

# Acquaintance and Skepticism about the Past

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## Abstract

I consider the problem of skepticism about the past within Richard Fumerton's acquaintance theory of noninferential justification. Acts of acquaintance occur within the fleeting present. But if the data for noninferential justification is limited to the fleeting present then the options for avoiding a far-reaching skepticism are quite limited. I consider Fumerton's responses to skepticism about the past and argue that his acquaintance theory is not able to stave off skepticism about the past. Furthermore, I argue that the bounds of skepticism about the past overflow to the fleeting present by limiting the kind of content knowable within the present 'now'. Finally, I defend an epistemic conservative response to this stark skeptical problem by arguing that it is a theoretically economical account of our justification for beliefs about the past.

How long does it take you to read this sentence? Did you rely on memory at all in reading that sentence? What is the most complex thought you can entertain without relying on memory at all? These questions raise a fundamental epistemological issue concerning our ability to justify our extensive reliance on memory. Nearly every thought relies on memory. Even simple thoughts we entertain in the fleeting present—e.g., “green here now”—rely on our apparent memory that the meanings of our terms are constant and that the ‘I’ which now thinks is the same ‘I’ that thought a moment ago. My goal in this paper is to consider the epistemological problem of how our beliefs about

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\*It is my pleasure to write an essay honoring Richard Fumerton's contributions in epistemology. I have long admired the clarity and forthrightness of Richard's philosophy. Richard brings lucid argumentation and searing honesty to difficult and fundamental philosophical problems. For comments on a previous draft I thank Michael Bergmann, Matthew Frise, Richard Fumerton and the audience at the 6th Orange Beach Epistemology Workshop.

the past can be justified within an acquaintance theory. Fumerton explicitly acknowledges that the problem of justifying our beliefs about the past is the most fundamental epistemological problem,<sup>1</sup> and yet his solution to the problem relies on acquaintance with the quasi-logical relation of *making-probable* which he strongly suspects is an illusion.<sup>2</sup> I argue that an acquaintance theory does not offer an adequate solution to memory skepticism. At the same time I am not a skeptic and honesty requires a reply to memory skepticism. As Fumerton acknowledges, the problem is stark and the answers are few.<sup>3</sup> I defend another response to memory skepticism which Fumerton rejects. I will argue for an epistemic conservative response to memory skepticism by arguing that the theoretical economy of a conservative epistemology combined with its virtue of actually addressing memory skepticism gives us a reason to accept it.

The structure of the paper is as follows. In the first section I present the problem of skepticism about the past. In the second section I explain Fumerton's acquaintance theory, his solution to the skepticism about the past, and the problems with his solution. In the final section I explain epistemic conservatism, how it handles skepticism about the past, and argue that it has more virtues than Fumerton's arguments to the contrary suggest.

## 1 Skepticism about the past

Skeptical arguments thrive on the distinction between appearance and reality. External world skepticism begins with the premise that our awareness of an external world is indirect. What we are aware of by sensation is not an external world because we can have qualitatively identical sensations in dream experience. The appearance / reality distinction assumes that we have direct awareness to appearances. We might put the appearance / reality distinction in a different form: there is a distinction between what we are directly aware of and what we are not directly aware of. Then we can say that skeptical arguments thrive on the distinction between what we are directly aware of and what we are indirectly aware of. The skeptical challenge is that many of our pre-philosophical beliefs wrongly assume that we are directly aware of things which we can only be *indirectly* aware of: the past, the future, the physical world, other minds, and theoretical entities of science.<sup>4</sup>

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<sup>1</sup>(Fumerton 1985, 119)

<sup>2</sup>(Fumerton 1995, 218)

<sup>3</sup>(Fumerton 1985, 185)

<sup>4</sup>This list comes from Fumerton's presentation of the logical order of skeptical problems. See (Fumerton 1985, 119)

