the question of whether *any* form of a deontological approach to justification is in principle viable.⁴ In this paper, I'll assume that some form of a deontological approach to justification is viable, or at least worth taking seriously. I'll tackle a question that has received surprisingly little attention in the literature, namely:

What's the best version of a deontological approach to justification? If *justified* is a deontic notion, what sort of deontic notion is it?

This question is worth taking seriously for at least two reasons. Most obviously, it would be nice to have a precise analysis of justification. To simply be told that justification is analyzable in deontic terms isn't enough—we'd like to know exactly how the analysis goes. In addition, answering this question may shed light on the logic of justification. Once we know how justification reduces to deontic notions, we can use our understanding of deontic logic to illuminate inference patterns involving justification. Perhaps, once this illumination is provided, we'll be able to resolve certain long-standing paradoxes involving justification (for instance, the Lottery Paradox).⁵

²By now there's a large literature on deontological approaches to justification. See e.g. Alston (1988); Plantinga (1993): chp.1; the papers in Steup (2001); Littlejohn (2012): chp.1.

³Alston (1988) and Steup (2012) are both clear that they understand deontological approaches in this way.

⁴Most of the epistemology literature on deontological approaches focuses on Alston's (1988) objection, according to which deontological approaches to justification entail an implausible form of doxastic voluntarism. For responses to Alston, see Kim (1994); Chuard and Southwood (2009); Nottelman (2013).

⁵One sometimes encounters the view that *justified* is a technical notion, not a term in ordinary discourse. Presumably proponents of this view will think the project of trying to determine the correct semantics for *justified* is misguided. However, it seems to me that this view can't be right. First, epistemologists regularly appeal to pre-theoretic intuitions about justification to support or refute particular views—a practice that would be hard to explain if we had no pre-theoretic concept of justification. Second, the term *justified* is used fairly frequently 'in the wild', as evidenced by the

My purpose in this paper is to some extent exploratory: I aim to lay out the space of possible positions in a way that's informed by recent work on the semantics of deontic expressions. At the same time, I do have an agenda: I want to make a case for a view that has been unduly neglected. According to the view I defend, *justified* expresses a deontic status I call 'faultlessness', which is defined as the dual of weak necessity modals. On this view, to say S is morally justified in adopting some course of action ϕ is to say that it's not the case that S (morally) should [/ought] not ϕ . And to say that S is epistemically justified in believing p is to say that it's not the case that S epistemically should [/ought] not believe p . Unpacking this view will take some work.

2 The Space of Options

I start by presenting a taxonomy of deontic expressions (§2.1). I then use this taxonomy to map out the options for a deontological approach to justification (§2.2).

2.1 A Taxonomy of Deontic Expressions

It's common to distinguish between expressions of permission and expressions of obligation:

Expressions of Permission
Permitted, Allowed, May, Can

Expressions of Obligation
Should, Ought to, Must, Have to, Need to

Within expressions of obligation, semanticists and philosophers of language typically distinguish between weak necessity modals (*should, ought to*) and strong necessity modals (*must, have to, need to*).⁶ As their name suggests, weak necessity modals are weaker than strong necessity modals: (5) entails (6), but not *vice versa*.

- (5) Must [/Has to] ϕ .
- (6) Should [/Ought to] ϕ .

As evidence for this, consider:

- (7) Johnny should do the dishes, but he doesn't have to.
- (8) # Johnny must do the dishes, but he doesn't have to.

fact that it occurs 5,613 times in the Corpus of Contemporary American English. (For comparison, *heroic* occurs only 4,230 times, and *appalling* occurs only 1,659 times.) While the majority of these occurrences are broadly moral/practical in nature, at least some are clearly epistemic. Some examples:

- "It follows that a professional school counselor is not justified in believing that the student is incapable of taking proactive action..." — *Empowerment Theory for the Professional School Counselor*
- "Republicans are taking over the House of Representatives with a justified belief that the American people have given them a mandate..." — *The Democrats and Health Care*.

⁶See Sloman (1970); Horn (1972, 1989); Harman (1993); McNamara (1996); von Fintel and Iatridou (2005, 2008); Copley (2006); Portner (2009); Lassiter (2011); Chrisman (2012); Silk (2012), among others.

(7) is perfectly felicitous, whereas (8) is a contradiction.

For further evidence, consider:

(9) ?? Johnny ought to do the dishes; in fact, he should do the dishes.

(10) Johnny ought to do the dishes; in fact, he must do the dishes.

(9) is infelicitous, unlike (10). A natural explanation of the infelicity of (9) is that it's infelicitous to reinforce a sentence α with a sentence β that is obviously entailed by α .⁷ If *must* were equivalent to *should*, we'd expect (10) to be similarly infelicitous.⁸

How should we understand the difference between weak and strong necessity modals? This is controversial, but here's a natural picture, inspired by Sloman (1970) and developed recently by von Fintel and Iatridou (2005, 2008). Let us start with the standard view that deontic modals quantify over a contextually-determined set of worlds (called the *modal base*), which are ranked by some normative standard or ideal N (Kratzer 1981, 1991, 2012).⁹ Weak necessity modals are universal quantifiers over the optimal worlds in the modal base: 'Should [/Ought to] ϕ ' is true if and only if all of the very best worlds in the modal base are ϕ -worlds (where what counts as the 'very best' is determined by N). Strong necessity modals are also universal quantifiers; however, they have a slightly different domain. Strong necessity modals quantify over all of the *acceptable* worlds in the modal base, where a world is acceptable as long as it's *good enough* (from the point of view of N). That is, 'Must [/Has to] ϕ ' is true if and only if every acceptable world in the modal base is a ϕ -world. Call this way of understanding the distinction between weak and strong necessity modals, 'The Optimality Interpretation.'

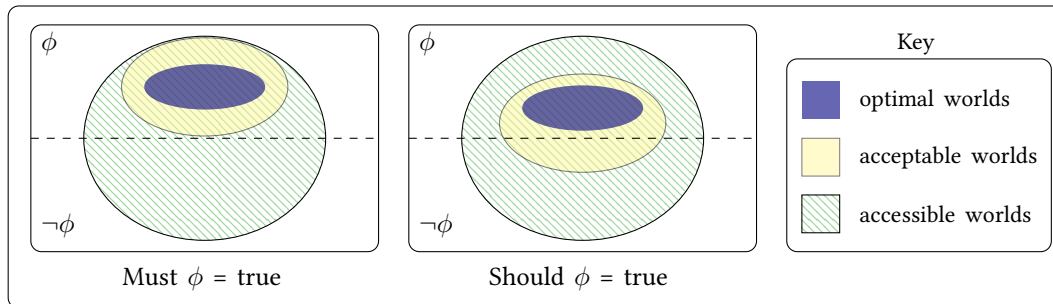


Figure 1: The Optimality Interpretation

While the Optimality Interpretation is by no means undisputed, it has considerable appeal. First, it enables us to predict the entailment relations between strong and weak necessity modals. After all, the optimal worlds will always be a subset of the acceptable worlds, but not vice versa:

⁷See Sadock (1978); Stanley (2008); Littlejohn (2011).

⁸There is an interesting research program exploring whether the difference between weak and strong necessity modals is cross-linguistically robust. See von Fintel and Iatridou (2008) for the view that a number of languages express weak necessity by augmenting a strong necessity modal with counterfactual morphology (e.g., French *Il devrait faire la vaisselle* (weak) vs. *Il doit faire la vaisselle* (strong)).

⁹For the purposes of this paper, I'll avoid taking a stand on how we should conceive of these normative standards or ideals. However they're understood, I assume they not only serve to distinguish between different 'flavors' of deontic modality (e.g. moral obligations vs. epistemic obligations), but that they can also—at least in principle—distinguish between different norms of the same flavor (e.g., distinguishing between different moral duties, or different epistemic norms). They thus correspond to Kratzer's notion of an *ordering source*.

a world can be acceptable without being optimal. This gives us the desired predictions: whenever ‘Must ϕ ’ is true, ‘Should ϕ ’ will also be true, but the latter can be true even if the former is false.

Second, the Optimality Interpretation provides a natural gloss on discourses like the following:

- (11) (*uttered by an ethicist*:) You must give at least 5% of your income to charity. But you really should give upwards of 10%.