Putting the skeptical issue in terms of the distinction between direct awareness and indirect awareness highlights the role of epistemic internalism in classical skeptical arguments. Internalists about epistemic justification claim that justification supervenes on internal states of a subject, where these internal states are accessible to direct awareness. I bypass a discussion of the nature of internal states or what direct awareness amounts to. Rather we can approach the issues here by focusing on the problem of skepticism about the past, a problem that arises because of the confines of the fleeting present. However one understands the nature of internally accessible states, the problem of skepticism about the past assumes that our evidence for our beliefs about the past is restricted to whatever we are aware of within the fleeting present.<sup>5</sup>

This way of casting the problem also highlights the nature of the externalist response to skepticism. Externalists need not be concerned at all with the appearance / reality distinction nor the distinction between direct and indirect awareness. Externalists rather claim that knowledge requires only the *presence* of an appropriate external relation—e.g., reliably formed belief, truth-tracking, lawful connection, or counterfactual dependence—and the *absence* of defeaters. Given the nature of externalism, it's possible that one has knowledge of reality even if all one has to go on are appearances. Put in this way, it illustrates one of Fumerton's central claims in his criticism of externalist epistemology: its irrelevance to traditional philosophical concerns. As Fumerton explains,

Given paradigm externalism, it is not clear that a philosopher qua philosopher is even in a position to speculate intelligently on the question of whether or not we have noninferentially justified belief in any of the propositions under skeptical attack. Because the externalist has reduced the question of what is noninferentially justified to questions about the nature of the causal interaction between stimuli and response, and particularly to the processes of the brain that operate on the stimuli so as to produce the response, the search for noninferential justification would seem to be as much in the purview of the neurophysiologist as the philosopher.<sup>6</sup>

If externalism is true then it can easily handle skepticism about the past. Externalists need not agonize over the limitations of the fleeting present because all that matters for knowledge is the presence of the appropriate external relation and an absence of any defeaters. However, those who find the appear-

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<sup>5</sup>For a discussion on whether episodes of consciousness have temporal depth and if so, for how long see (Dainton 2014). Also for a good historical discussion on the notion of the specious present see (Andersen and Grush 2009)

<sup>6</sup>(Fumerton 1995, 162-3)

ance / reality distinction to be of central epistemological interest, the problem of skepticism about the past is vexing.

The problem ties very able philosophers in knots. Consider, for instance, C.I. Lewis's brief reply to skepticism about the past. Lewis writes,

[K]nowing takes place in the *epistemological present*; a present in which what is sensuously given is surrounded by or embedded in a mass of epistemically pertinent surrogates of past experience, in the form of memories or of the sense of past experience as having been so and so; and that such present-as-past items are capable of being elicited by attention and reflection and brought into relations with one another and with the sensuously given—all without going beyond the bounds of what is genuinely present now.<sup>7</sup>

Lewis, working within confines of the fleeting present, tries to fill it with as many items of past experience as possible to afford an adequate justification of our past beliefs. But his brief remarks on the present surrogates of past experience are not phenomenologically plausible. These 'present-as-past items' are best conceived of as present recollections, which afford the *only* data for justifying our belief in the past. It is implausible that the fleeting present can be filled with enough of these recollections. To be sure, one can have a recollection in the present 'now', but it is doubtful that there is a "mass of epistemically pertinent surrogates of past experience." Additionally, it is dubious that the attention and reflection that Lewis discusses can be accomplished within the fleeting present. Reasoning, attention, and reflection all occur across a temporal interval that extends beyond the present 'now'. Indeed, as Fumerton remarks "without relying on memory . . . we seem to be prisoners of an all too fleeting present that simply allows no time for the kind of reasoning necessary to gain justification."<sup>8</sup> Once the data is limited to the present 'now' the opportunities for resisting a wide-ranging skepticism are stark.

To illustrate the grim prospects for adequately addressing skepticism about the past, consider an inductive justification of past beliefs. Consider the belief that 'I had oatmeal for breakfast this morning'. What data do I have for this belief within the fleeting present? I believe it. How could this provide some material for an inductive justification of the belief? Perhaps, we have the following argument:

1. I believe I ate oatmeal for breakfast this morning.
2. In the past I've largely been right about beliefs of this kind.

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<sup>7</sup>(Lewis 1946, 331-332)

<sup>8</sup>(Fumerton 2006, 128)

So,

3. Probably, I ate oatmeal for breakfast this morning.

The problem with this argument is premise 2. In arguing for the reliability of one belief about the past it relies on the truth of a host of beliefs about the past. What is the possible justification one could have for premise 2 within the fleeting present?

4. I believe premise 2.
5. In the past beliefs of this kind have been proven right.

So,

6. Probably, premise 2.

This argument hardly helps. Any inductive argument for skepticism must include a premise about a correlation between past beliefs and present belief which cannot be justified within present ‘now’.

The problem of skepticism about the past gets much worse by severely restricting the kind of content knowable within the fleeting present. A fundamental presupposition in our thinking is that we have an ability to reidentify objects and properties over time. Consider, for instance, the simple thought “green here now”. To the extent this thought differs in content from the bare indexical thought “this here now” it involves the content that this color is the same color that was present a moment ago.<sup>9</sup> To the extent our thoughts differ from this indexical thought, we rely on justified beliefs about the past. Similarly, our belief in an enduring self relies on the past. The problem isn’t fundamentally one of justifying belief in a self that endures throughout one’s lifetime or even sizable temporal segments of it. Rather the fundamental skeptical problem is justifying belief in anything that extends beyond the fleeting present.

## 2 Fumerton’s acquaintance theory & skepticism about the past

I begin with a brief review of Fumerton’s acquaintance theory. Then I turn to explain two proposals Fumerton considers to address skepticism about the past. Finally, I present several problems with his solution.

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<sup>9</sup>See (Poston 2014a) for a defense of this claim.

## 2.1 Fumerton's acquaintance theory

The acquaintance theory is a theory of noninferential justification. According to Fumerton noninferential justification for believing that  $p$  requires that one be acquainted with (i) the fact that  $p$ , (ii) the thought that  $p$ , and (iii) the relation of correspondence which holds between (i) and (ii).<sup>10</sup> One of the central motivations for his acquaintance theory is that it provides a kind of philosophical assurance for the truth of one's beliefs that is not available on other accounts of noninferential justification. As he explains, "When one is acquainted with a fact, the fact is *there* before consciousness. Nothing stands 'between' the self and the fact."<sup>11</sup> To the extent we want to satisfy the distinctive kind of epistemological curiosity philosophers feel, an acquaintance theory may well be the only game in town.

A central question for the acquaintance theorist is 'what is the nature of acquaintance?' Acquaintance is a relation that holds between a self and a thing, property, or fact.<sup>12</sup> The relation itself is *sui generis*; it is not capable of analysis into more fundamental constituents. We can learn about this relation by standing in this relation to things, properties, or facts. When one feels an intense pain one is directly acquainted with the pain itself; the pain is *there* before consciousness. Additionally, Fumerton suggests that one can be acquainted with the relation of acquaintance.<sup>13</sup>

Acts of acquaintance occur within the fleeting present. This feature of an acquaintance theory significantly limits the data available for noninferential justification. We have seen above how stark the problem of skepticism about the past is when one limits the data to what is available in the fleeting present. This feature of the acquaintance theory implies that it is impossible to have noninferential justification for any memory belief. noninferential justification requires that one is directly acquainted with the relevant fact. In memory experience the relevant fact lays outside of the fleeting present. Fumerton considers and rejects a disjunctivist move that veridical memory experiences are different mental states than non-veridical ones. This move could enable one to maintain that in veridical memory experience one is directly acquainted with a fact that lies outside the fleeting present. Fumerton rejects this by arguing that the phenomenological similarity between veridical and non-veridical memory experiences makes it implausible to maintain that one is directly ac-

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<sup>10</sup>(Fumerton 1995, 75). However, see (Poston 2010; Fumerton 2010) for a discussion of acquaintance with similar facts and the issues it poses for an acquaintance theory.