According to the Optimality Interpretation, the first sentence in (11) asserts that in all of the acceptable worlds, you give at least 5% of your income to charity: giving less is unacceptable. The second sentence in (11) asserts that in all of the very best worlds, you give more than 10% of your income to charity. By implicature, in all of the acceptable-but-suboptimal worlds, you give away between 5 and 10% of your income.¹⁰

How do expressions of permission fit in? It’s commonly thought that expressions of permission are the duals of strong necessity modals:

Permission–Strong Necessity Duality:

Permitted ϕ iff $\neg(\text{Must } \neg\phi)$.

Permission–Strong Necessity Duality is orthodoxy for good reason. It explains, for instance, why unlike (11), (12) is contradictory:

- (12) # You must give at least 5% of your income to charity. But you may [/are permitted to] give less than that.

The natural way of capturing Permission–Strong Necessity Duality within the Optimality Interpretation is to take expressions of permission to be existential quantifiers over the acceptable worlds in the modal base. On this view, ‘You may give less than 5% of your income to charity’ is true iff there’s at least one acceptable world (according to the relevant normative standard) where the addressee gives less than 5% of her income to charity.

The tripartite division between expressions of permission, weak necessity modals, and strong necessity modals exhausts the usual taxonomy of deontic expressions. However, reflection on the distinction between strong and weak necessity modals, together with Permission–Strong Necessity Duality, suggests another possibility: certain expressions are to weak necessity modals as expressions of permissions are to strong necessity modals.

To elaborate this possibility, let us introduce a *faultlessness* operator defined as the dual of weak necessity modals:

Faultlessness–Weak Necessity Duality:

Faultless ϕ iff $\neg(\text{Should } [/\text{Ought}] \neg\phi)$

¹⁰Arguably, the Optimality Interpretation also offers a way of understanding *supererogation*. According to one way of thinking about supererogation, an agent A’s action ψ is supererogatory iff A should ψ , but A doesn’t have to ψ . According to the Optimality Interpretation, this amounts to saying that all of the very best worlds are worlds where A ψ ’s, but there are acceptable worlds where A doesn’t ψ . While this nicely captures one facet of the notion of supererogation (in particular, the idea that supererogatory actions are ‘above the call of duty’), it doesn’t appear to capture what all authors mean by the notion. At least some authors tie supererogation to notions of praiseworthiness and blamelessness. As we’ll see shortly, these notions don’t neatly map onto the notion of optimality.

Given the Optimality Interpretation, it's natural to understand expressions of faultlessness as existential quantifiers over the very best worlds: ϕ is faultless iff ϕ obtains in at least one of the optimal worlds.

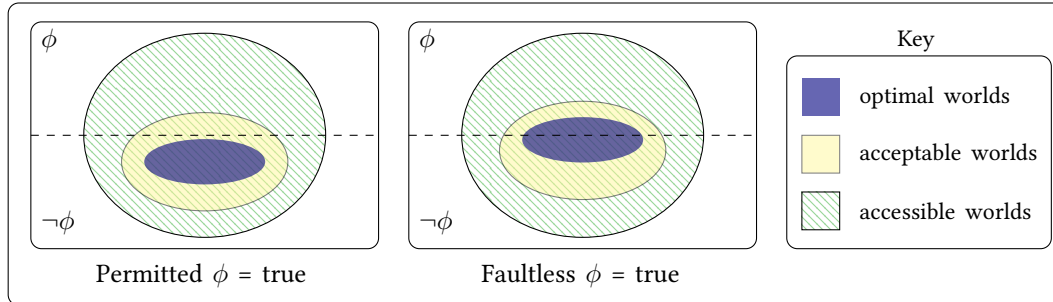


Figure 2: Permission vs. Faultlessness.

Since faultlessness is an unfamiliar concept, an example may help. Suppose our modal base contains just three worlds:

- w_1 - You give 15% of your income to GiveDirectly
- w_2 - You give 15% of your income to Against Malaria Foundation
- w_3 - You give 7% of your income to GiveDirectly

Suppose that GiveDirectly and Against Malaria Foundation (AMF) are on a par: giving to one is no better than giving to the other. Then—at least from the point of view of our hypothetical ethicist—*giving 15% of your income to GiveDirectly* is faultless, since this obtains in at least one of the optimal worlds (w_1). And *giving 15% of your income to AMF* is also faultless, since it also obtains in one of the optimal worlds (w_2). By contrast, *giving 7% of your income to GiveDirectly* is permissible but not faultless: it only obtains in w_3 , which is acceptable but not optimal.¹¹

Faultlessness shouldn't be conflated with hypological notions, such as *blamelessness*.¹² Suppose the speed limit is 45 mph. Suppose that Shelly is driving 50 mph, but that she has a reasonable false belief that she's doing 40 (perhaps because her speedometer has unforeseeably malfunctioned). In this case, she's doing something that she ought not do (relative to the normative standard provided by the speed limit), hence her action is not faultless in our sense. But presumably her action is blameless.¹³

There is an interesting question whether any expressions in natural language convey faultlessness. In other words, do any expressions belong in the lower-left box in Figure 3?

As far as I know, no one has investigated this possibility.¹⁴ However, I think it would be surprising if there were no such expressions. After all, the distinction between the (merely) permissible

¹¹This example also illustrates how faultlessness comes apart from weak necessity. 'You should [/ought to] give 15% of your income to GiveDirectly' is false, since there's an optimal world where you don't give 15% of your income to GiveDirectly (w_2).

¹²I borrow the term 'hypological' from Zimmerman (2002), who uses it refer to notions relating to responsibility.

¹³In general, a distinction between faultlessness and blamelessness will arise whenever it's possible to have reasonable false beliefs about whether one is doing what one should do.

¹⁴Kratzer claims that weak necessity modals in English and German lack duals (2013: 184), but offers no evidence for this claim. (Perhaps her evidence is the absence of any obvious candidates.)

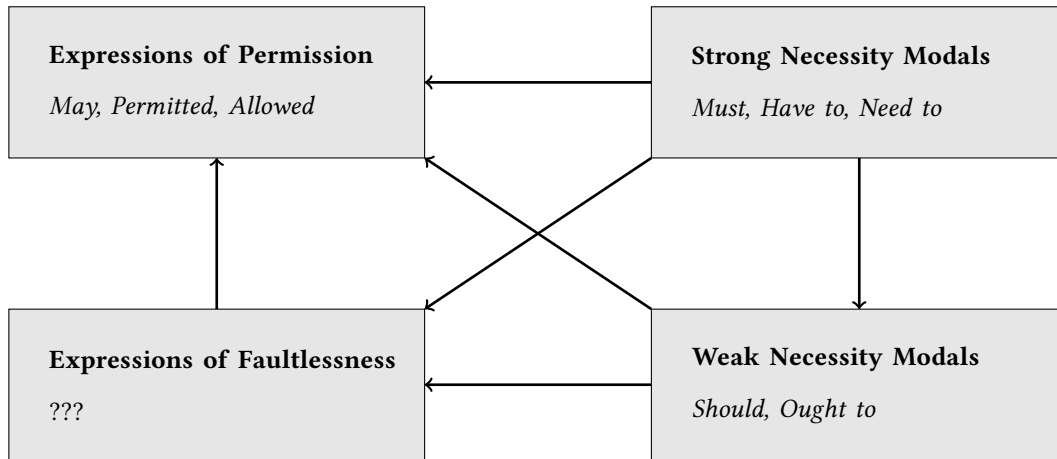


Figure 3: Expressions on the left are duals of expressions on the right. Arrows indicate entailment.

options and the faultless options is useful. To say that ϕ is permitted leaves open the possibility that ϕ is suboptimal, whereas saying that ϕ is faultless precludes this option. Given the centrality of normative appraisals to our daily life, it seems reasonable to expect some natural language expressions to convey this distinction.

2.2 Options for a Deontological Approach to Justification

If *justified* is a deontic expression, what sort of deontic expression is it? Four options present themselves, corresponding to the four boxes in Figure 3.