<sup>11</sup>(Fumerton 1995, 76)

<sup>12</sup>(Fumerton 1995, 74)

<sup>13</sup>(Fumerton 1995, 77)

acquainted with a past fact.<sup>14</sup> Consequently, on an acquaintance theory one can have at best inferential justification for a memory belief, a justification that must occur within the fleeting present.

Furthermore, the limitations imposed by an acquaintance theory raise some puzzling questions. One question is whether we can be acquainted with the fact that a self endures through time? Acquaintance is a relation between a self and a thing, property, or fact. When one is acquainted with a fact, the fact is there present to consciousness—nothing stands between the self and the fact.<sup>15</sup> But is one acquainted with the self? Hume answered ‘No.’<sup>16</sup> Russell held that we are not directly acquainted with a self.<sup>17</sup> Fumerton might follow Hume and Russell’s lead, but then the acquaintance theory of noninferential justification would imply that when one stood in the relation of direct acquaintance to a fact, while nothing stood between that fact and the self, one could never be acquainted with the self. This feature of an acquaintance theory raises a more perplexing question about the distinction between what is the self and what is not, a question Russell says is “a very difficult one.”<sup>18</sup> If one can never be acquainted with a self what is the basis for supporting the distinction between a self and a thing, property, or fact? Another question concerns the basis within the fleeting present for distinguishing between thoughts. Within the fleeting present what is my justification for thinking that the thought ‘this is green’ is distinct from the thought ‘this is red.’ Perhaps, within the fleeting present one can entertain both thoughts together with the judgement that ‘this is not thus’. But if that isn’t possible, is there any hope for grounding even minimal distinctions between thought contents? I return to these troubling question below.

## 2.2 Fumerton’s replies to skepticism about the past

The challenges Fumerton’s acquaintance theory faces from skeptical issues about the fleeting present are grave. The conditions on noninferential justification imposed by an acquaintance theory combined with the severe confines of the fleeting present make it dubious that there is any completely satisfactory response. Fumerton offers two responses to memory skepticism, but he explicitly acknowledges the limitations of these responses.

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<sup>14</sup>(Fumerton 1995, 186)

<sup>15</sup>(Fumerton 1995, 76)

<sup>16</sup>See the Treatise Book I, Part IV, section 6 ‘Personal Identity’

<sup>17</sup>(Russell 1993, 81)

<sup>18</sup>(Russell 1993, 81)

### 2.2.1 Reply 1: Self-refutation

Fumerton's first response to skepticism about the past occurs in a larger discussion about the charge that some skeptical arguments are self-refuting.<sup>19</sup> A crucial distinction for this discussion is the distinction between local and global skepticism. A local skeptic takes for granted some knowledge or justified belief and then argues for a particular kind of skepticism. For instance, a skeptic about theoretical entities of science can take for granted much of our common-sense knowledge to argue that we do not have knowledge about unobservable entities that figure in current scientific theories. A global skeptic, however, does not take anything for granted. This skeptic attempts to argue that we lack *any* knowledge or justified belief. However, it is difficult to understand how the skeptic can *argue* that global skepticism is reasonable since his own arguments for global skepticism are impugned by the global skeptical position. In light of the self-defeating nature of global skepticism, Fumerton remarks that skeptics "have almost always presupposed a kind of unproblematic access to some foundational empirical data and to the legitimacy of the reasoning on which their skeptical conclusions depend."<sup>20</sup> Skepticism about the past is such an extreme skeptical position that he suggests the self-refutation charge may stick against the skeptic about the past.<sup>21</sup> Thus, Fumerton suggests, only local skepticism which presupposes some unproblematic knowledge, can pose genuine skeptical arguments.

However, the charge of self-refutation against the skeptic about the past is not straightforward. In fact, Fumerton says,

The charge involved here is *not* the charge of formal epistemic self-refutation. The claim is not that the skeptic's conclusion entails that the skeptic has no reason to believe his conclusion. The alleged self-refutation is more subtle. It amounts to the claim that in embracing a skeptical conclusion as a serious philosophical position the skeptic is implicitly engaging in behavior that makes sense only against the backdrop of a set of beliefs that are incompatible with radical skepticism.<sup>22</sup>

At best, then, the charge against the skeptic about the past is that he is guilty of some kind of inconsistency between his skeptical conclusions and his practical activity.