According to the ‘Permissive View,’ *justified* belongs in the upper-left box. On this view, a sentence such as (1) (‘Given the refugee crisis, the UN is justified in intervening’) is analyzed as saying that the UN is permitted to intervene. Similarly, (2) (‘Poirot is justified in believing the butler did it’) is analyzed as saying that Poirot is permitted to believe the butler did it.¹⁵

According to what we can call the ‘Weak Obligatory View,’ *justified* belongs in the lower-right box: to say that someone is justified in ϕ -ing is to say that they should [/ought to] ϕ . And the ‘Strong Obligatory View’ places *justified* in the upper-right: it takes *justified* to be equivalent to a strong necessity modal. (For the sake of convenience, I’ll occasionally refer to the disjunction of the Weak and Strong Obligatory Views as the ‘Obligatory View.’)

A fourth and final option holds that *justified* lives in the lower-left. According to the ‘Faultlessness View,’ (1) says that it’s not the case that the UN should [/ought] not intervene. Similarly, (2) says that it’s not the case that Poirot epistemically should [/ought] not believe the butler did it.

I think it’s safe to say that the Faultlessness View has been largely ignored as an alternative to the Permissive View.¹⁶ And it’s easy to see why. In both epistemology and ethics, philosophers

¹⁵It’s a bit hard to find explicit endorsements of the Permissive View. However, see Goldman (1986): 60-61; Steup (2000); and Kroedel (2012, 2013a,b) for sympathetic discussions. Even when it isn’t explicitly endorsed, I think the Permissive View is frequently assumed; certainly many epistemologists appear to use the expressions *epistemically justified* and *epistemically permitted* interchangeably.

¹⁶A number of philosophers have discussed versions of what I’ve been calling the Faultlessness View. (See Ginet (1975); Moser (1989); Alston (1988); Steup (2012). Perhaps the earliest endorsement of a view along these lines is Chisholm (1956a,b), though Chisholm couches the view in terms of what’s *acceptable* rather than what’s justified.)

usually fail to distinguish between strong and weak necessity modals. And if someone were assimilating *should* to *must*, they'd think that the Faultlessness View is just a complicated formulation of the Permissive View: they'd think it's just a way of saying that *justified* is the dual of *must*.

But once we distinguish *should* from *must*, we see that the two views are distinct. Both agree that being permitted to ϕ is a necessary condition on being justified in ϕ -ing. But the Permissive View doesn't rule out the possibility that one can be justified in ϕ -ing even though ϕ -ing is suboptimal. The Faultlessness View, by contrast, does.

Having laid out the options, I now turn to evaluating them. I start (§3) by arguing that *justified* is not an obligatory notion: if *justified* is a deontic notion, it resides somewhere on the lefthand side of Figure 3. I go on (§4) to consider which of the lefthand boxes is its most likely home: does it express permission or faultlessness? This section is somewhat more tentative, because the difference between permission and faultlessness is quite subtle, and it is difficult to devise tests for determining which of the two notions a given lexical item expresses. However, I offer a diagnostic that—I contend—provides some reason to think that *justified* expresses faultlessness rather than mere permission. I conclude that the Faultlessness View may well be the most attractive version of a deontological approach to justification.

3 Trouble for the Obligatory View

In this section, I present three concerns for the Obligatory View: it's incapable of explaining the entailments of *justified* under negation (§3.1); it rules out certain seemingly coherent epistemological positions by semantic fiat (§3.2); and it prevents us from appealing to an attractive solution to the Lottery Paradox recently defended by Kroedel (2012) (§3.3).

3.1 *Isn't Justified*

Intuitively, (13a) entails (13b):

- (13) a. S isn't justified in ϕ -ing. \Rightarrow
 b. S should not ϕ .

This appears to hold for both moral and epistemic uses of *justified*. For example, if I tell you that the UN isn't (morally) justified in intervening, it would be natural to regard me as committed to the claim that the UN (morally) should not intervene. Similarly, if I tell you that Poirot isn't (epistemically) justified in believing the butler did it, I seem to commit myself to the claim that Poirot (epistemically) should not believe the butler did it.

But the Obligatory View doesn't predict this entailment. After all, the inference from (14a) to (14b) is invalid:

- (14) a. $\neg(\text{S should } [/\text{must}] \phi)$. $\not\Rightarrow$
 b. S should $[/\text{must}] \neg\phi$.

However, none of these authors explicitly distinguishes weak from strong necessity modals; hence none of these authors distinguishes this view from the Permissive View. Indeed, some clearly conflate the two—see e.g. Moser (1989): p.35, Steup (2012).

For example, it's not the case that I should eat Cornflakes for breakfast; eating Raisin Bran would be just as good. But it doesn't follow that I shouldn't eat Cornflakes for breakfast. More generally, whenever $S \phi$ s in some but not all of the optimal worlds, (14a) will be true, but (14b) will be false.

By contrast, both the Permissive and the Faultlessness Views capture this inference. According to the Permissive View, (13a) is equivalent to:

$$(15) \quad \neg(\text{S is permitted to } \phi).$$

By Permission-Strong Necessity Duality, (15) is equivalent to:

$$(16) \quad \text{S must not } \phi.$$

Since 'Must not ϕ ' entails 'Should not ϕ ', (16) in turn entails (13b).

According to the Faultlessness View, (13a) is equivalent to:

$$(17) \quad \neg(\neg(\text{S should not } \phi)).$$

By double negation elimination, (17) simplifies to (13b).

To sum up: the entailment patterns of *justified* under negation support the hypothesis that *justified* is an existential quantifier over worlds, rather than a universal quantifier.¹⁷

3.2 Multiple Options and Dilemmas

Suppose that you have \$10 to donate to charity. Once again, let us suppose that your options are GiveDirectly or AMF, and that both charities are equally good. In this case, (18) seems true:

$$(18) \quad \text{You're (morally) justified in donating to GiveDirectly and you're (morally) justified in donating to AMF.}$$

If either the Weak or the Strong Obligatory View is right, then we can conclude:

$$(19) \quad \text{You should donate to GiveDirectly and you should donate to AMF.}$$

But this seems wrong. Intuitively, you should give to *either* GiveDirectly or AMF, but it's not true that you should give to each.

The point can be stated in more general terms. Say that S has *multiple options* iff there are mutually incompatible courses of actions that S is *ex ante* morally justified in pursuing. If the Obligatory View is correct, every case of multiple options is a *genuine moral dilemma*. But this seems wrong. After all, when you're in a genuine dilemma, there's no way for you to discharge all of your obligations; whatever you do, you're guaranteed to do something suboptimal. Cases of multiple options don't seem like this: just because you have multiple options available to you, it doesn't follow that you're guaranteed to do something suboptimal.

The same issue arises in the epistemic domain. Say that S has *multiple doxastic options* vis-à-vis p iff there are mutually incompatible attitudes towards p that are *ex ante* (i.e., propositionally)

¹⁷While both the Permissive View and the Faultlessness View validate the inference from (13a) to (13b), the Faultlessness View is the logically strongest semantics for *justified* that does so. To see this, note that on the Faultlessness View, (13a) is just equivalent to (17), which is in turn equivalent to (13b). Since negation reverses logical strength, any stronger semantics for *justified* would entail that (13a) is weaker than (17), and hence weaker than (13b).

justified for S. If the Obligatory View is correct, every case of multiple options is a *genuine epistemic dilemma*—the epistemic analogue of a genuine moral dilemma.¹⁸

Of course, it is somewhat controversial whether cases of multiple doxastic options ever arise. But at least some epistemologists have thought they do.¹⁹ Imagine a hypothetical epistemologist—call her H—who tries to motivate the existence of such cases with the following example:

Election: Shelly has carefully reviewed a number of polls regarding the upcoming Senate race. While there’s no clear consensus, most of the polls indicate that the Democrat has an advantage over the Republican.

‘Clearly,’ H reasons, ‘Shelly’s justified in being fairly confident that the Democrat will win. But how confident, exactly? Is there a unique credence that she’s justified in adopting towards this proposition? This seems implausible. It seems to me that Shelly’s justified in adopting any of a range of credences in the hypothesis that the Democrat will win.’²⁰

H is thus led to affirm:

- (20) Shelly is justified in having .75 credence that the Democrat will win, and Shelly is justified in having .74 credence that the Democrat will win.