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<sup>19</sup>(Fumerton 1995, 43-53)

<sup>20</sup>(Fumerton 1995, 50)

<sup>21</sup>(Fumerton 1995, 49)

<sup>22</sup>(Fumerton 1995, 52)



This conclusion does not provide an epistemic reason against an extreme skeptic. Furthermore, it misrepresents the nature of the skeptical position. Fundamentally, skepticism is a view; it is not a position anyone need be *arguing for*. If we, non-skeptics, think skepticism is false, then we should be able to explain our reasons. Insofar as we embody the skeptic, he is best conceived as someone who holds up the skeptical view with an eye to eliciting our reasons for thinking that it is false. A skeptic, then, is more of a gadfly than a theoretician who aims to maintain a skeptical position.

As I read Fumerton, in the end he agrees with this understanding of the skeptical argument and consequently the ineffectiveness of the self-refutation charge. He writes,

It may be that the philosopher is interested in and *wants* a kind of justification that ordinary people do not even think about in their day-to-day lives. The philosophical skeptic may best be construed as telling the philosopher that this kind of justification is unavailable. In every other walk of life people must get used to the idea that they cannot have everything they want, and the skeptic might maintain that it is a kind of perverted optimism to suppose that the *kind* of justification that would satisfy the *kind* of curiosity that afflicts the epistemologist is there to be found.<sup>23</sup>

I conclude that the self-refutation charge does not provide an epistemic reason to discount skepticism about the past.

### 2.2.2 Reply 2: Acquaintance with the relation of making-probable

The other response Fumerton offers for memory skepticism appeals to acquaintance with the quasi-logical relation of ‘making-probable’. In his 1985 book Fumerton highlights the special move we make when we rely on memory. He writes,

One is sorely tempted to suggest that the ‘inference’ involved in taking for granted that what we seem to remember having happened, happened is *sui generis*. It is an inference we make (if only in the sense that when we do seem to remember X we do take for granted X), but it is difficult to see how the ‘rule’ ‘Infer X from your seeming to remember X (ceteris paribus)’ can be subsumed under some more general rule or pattern of inference.<sup>24</sup>

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<sup>23</sup>(Fumerton 1995, 52)

<sup>24</sup>(Fumerton 1985, 180)

The skeptical challenge here is made more demanding by Fumerton’s adoption of inferential internalism, the view that “necessarily, S is justified in believing p on the basis of e only if S has justification for believing e and has justification for believing that e makes p probable.”<sup>25</sup> Applied to memory experience, this principle requires that we have some justification for thinking the memory experiences make probable that the attested events really occurred. But the only way to do that within the fleeting present is to have noninferential justification for the principle that *memory experiences make probable that the attested events actually occurred*. According to Fumerton, “Unless we are noninferentially justified in believing such a principle we have no (philosophically relevant) justification for believing propositions about the past.”<sup>26</sup> But, at least in his earlier work, he expresses some doubts about this possible solution writing,

But it is not at all clear to me that I am noninferentially justified in believing that my seeming to remember doing X makes probable my having done X. I have the uneasy suspicion . . . that we are simply programmed to believe certain things about the past given the relevant memory ‘cues.’ This suspicion . . . is not one I claim to be justified (in the philosophically relevant sense) in holding—it is simply a suspicion I report having. And if it should turn out to be true, it may be that it is impossible to discover any philosophically relevant justification for believing propositions about the past and, hence, the physical world.<sup>27</sup>

Fumerton’s later philosophical writing continues this theme. He stresses that acquaintance with relation of ‘making-probable’ is the only hope for a traditional foundationalist response to skepticism.<sup>28</sup> What is the relation of ‘making-probable’ that one can be directly acquainted with? It is a relation weaker than entailment.<sup>29</sup> Unlike an entailment relation, the making-probable relation is non-monotonic. If E makes p probable then it doesn’t follow that E + E1 makes p probable. Furthermore, this is an internal relation that holds with necessity between a memory experience and its object.<sup>30</sup> An internal relation is one that holds between two things in virtue of the intrinsic natures of those propositions. For example, ‘is darker than’ is an internal relation that holds between the propositions ‘this is brown’ and ‘this is yellow’. With

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<sup>25</sup>see (Fumerton 1995, 85-89) for a discussion of inferential internalism.

<sup>26</sup>(Fumerton 1985, 185)

<sup>27</sup>(Fumerton 1985, 185)

<sup>28</sup>(Fumerton 2006, 133) and (Fumerton 1995, 190)

<sup>29</sup>(Fumerton 1995, 190)

<sup>30</sup>(Fumerton 1995, 199-201)

memory experiences, the claim is that the intrinsic nature of ‘its seeming to one as if p occurred’ implies that ‘it is probable that p occurred’.

Fumerton locates this internal relation in the Keynesian conception of probability. According to the Keynesian, the probability that some p gives to q is not explicable in terms of pure logic, frequencies, or subjective beliefs. Rather the relation of ‘q making probable p’ is an objective, epistemic relation. It can be discovered by reason, but it exists independently of any particular person’s beliefs about it.

Fumerton’s remark that the relation of ‘making-probable’ is an internal relation needs to be significantly qualified to get the right result that the relation is non-monotonic. A memory experience does not *always* make it probable that its attested event really occurred. I seem to recall going fishing on Monday, but I know it was on Tuesday. Even though memory can make probable its object, the combination of a memory experience with other experiences may not make it probable. Yet standard cases of an internal relation are monotonic. ‘This is brown’ and ‘that is yellow’ implies that ‘this is darker than that’. The addition of any other information doesn’t change the fact that ‘this is darker than that’. The solution to this difficulty is to hold that the internal relation of ‘making probable’ is a relation between one’s entire body of evidence at a time and its object. Strictly speaking, it is *not* a relation that holds between two atomic propositions; rather it is a three-place relation between a body of evidence, a basing proposition, and an target proposition. A sympathetic rendering of Fumerton’s claim is thus that within the fleeting present, if one has just the apparent recollection that p together with a background body of evidence then one may be acquainted with the fact that, given the background body of evidence, the apparent recollection that p makes p probable.

### **2.3 Difficulties with Fumerton’s response to memory skepticism**

The self-refutation charge misrepresents the nature of radical skepticism about the past and, at best, lays a practical charge against ‘the skeptic’. Fumerton’s second response to skepticism about the past is the most promising. The appeal to acquaintance with the quasi-logical relation of ‘making-probable’ would explain how one may have inferential justification for beliefs about the past. In the following I discuss three problems with this solution: the phenomenological problem, the problem of background evidence, and the content problem.

### 2.3.1 The phenomenological problem

The phenomenological problem is that it is doubtful that one is in fact acquainted with the facts requires for justified memory beliefs. Fumerton's acquaintance theory implies that one can have at best inferential justification for any memory belief. One cannot be directly acquainted with facts that occur outside of the fleeting present. To satisfy Fumerton's conditions for inferential justification for believing  $p$  on the basis of  $e$ , one must be justified in believing (i)  $e$  and justified in believing that (ii)  $e$  makes  $p$  probable. Applied to memory this requires that one is justified in believing that ( $i_m$ ) one is undergoing a memory experience and justified in believing that ( $ii_m$ ) memory experience makes probable its object. ( $i_m$ ) is a plausible candidate for noninferential justification. It requires that you are directly acquainted with the thought that you are undergoing a memory experience, the fact that you are, and the correspondence between the two. ( $ii_m$ ) requires that you are directly acquainted with the belief that the memory experience makes its object probable, the fact that it does, and the correspondence between the two. Thus, inferential justification for (e.g.,) the belief that *I had oatmeal for breakfast* on the basis of the relevant memory experience requires be directly acquainted with six items: (i) the thought that I am undergoing the relevant memory experience; (ii) the fact that I am; (iii) the correspondence between the two, (iv) the thought that this experience makes it probable that I did have oatmeal this morning; (v) the fact that this experience makes it probable; and (vi) the correspondence between the two.