Now if either the Weak or the Strong Obligatory View is correct, (20) entails:

- (21) Shelly should have .75 credence that the Democrat will win, and Shelly should have .74 credence that the Democrat will win.

But this would presumably come as a surprise to H. If asked, it would be natural for H to say that Shelly should have .75 credence *or* .74 credence, but it’s not true that she should have *both*. On H’s view, Shelly’s evidence simply doesn’t determine a unique credence that she should take towards the hypothesis that the Democrat will win.

For the purposes of this paper, I don’t want to take a stand on whether H’s position on Election is correct. However, it does seem that H’s position is at least *coherent*. If H is in error, it’s because she’s made a substantive epistemological mistake. H need not be logically misguided, or confused about the meanings of her terms. And so our semantics for *justified* shouldn’t make (20) entail (21), any more than it should make (18) entail (19).

Both the Faultlessness View and the Permissive View avoid the unwelcome consequence that every case of multiple options is a genuine dilemma. Consider an instance of the schema:

- (22) S is justified in ϕ -ing & S is justified in ψ -ing.

According to the Permissive View, this is analyzed as:

- (23) S permitted to ϕ & S is permitted to ψ .

¹⁸Pryor (2012) calls such cases, ‘epistemic tragedies.’

¹⁹For relevant discussion, see White (2005); Feldman (2007); Matheson (2011); Ballantyne and Coffman (2011, 2012); Kelly (2013); Meacham (2013); Horowitz (2014); Schoenfield (2014). (Note that while some epistemologists in this debate use *justification* talk, others formulate the question in terms of *rational permission*.)

²⁰This is an *intra*-subject version of an example from Kelly (2013).

In terms of the Optimality Interpretation, this amounts to saying that there's an acceptable world where $S \phi$ s, and there's also an acceptable world where $S \psi$ s.

According to the Faultlessness View, (22) is analyzed as:

(24) $\neg(S \text{ should not } \phi) \ \& \ \neg(S \text{ should not } \psi)$.

Given the Optimality Interpretation, this amounts to saying that there's an optimal world where $S \phi$ s, and there's also an optimal world where $S \psi$ s.

Clearly, neither (23) nor (24) entails:

(25) $S \text{ should } \phi \ \& \ S \text{ should } \psi$.

Thus an analysis of *justified* as an existential quantifier over worlds provides a more plausible treatment of multiple options than the Obligatory View.

3.3 The Obligatory View and the Lottery Paradox

A final difficulty for the Obligatory View comes from the Lottery Paradox. The Lottery Paradox arises from considering a lottery containing n tickets (Kyburg 1961). It seems a subject S can be justified in believing that ticket 1 will lose. On the same grounds, S can be justified in believing ticket 2 will lose. Etc. So it seems that (26) is true:

(26) For each ticket, S is justified in believing it will lose.

Many are also attracted to a multi-premise closure principle for justification, for instance:

MPC: If S is justified in believing p_1 - p_n , and p_1 - p_n obviously entail p_z , then S is justified in believing p_z .

From (26) and MPC it seems we can infer:

(27) S is justified in believing that all the tickets will lose.

But (27) is surely false.

By now, a number of solutions to the Lottery Paradox have been offered in the literature. Most can be divided into two camps: *justification-deniers* and *closure-deniers*. The first camp rejects (26), insisting that S isn't justified in believing that, say, ticket 1 will lose.²¹ The second camp rejects MPC.²² Both camps strike many as unsatisfactory, since both abandon one of the intuitions that generated the paradox in the first place. Recently, Kroedel (2012) has proposed a more satisfactory solution—a solution that enables us to preserve both a reading of (26) and a version of MPC.

Kroedel's solution relies on the Permissive View. Given the Permissive View, (26) is equivalent to (28):

(28) For each ticket, S is (epistemically) permitted to believe it will lose.

Kroedel argues that (28) is ambiguous between a narrow and a wide scope reading:

²¹See e.g. Nelkin (2000); Sutton (2005, 2007); Littlejohn (2012b).

²²See e.g. Kyburg (1961); Hill and Schechter (2007).

- (28) a. S is permitted to believe ticket 1 will lose; & S is permitted to believe ticket 2 will lose;...
& S is permitted believe ticket n will lose. **narrow**
- b. S is permitted to [believe ticket 1 will lose; & believe ticket 2 will lose... & believe ticket n will lose]. **wide**

As Kroedel observes, the narrow scope reading doesn't entail the wide scope reading, since permissions do not agglomerate. That is to say, the following inference pattern is invalid:

Permitted ϕ

Permitted ψ

Therefore:

Permitted (ϕ & ψ)

To see that permissions don't agglomerate, imagine a child who's allowed to pick out any particular toy in the store, but isn't permitted to choose all of them together.

Kroedel's solution is to insist that (28) is true on the narrow scope reading [(28a)], but false on the wide scope reading [(28b)]. What's more, we can only get to the paradoxical conclusion via closure if we help ourselves to the wide scope reading. After all, given the Permissive View, it's natural to construe MPC as follows:

Permissive MPC: If S is permitted to [believe p_1 & believe p_2 ... & believe p_n], and p_1 - p_n obviously entail p_z , then S is permitted to believe p_z .

And the paradoxical conclusion (27) amounts to:

- (29) S is permitted to believe that all the tickets will lose.

which can't be derived via Permissive MPC from the narrow scope reading.

It's not obvious that this solution is problem-free.²³ And of course it's not the only solution to the Lottery Paradox on offer. But I do think it has considerable appeal: preserving both a reading of (26) and a version of MPC is no small feat.²⁴ *Ceteris paribus*, it would be nice if our semantics for *justified* did not rule out Kroedel's solution.

But if we accept the Obligatory View, Kroedel's solution doesn't work. (In what follows, I'll make this point using the Weak Obligatory View, but everything I say carries over straightforwardly to the Strong Obligatory View.) If the Weak Obligatory View is correct, (26) is equivalent to (30):

²³See Littlejohn (2012b, 2013) for reservations. For responses to Littlejohn, see Kroedel (2013a,b).

²⁴Our preservation of MPC is made possible by the way we formulated MPC within a permissive framework. Suppose instead we had formulated MPC as follows:

Permissive MPC*: If ([S is permitted to believe p_1] & [S is permitted to believe p_2] ... & [S is permitted to believe p_n]), and p_1 - p_n obviously entail p_z , then S is permitted to believe p_z .

Clearly, the view that permissions don't agglomerate is inconsistent with this way of understanding MPC. (Presumably, those who maintain that a denial of the agglomeration of rational belief entails a denial of MPC (e.g., Williamson 2014) have something like Permissive MPC* in mind.) But even though Kroedel's solution is not consistent with every way of formulating MPC, it is still compatible with one fairly natural formulation. In my eyes, this remains an important advantage.

(30) For each ticket, S (epistemically) should believe it will lose.

Now perhaps (30) is ambiguous between a narrow and a wide scope reading:

- (30) a. S should believe ticket 1 will lose, & S should believe ticket 2 will lose,... & S should believe ticket n will lose. **narrow**
 b. S should [believe ticket 1 will lose, & believe ticket 2 will lose,... & believe ticket n will lose]. **wide**

However, in this case it's plausible that the narrow scope reading does entail the wide scope reading. After all, it's commonly thought that necessity modals agglomerate (unlike permissions). That is, the following inference pattern is valid:

Should ϕ
 Should ψ
Therefore:
 Should (ϕ & ψ)

This seems plausible. If I tell a child, 'You should eat the broccoli; and you should eat the risotto,' it seems I've committed myself to the claim that the child should eat the broccoli and the risotto.²⁵

If *should* agglomerates, then even if (30) is ambiguous between a narrow and a wide scope reading, this ambiguity won't help solve the puzzle, since we'll still be stuck with the wide scope reading [(30b)]. And from the wide scope reading it seems we can use MPC to derive the paradoxical conclusion. After all, given the Weak Necessity View, MPC amounts to:

Obligatory MPC: If S should [believe p_1 & believe p_2 ... & believe p_n], and p_1 - p_n obviously entail p_z , then S should believe p_z .

And the paradoxical conclusion amounts to (31):

(31) S should believe all the tickets will lose.

By contrast, the Faultlessness View is compatible with the spirit (albeit not the letter) of Kroedel's solution. On the Faultlessness View, (26) ('For each ticket, S is justified in believing it will lose') is equivalent to (32):

(32) For each ticket, \neg (S shouldn't believe it will lose).

Next, we claim that (32) contains a scope ambiguity:

- (32) a. \neg (S should not believe ticket 1 will lose); & \neg (S should not believe ticket 2 will lose);... & \neg (S should not believe ticket n will lose). **narrow**
 b. \neg (S should not [believe ticket 1 will lose; & believe ticket 2 will lose;... & believe ticket n will lose]). **wide**

²⁵Note that any view on which necessity modals are universal quantifiers over a set of worlds will predict that necessity modals agglomerate. If all the worlds in a certain domain D are ϕ -worlds, and all the worlds in D are ψ -worlds, then it follows that all the worlds in D are ϕ & ψ -worlds.

The narrow scope reading doesn't entail the wide scope reading, because faultlessness doesn't agglomerate. That is to say, the following inference pattern is invalid:

$\neg(\text{Should not } \phi)$

$\neg(\text{Should not } \psi)$

Therefore:

$\neg(\text{Should not } (\phi \ \& \ \psi))$

To see this, recall the child who is free to pick out any toy in the toy store. For any toy t , \neg (the child shouldn't pick out t). However, it could still be the case that the child shouldn't pick out all of the toys.²⁶

Thus the Faultlessness View allows us to preserve the basic idea behind Kroedel's solution: we say (32) is true on the narrow scope reading [(32a)], but false on the wide scope reading [(32b)]. But the wide scope reading is required to get to the paradoxical conclusion that S is justified in believing that all the tickets will lose. After all, given the Faultlessness View, it's natural to flesh out MPC as follows:

Faultless MPC: If $\neg(\text{S should not } [\text{believe } p_1 \ \& \ \text{believe } p_2 \dots \ \& \ \text{believe } p_n])$, and $p_1 \text{--} p_n$ obviously entail p_z , then $\neg(\text{S should not believe } p_z)$.

And the paradoxical conclusion boils down to:

(33) $\neg(\text{S should not believe all the tickets will lose})$.

which we can't derive from the narrow scope reading [(32a)] and Faultless MPC.

3.4 Taking Stock

I think these considerations give us reason to be dissatisfied with the Obligatory View. It would be nice to have an analysis of justification that (i) explains why *is not justified* entails *should not*, (ii) avoids the result that every case of multiple options is a genuine dilemma, (iii) doesn't rule out Kroedel's solution to Lottery Paradox. Taken together, these considerations motivate thinking that if *justified* is a deontic notion, it resides somewhere on the lefthand side of Figure 3: it expresses either permission or faultlessness.

4 Permission vs. Faultlessness

In this section, I tackle the question of whether *justified* more plausibly expresses permission or faultlessness. This is uncharted territory: as noted in §2, the distinction between permission and faultlessness has been overlooked in the literature; consequently there are no accepted diagnostics for determining which of these two notions a particular lexical item expresses. In what follows, I start by proposing a diagnostic for teasing the two apart (§4.1). Next, I argue that this diagnostic provides at least some reason to classify *justified* as an expression of faultlessness rather than permission (§4.2). I go on to respond to some natural objections (§4.3).

²⁶If we follow the Optimality Interpretation in taking expressions of faultlessness to be existential quantifiers over the optimal worlds in the modal base, it becomes clear why faultlessness doesn't agglomerate. Just because there's a ϕ -world in domain D and a ψ -world in D , it doesn't follow that there's a world in D where both ϕ and ψ obtain.

4.1 A Diagnostic

Recall that (i) weak necessity modals don't entail strong necessity modals, (ii) expressions of permission are the duals of strong necessity modals. Thus it should be coherent to conjoin a claim that one is permitted to ϕ (according to some normative standard N), even though one should ψ (according to N), where ϕ and ψ are incompatible. And indeed, the Optimality Interpretation explains why this would be so: to say ϕ is permissible is to say that ϕ obtains in at least one of the acceptable worlds in the modal base; to say ψ should be the case is to say that ψ obtains in all of the optimal worlds in the modal base. Since a world can be acceptable without being optimal, such a state of affairs is perfectly possible.

If we test this prediction, we find it borne out. Consider again our ethicist who thinks that you must give at least 5% of your income to charity, but that it would be best to give upwards of 10%. We'd naturally expect our ethicist to say things like the following:

- (34) You're permitted to give only 5% of your income to charity, but you should give more.

This assertion seems perfectly coherent.

Here's another example, drawn from [Harman \(2016\)](#):

Feedback Quandary: Amanda is a philosophy professor who has a two-year-old daughter. It is 11pm. Amanda receives an email from her undergraduate student Joe, with a third draft of a paper that's due tomorrow at noon. She has already commented on the first two drafts. Joe is struggling in the class, but she can tell he is on the verge of some kind of breakthrough. If Joe fails the class, he will lose his scholarship and have to drop out of school. It would take half an hour to read the draft and write the comments, and Amanda is tired. Her daughter will wake up early. Amanda realizes that she is not morally obligated to spend the thirty minutes to give Joe comments, but nevertheless she deliberates about whether to do it. Upon reflection, Amanda thinks, 'I should do it!' ([Harman 2016](#): 369)

Harman offers the following verdict about this case:

- (35) Amanda should give Joe comments, but it would be permissible not to.²⁷

This judgment also strikes me as perfectly coherent.

A similar phenomenon arises with epistemic modals. Suppose Ted left work over an hour ago. In all likelihood, he's gotten home, but it's possible he's mired in traffic. Then we can say:

- (36) Ted might [/may] still be on the road, but he should be home by now.

Again, perfectly coherent.²⁸

By contrast, if ϕ and ψ are incompatible, it should be incoherent to say that ϕ should be the case, but that ψ is faultless. Certainly this is true if we accept the Optimality Interpretation: according to the Optimality Interpretation, ψ is faultless iff ψ obtains in at least one of the optimal worlds in the modal base, which is inconsistent with ϕ obtaining in all of the optimal worlds in the modal base.

²⁷[Harman \(2016\)](#) calls cases along these lines, 'morally permissible mistakes.'

²⁸Here I assume that weak necessity modals can be used to express weak epistemic necessity. For reservations, see [Yalcin \(2016\)](#).

This suggests the following diagnostic:

Faultlessness Diagnostic: Let ϕ and ψ be inconsistent states of affairs, and let E be some expression of either faultlessness or permission. If sentences of the form:

$E(\phi)$, but should (ψ)

are judged incoherent, this is evidence that E expresses faultlessness rather than permission.

4.2 Applying the Diagnostic

To apply our diagnostic to *justified*, ask yourself whether instances of (37) sound coherent:

(37) S is justified in believing p , but S (epistemically) should suspend judgment on p .

Intuitions may vary, but to my ears—and to the ears of many that I’ve informally polled—such sentences sound bizarre:

(38) ?? Kwame is justified in believing it will rain, but Kwame should suspend judgment on whether it will rain.

(39) ?? Kendra is justified in believing the restaurant is open, but Kendra should suspend judgment about whether the restaurant is open.

It seems to me that these sentences are only coherent if the modal is taken to express something other than an epistemic evaluation. (For instance, suppose that Kwame will be richly rewarded if he doesn’t believe it will rain. Then there’s a coherent reading of (38) on which the second conjunct says that, in view of Kwame’s desires/interests, he should suspend judgment.) As long as we stipulate that the modal is being used to make an epistemic appraisal, it seems that each of these sentences is incoherent.

This doesn’t seem to hinge on any special feature of *epistemic* (as opposed to moral) justification. Arguably, the moral counterparts of (37) are similarly odd. For example, consider what happens when we replace *permitted* in (34) with *justified*:

(40) ?? You’re justified in giving only 5% of your income to charity, but you should give more.

Intuitions here are rather subtle, and may not be uniform across speakers. But to my ears, (40) sounds odd—more odd, at any rate, than the original sentence [(34)] which spoke explicitly of permission. For those who share my intuitions, this suggests that *justified* expresses faultlessness rather than mere permission.²⁹

There are, of course, various ways one might try to resist my argument. In what follows, I consider three natural objections. The first is an objection to my diagnostic; the second, an objection to my application of the diagnostic to *justified*; the third, a more general objection to the Faultlessness View.

²⁹Note that this data also count against Fantl and McGrath’s view that justification ascriptions are ambiguous between permissive and obligatory readings (2009: 89). If justification ascriptions had permissive readings, we’d expect some instances of (37) to have readings on which they’re coherent.

4.3 Objections

First Objection: The coherence of (34)-(35) doesn't prove that it's coherent to say that ϕ is permitted (relative to some normative standard N) even though ψ should be the case (relative to N), where ϕ and ψ are incompatible. After all, the coherence of these utterances could be due to tacit mid-utterance shifts in normative standards. According to what we can call the 'Standard-Shifting Diagnosis,' when we evaluate the first conjunct of (34) ('You're permitted to give only 5% of your income to charity') we use a particular normative standard—one that's not very demanding. When we evaluate the second conjunct ('You should give more') we switch to a more demanding standard. And similarly, *mutatis mutandis*, for (35).

Reply: While natural, I don't think this objection stands up to scrutiny. To begin with, our objector misunderstands the role that the coherence of (34) and (35) played in the argument. The coherence of these sentences wasn't intended to *prove* that it's coherent to say that ϕ is permitted (relative to N) even though ψ should be the case (according to N), for incompatible ϕ and ψ . Rather, we had independent reason to think this was coherent—namely, the fact that weak necessity modals don't entail strong necessity modals, and the fact that expressions of permission are the duals of strong necessity modals. The coherence of (34)-(35) served to confirm this prediction.

Second, it seems natural to take the speakers of (34) and (35) to be speaking from the perspective of *ultima tanto* morality. That is, there's a natural interpretation of (34) and (35) according to which the normative standard used to evaluate both conjuncts of each utterance is the total balance of moral considerations. Moreover, we can add an *in view of*-phrase to make this normative standard explicit:

- (41) In view of all the moral considerations, you're permitted to give only 5% of your income to charity. But, again in view of all of the moral considerations, you should give more.
- (42) In view of all the moral considerations, Amanda should give Joe comments. But, again in view of all of the moral considerations, it would be permissible not to.³⁰

While rather stilted, these utterances remain coherent, contrary to what the standard-shifting diagnosis predicts.

Finally, the standard-shifting diagnosis is incapable of explaining why (34) and (35) sound significantly worse when we replace the weak necessity modals with strong necessity modals:

- (43) # You're permitted to give only 5% of your income to charity, but you must give more.
- (44) # Amanda must give Joe comments, but it would permissible not to.

If the coherence of (34)-(35) was due to mid-utterance shifts in normative standards, why can't mid-utterance shifts in normative standards render (43)-(44) similarly coherent?³¹

Second Objection: Not all instances of (37) ('S is justified in believing p , but S (epistemically) should suspend judgment on p ') are incoherent. Consider a case of a justified false belief: Kendra has just checked the restaurant's hours online and consequently believes the restaurant is open; Claire is aware of this fact, but also knows that the restaurant burned to the ground moments ago. It seems Claire can felicitously say:

³⁰See Kratzer (1977) for discussion of the interactions between *in view of*-phrases and modals.

³¹The standard-shifting diagnosis is similarly ill-equipped to explain why (40) sounds worse than (34).

- (45) Kendra is justified in believing the restaurant is open, but Kendra should suspend judgment on whether the restaurant is open (since it isn't).

Reply: One rather radical response to this objection is to reject the possibility of justified false beliefs—a move that some epistemologists have advocated on independent grounds.³² However, it is unclear whether defenders of the Faultlessness View should wed themselves to such a controversial position. Luckily, they also have a less iconoclastic response at their disposal. The less radical response is to distinguish between different epistemic norms. On the one hand, there seems to be some sense in which belief is governed by a *truth norm*, according to which one ought only believe p if p is true. Indeed, it seems that the second conjunct of (45) is invoking precisely this norm. On the other hand, there also seems to be some sense in which belief is governed by an *evidence norm*: one ought to believe p if p is well-supported by one's evidence. From the point of view of the evidence norm, Kendra should believe the restaurant is open. And so, from the point of view of the evidence norm, falsity doesn't preclude a belief from being epistemically optimal.

Once we distinguish between different epistemic norms, it becomes clear that there is an important sense in which all of the deontological approaches to justification we've examined are underspecified. All the versions of the deontological approach we've considered analyze *justified* in terms of quantification over worlds ranked by some norm. In the case of epistemic uses of *justified*, the norm in question will be epistemic. But, as the foregoing paragraph reveals, different epistemic norms can induce different epistemic rankings over worlds. The question then arises: which epistemic norm determines the ranking relevant for epistemic justification? Is it the truth norm, the evidence norm, or something else altogether?

It's widely held that epistemic justification has an intimate connection with evidential support. In many quarters, the dictum that *a belief is justified if it's supported by the evidence* is regarded as a platitude. This suggests that if we're going to analyze epistemic uses of *justified* in terms of quantification over worlds as ranked by some epistemic norm, it's plausible that the norm in question is the evidence norm (or something similar). At any rate, it certainly doesn't seem that the relevant ranking is provided entirely by the truth norm. Surely the justificatory status of a belief isn't simply a matter of that belief's truth or falsity!³³

To test the suggestion that epistemic uses of *justified* are sensitive to an evidential ranking (that is, a ranking induced by the evidence norm), we can consider a variant of (45) that explicitly restricts the modal in the second conjunct ('Kendra should suspend judgment') to the evidence norm. We can do this by adding an *in view of*-phrase in front of the modal, as in the following discourse:

- (46) a. Kendra is justified in believing the restaurant is open.
 b. ?? But, in view of her evidence, Kendra should suspend judgment on whether the restaurant is open (since it isn't).

Again, intuitions may differ across speakers, but to my ears—and those of many that I've polled—(46) sounds incoherent. At the very least, it sounds worse than its *in view of*-phrase-free counterpart [(45)]. Given the assumption that epistemic uses of *justified* are sensitive to an

³²See Sutton 2005, 2007; Littlejohn 2012.

³³This isn't to deny that we can induce a ranking over worlds using the truth norm—of course we can. Nor is it to deny that such a ranking would be, in some perfectly legitimate sense, epistemic. The idea is rather that epistemic uses of *justified* are most plausibly sensitive to a distinct epistemic ranking, induced by a distinct epistemic norm.

evidential ranking, the Faultlessness View explains why (46) sounds incoherent. After all, (46a) will be analyzed as saying: $\neg(\text{Kendra should}_{EN} \text{ not believe the restaurant is open})$, where EN is the normative standard provided by the evidence norm. And this is inconsistent with (46b), which says that Kendra should $_{EN}$ suspend judgment.³⁴

Third Objection: A more general objection to the Faultlessness View is that it stands in tension with the idea that knowledge is the optimal epistemic state. It's often maintained that if S knows p , S 's belief that p is more epistemically valuable than any state that falls short of knowledge. Conjoining this thesis with the Faultlessness View seems to entail that it's impossible to have a justified belief that doesn't amount to knowledge.³⁵

Reply: The idea that knowledge is the optimal epistemic state is far from uncontroversial; one strategy for defending the Faultlessness View would be to question this conception of the value of knowledge. That said, I think our response to the second objection points the way to a more conciliatory response—a way of reconciling the Faultlessness View with the idea that knowledge is—in some sense—the optimal epistemic state.

We've already seen that there are different epistemic norms, each of which can induce a different epistemic ranking over worlds. Presumably, those who hold that knowledge is the optimal epistemic state endorse some version of a *knowledge norm*, according to which one ought only believe p if one knows p . From the perspective of the knowledge norm, a belief that fails to amount to knowledge (either due to falsity or Gettierization) is epistemically inferior to a belief that does. Just as proponents of the Faultlessness View will allow that we can rank worlds using the truth norm while denying that epistemic uses of *justified* are sensitive to this ranking, so they will allow that we can rank worlds using the knowledge norm while denying that epistemic uses of *justified* are sensitive to this ranking.³⁶

In case this response seems *ad hoc*, it's worth emphasizing that we've already seen independent motivation for thinking that if *justified* quantifies over worlds ranked by some epistemic norm, it's plausible that the epistemic norm in question is the evidence norm. As demonstrated by the oddity of (46), it sounds incoherent to say that S is justified in believing p , but, *in view of S 's evidence*, S ought not believe p . If epistemic uses of *justified* were sensitive to a ranking induced by some other epistemic norm—say, the knowledge norm or the truth norm—it's unclear how we would explain

³⁴One might worry that by saying that epistemic uses of *justified* are sensitive to an evidential ranking, I am incorporating a substantive epistemological commitment into the semantics of *justified*. However, it should be noted that the commitment in question is pretty minimal. In particular, our semantics takes no stand on how we should conceive of evidence; it also takes no stand on what it is for a particular body of evidence to support a belief. What's more, we can provide a principled motivation for incorporating a connection between epistemic uses of *justified* and the evidence norm into our semantics: as we've seen, forging this connection enables us to explain incoherence of (46), which would otherwise go unexplained.

For those who remain skeptical that epistemic uses of *justified* are sensitive to an evidential ranking, I should stress that my response to the Second Objection does not stand or fall with the idea. All my response requires is that epistemic uses of *justified* are sensitive to a ranking that doesn't care about the truth-value of a belief. The evidence norm is just one way of inducing such a ranking.

³⁵Thanks to an anonymous referee for raising this objection.

³⁶Presumably, the knowledge norm is not entirely independent of the evidence norm. After all, whether a belief counts as knowledge depends, at least in part, on that belief's degree of evidential support. And so the knowledge ranking (that is, the ranking induced by the knowledge norm) will take into account all the factors that influence evidential ranking. However, the knowledge ranking will also look at further factors—in particular, the truth-value of the belief—that do not affect evidential ranking.

this incoherence.³⁷

5 Conclusion

In this paper, I explored the options for analyzing *justified* in deontic terms. I urged that there's an important deontic status—faultlessness—that has been neglected by the literature, and I hypothesized that *justified* serves to express this status. In light of the difficulties facing other versions of a deontological approach (§§3-4), we should (perhaps even must) give this hypothesis serious consideration.

While my exploration has been focused on ascriptions of *ex ante* justification, the analysis I've proposed has broader implications. Most obviously, it has implications for other epistemic notions that entail propositional justification. Consider ascriptions of *ex post* justification, such as:

- (47) The UN's intervention was justified.
 (48) Poirot has a justified belief that the butler did it.

Suppose we adopt a natural conception of the relation between *ex ante* and *ex post* justification, according to which:

- S's ϕ -ing is *ex post* justified iff:
 (i) S ϕ s via some method M .
 (ii) S is *ex ante* justified in ϕ -ing via M .³⁸

Given the Faultlessness View, (ii) amounts to:

- (ii') \neg (S should not ϕ via M)

And so faultlessness will also play an important role in the analysis of *ex post* justification.

Given the orthodox view that knowledge entails *ex post* (i.e., doxastic) justification, knowledge will entail faultlessness as well. While we can't simply analyze knowledge as faultless belief (knowledge is factive; it may also require truth-tracking), we can use epistemic faultlessness to characterize one important dimension of knowledge.³⁹

³⁷An anonymous referee raised the question of whether the Faultlessness View rules out the possibility of epistemic supererogation. As suggested in fn. 10, one way of understanding supererogation is in terms of the gap between weak and strong necessity modals: it's supererogatory (relative to some normative standard N) for A to adopt doxastic attitude D towards p iff A ought $_N$ adopt D towards p , but it's not the case that A must $_N$ adopt D towards p . (In terms of the Optimality Interpretation: A adopts D towards p in all of the N -optimal worlds, but there's at least one N -acceptable world where A doesn't adopt D towards p .) Proponents of the Faultlessness View can happily allow for the possibility of epistemic supererogation, thus understood.

³⁸Many epistemologists endorse a conception of doxastic justification along these lines, though it's often formulated in terms of believing p on the basis of reasons or grounds that propositionally justify believing p (e.g. [Korcz 2000](#); [Kvanvig 2003](#); [Conee and Feldman 2005](#)). I formulate the account in terms of methods so as to side-step problems involving agents whose beliefs are improperly based on good reasons. (For relevant discussion, see [Turri 2010](#).)

³⁹Note that at least some of the data we used to motivate the Faultlessness View can be replicated using ascriptions of doxastic justification and knowledge. To my ears, the following sound just as incoherent as (37):

- ?? S has a justified belief that p , but S (epistemically) shouldn't believe p .
 ?? S knows p , but S (epistemically) shouldn't believe p .

Of course, if *justified* expresses faultlessness, it would be surprising if it's the sole natural language expression that does so. Admittedly, it's not obvious what other expressions serve this task. I conclude by mentioning two possibilities. One is that the expression *right* plays this role. To my ears, the following sounds incoherent:

(49) ?? What you did was right, but you shouldn't have done it.

This may suggest that *right* does not express mere permission. At the same time, it seems implausible that *right* is equivalent to a weak necessity modal. After all, giving to GiveDirectly would be right, but, as we saw earlier, it's not the case that you ought to do this (since other charities are equally effective). This is evidence that *right* expresses faultlessness.⁴⁰

Other candidates for expressions of faultlessness include adjectives such as *flawless*, *perfect*, and *impeccable*. Consider a director who offers an aspiring actor the following feedback:

(50) ?? Your performance was flawless [/perfect], but there are some ways in which it could be improved.

The director's comment strikes me as incoherent. This gives reason to think that expressions of flawlessness should be understood in terms of faultlessness.

A final possibility worth mentioning is that some adjectives can combine with other expressions to convey faultlessness. Consider the use of *chance* in:

(51) There's a chance that Ted's still on the road, but he should be home right now.

The coherence of (51) suggests that this use of *chance* is equivalent to an epistemic possibility modal (e.g., *may* or *might*), and hence is the dual of a strong necessity epistemic modal. But now consider what happens if we combine this expression with an adjective phrase such as *very good*:

(52) ?? There's a very good chance that Ted's on the road, but he should be home right now.

To my ears, (52) sounds very odd—much worse than (51). Perhaps then while unmodified *chance* talk typically conveys mere possibility, *very good chance* talk serves as the dual of a weak necessity epistemic modal, and hence expresses faultlessness.

More research—especially, more cross-linguistic research—is called for in order to identify which other expressions, if any, convey faultlessness.⁴¹

The view that doxastic justification and knowledge ascriptions entail mere permissibility (rather than faultlessness) is unable to explain this incoherence.

⁴⁰ And there may well be an etymological explanation for the fact that both *right* and *justified* serve this function, given *justified*'s original meaning as *made just or right*.

⁴¹ Special thanks to Andy Egan, Alvin Goldman, Simon Goldstein, Carlotta Pavese, Kat Przyjemski, Jonathan Schaffer, Michael Sechman, Susanna Siegel, Paul Silva, Ernie Sosa, and an anonymous referee at *Philosophical Studies* for extensive comments. My thanks also to David Black, Will Fleisher, Daniel Fogal, Georgi Gardiner, Mike Hicks, Ezra Keshet, Nico Kirk-Giannini, Thomas Kroedel, Stephanie Leary, Martin Lin, Kurt Sylvan, and audiences at UC-Boulder, the University of Edinburgh, the National University of Singapore, and the 2016 meeting of the Eastern APA for helpful feedback and discussion.

References

- William Alston. The deontological conception of epistemic justification. *Philosophical Perspectives*, 2:115–152, 1988.
- Nathan Ballantyne and E.J. Coffman. Uniqueness, evidence, and rationality. *Philosophers' Imprint*, 11(18): 115–152, 2011.
- Nathan Ballantyne and E.J. Coffman. Conciliationism and uniqueness. *Australasian Journal of Philosophy*, 90(4):657–670, 2012.
- Roderick Chisholm. 'Appear,' 'Take,' and 'Evident'. *Journal of Philosophy*, 53(23):722–731, 1956a.
- Roderick Chisholm. Epistemic statements and the ethics of belief. *Philosophy and Phenomenological Research*, 16(4):447–460, 1956b.
- Matthew Chrisman. On the meaning of 'ought'. In Russ Shafer-Landau, editor, *Oxford Studies in Metaethics*, volume 7. Oxford University Press, New York, 2012.
- Philippe Chuard and Nicholas Southwood. Epistemic norms without voluntary control. *Noûs*, 43(4):599–632, 2009.
- Earl Conee and Richard Feldman. *Evidentialism: Essays in Epistemology*. Oxford University Press, New York, 2005.
- Bridget Copley. What should *should* mean?, 2006. URL <http://copley.free.fr/copley.should.pdf>.
- Jeremy Fantl and Matthew McGrath. *Knowledge in an Uncertain World*. Oxford University Press, Oxford, 2009.
- Richard Feldman. Reasonable religious disagreements. In Anthony, editor, *Philosophers Without Gods: Meditations on Atheism and the Secular Life*. Oxford University Press, Oxford, 2007.
- Kai von Fintel and Sabine Iatridou. What to do if you want to go to harlem: Anankastic conditionals and related matters, 2005. URL <http://web.mit.edu/fintel/www/harlem.pdf>.
- Kai von Fintel and Sabine Iatridou. How to say 'ought' in foreign: the composition of weak necessity modals. In Guéron and Lecarme, editors, *Time and Modality (Studies in Natural Language and Linguistic Theory 75)*. Springer, 2008.
- Carl Ginet. *Knowledge, Perception, and Memory*. Reidel Pub. Co, Dordrecht, 1975.
- Alvin Goldman. *Epistemology and Cognition*. Harvard University Press, Cambridge, MA, 1986.
- Elizabeth Harman. Morally permissible moral mistakes. *Ethics*, 126(2):366–393, 2016.
- Gilbert Harman. Stringency of rights and 'ought'. *Philosophy and Phenomenological Research*, 53:181–185, 1993.
- Christopher Hill and Joshua Schechter. Hawthorne's lottery puzzle and the nature of belief. *Philosophical Issues*, 17:547–579, 2007.
- Laurence Horn. *On the Semantic Properties of the Logical Operators in English*. UCLA PhD dissertation, 1972.
- Laurence Horn. *A Natural History of Negation*. University of Chicago Press, Chicago, 1989.
- Sophie Horowitz. Immoderately rational. *Philosophical Studies*, 167:41–56, 2014.
- Thomas Kelly. How to be an epistemic permissivist. In Steup and Turri, editors, *Contemporary Debates in Epistemology*. Blackwell, Oxford, 2nd edition, 2013.
- Kihyeon Kim. The deontological conception of epistemic justification and doxastic voluntarism. *Analysis*, 54(4):282–284, 1994.
- Keith Kocz. The causal-doxastic theory of the basing relation. *Canadian Journal of Philosophy*, 30(4): 525–550, 2000.
- Angelika Kratzer. What 'must' and 'can' must and can mean. *Linguistics and Philosophy*, 1:337–355, 1977.
- Angelika Kratzer. The notional category of modality. In Eikmeyer and Rieser, editors, *Words, Worlds, and Contexts: New Approaches in Word Semantics*. W. de Gruyter, Berlin, 1981.
- Angelika Kratzer. Modality. In von Stechow and Wunderlich, editors, *Semantics: An International Handbook of Contemporary Research*. W. de Gruyter, Berlin, 1991.
- Angelika Kratzer. *Modals and Conditionals*. Oxford University Press, Oxford, 2012.

- Angelika Kratzer. Modality for the 21st century, 2013. URL <http://semanticsarchive.net/Archive/DRlZmNmY/modality-21century.pdf>.
- Thomas Kroedel. The lottery paradox, epistemic justification and permissibility. *Analysis*, 72(1):57–60, 2012.
- Thomas Kroedel. The permissibility solution to the lottery paradox – reply to littlejohn. *Logos and Episteme*, 4(1):103–111, 2013a.
- Thomas Kroedel. Why permissions don't agglomerate – another reply to littlejohn. *Logos and Episteme*, 4(4):451–455, 2013b.
- Jonathan Kvanvig. Propositionalism and the perspectival character of justification. *American Philosophical Quarterly*, 40(1):3–18, 2003.
- Henry Kyburg. *Probability and the Logic of Rational Belief*. Wesleyan University Press, Middletown, CT, 1961.
- Daniel Lassiter. Measurement and modality: The scalar basis of modal semantics, 2011.
- Clayton Littlejohn. Concessive knowledge attributions and fallibilism. *Philosophy and Phenomenological Research*, 83(3):603–619, 2011.
- Clayton Littlejohn. *Justification and the Truth Connection*. Cambridge University Press, Cambridge, 2012.
- Clayton Littlejohn. Lotteries, probabilities, permissions. *Logos and Episteme*, 3(3):509–514, 2012b.
- Clayton Littlejohn. Don't know, don't believe: Reply to kroedel. *Logos and Episteme*, 4(2):231–238, 2013.
- Jonathan Matheson. The case for rational uniqueness. *Logos and Episteme*, 2(3):359–373, 2011.
- Paul McNamara. Must I do what I ought (or will the least I can do do)? In Brown and Carmo, editors, *Deontic Logic, Agency, and Normative Systems*. Springer-Verlag, Berlin, 1996.
- Chris Meacham. Impermissive bayesianism. *Erkenntnis*, Online First, 2013.
- Paul Moser. *Knowledge and Evidence*. Cambridge University Press, Cambridge, 1989.
- Dana Nelkin. The lottery paradox, knowledge, and rationality. *Philosophical Review*, 109(3):373–409, 2000.
- Nikolaj Nottelman. The deontological conception of epistemic justification: A reassessment. *Synthese*, 190(12):2219–2241, 2013.
- Alvin Plantinga. *Warrant: The Current Debate*. Oxford University Press, Oxford, 1993.
- Paul Portner. *Modality*. Oxford University Press, Oxford, 2009.
- Jim Pryor. Three grades of epistemic awkwardness, 2012. URL <http://www.jimpryor.net/research/papers/Awkward.pdf>.
- Jerry Sadock. On testing for conversational implicature. In P. Cole, editor, *Syntax and Semantics 9: Pragmatics*, pages 281–297. Academic Press, New York, 1978.
- Miriam Schoenfield. Permission to believe: Why permissivism is true and what it tells us about irrelevant influences on belief. *Noûs*, 48(2):193–218, 2014.
- Alex Silk. Modality, weights, and inconsistent premise sets. *Semantics and Linguistic Theory*, 22:43–64, 2012.
- Aaron Sloman. 'ought' and 'better'. *Mind*, 79:385–394, 1970.
- Jason Stanley. Knowledge and certainty. *Philosophical Issues*, 18(1):35–57, 2008.
- Matthias Steup. Doxastic voluntarism and epistemic deontology. *Acta Analytica*, 15(1):25–56, 2000.
- Matthias Steup. *Knowledge, Truth, and Duty: Essays on Epistemic Justification, Responsibility, and Virtue*. Oxford University Press, Oxford, 2001.
- Matthias Steup. Justification, deontology, and voluntary control. In Tolksdorf, editor, *Conceptions of Knowledge*, pages 461–485. DeGruyter, Berlin, 2012.
- Jonathan Sutton. Stick to what you know. *Noûs*, 39(3):359–396, 2005.
- Jonathan Sutton. *Without Justification*. MIT Press, Cambridge, MA, 2007.
- John Turri. On the relationship between propositional and doxastic justification. *Philosophy and Phenomenological Research*, 80(2):312–326, 2010.
- Roger White. Epistemic permissiveness. *Philosophical Perspectives*, 19(1):445–459, 2005.
- Timothy Williamson. A note on gettier cases in epistemic logic. *Philosophical Studies*, Online First, 2014.
- Seth Yalcin. Modalities of normality. In Charlow and Chrisman, editors, *Deontic Modality*. Oxford University Press, Oxford, 2016.
- Michael Zimmerman. Taking luck seriously. *Journal of Philosophy*, 99(11):555–576, 2002.