The phenomenological problem is that it doesn't seem that one is acquainted with these facts within the confines of the fleeting present. Fumerton's account of justification requires that one simultaneously realizes all six conditions such that they are directly present to the mind. Speaking for myself, within the fleeting present, I find it difficult to hold simultaneously all six conditions before my mind. Moreover, condition (v) does not seem to obtain. I have beliefs to the effect that memory experience makes probable its object but I do not seem to be acquainted with the fact that memory experience makes probable its object. Similarly, I don't appear to be acquainted with the correspondence between the thought that apparent memory makes probable its object and fact that it does.

Fumerton writes about phenomenological difficulties with virtuous probity.

One must be scrupulously honest in one's use of phenomenological appeal. There is nothing wrong with introducing the *sui generis*, but one must be absolutely sure that one understands that about which one talks. One must be certain that one can isolate in thought a relation of making probable holding between propositions describ-

ing current memory states and propositions describing past events before one can in good conscience appeal to such a relation in order to avoid skepticism. And in the end, I strongly suspect that the probability relation that philosophers do seek in order to avoid skepticism concerning inferentially justified beliefs is an illusion.<sup>31</sup>

If one can be acquainted with the relation of making probable that holds between memory experience and its object then one has excellent reasons for resisting skepticism about the past. But the skeptic asks curious questions and it may well be that the non-skeptics among us can not answer the skeptic's reasonable questions. The skeptic does not foist questions upon us that occur out of the blue. Rather, recognizing that knowing is limited to the fleeting present, the skeptic naturally inquires about how we manage this feat.

### 2.3.2 The problem of background evidence

We observed above that the relation of making-probable is an internal, non-monotonic relation. Internal relations hold with necessity. E.g., the relation *greater than* holds between 3 and 2. No additional facts undermine that. Yet additional information can undermine the relation *makes probable* that holds between a memory experience and the fact that is attested to. We capture the relevance of additional information by conceiving of the relation of making probable as a three-place relation between a background body of evidence, a basing proposition, and a target proposition. Thus, given a suitable background body of evidence, the apparent memory that *p* makes probable the fact that *p*.

The challenge to Fumerton's account of how memory beliefs can be inferentially justified is straightforward. To be inferentially justified in believing *p* on the basis of *e* requires that one is justified in believing both *e* and *e* makes *p* probable. Yet this latter fact itself requires reference to a suitable background body of information, *k* such that *e+k* makes *p* probable. Once *k* is added to the evidential situation, Fumerton's principle of inferential justification requires that one is justified in believing *k*. But *k* is a background body of evidence and one is not noninferentially justified in believing an entire background body of evidence within the confines of the fleeting presence. Moreover, given the fact that inductive inference always requires a background body of evidence, it is not possible to eliminate the role of *k*.<sup>32</sup>

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<sup>31</sup>(Fumerton 1995, 218)

<sup>32</sup>See (Poston 2014b, Ch 3) for an argument that induction is always against a background of beliefs.

We noted above that one may have noninferential justification for believing that one has a specific memory experience. This provides justification for one of the conditions of inferential justification for a memory based belief. But if we must add justification for a background body of information then it is not plausible that we are acquainted with the fact that we have this body of evidence at a specific time. This problem afflicted Laurence Bonjour's coherence theory of justification. Bonjour required that one was aware of the fact that one had an entire system of beliefs at a time, but he couldn't see how this could be done. He stipulated the 'doxastic presumption,' that one is aware that one has an entire body of beliefs at a time as a condition for questions of justification to be raised.<sup>33</sup> With respect to an acquaintance theory, the problem of acquaintance with background beliefs is no less severe. By their nature, background beliefs are not *present* to consciousness and hence aren't the kinds of things one is presently acquainted within the fleeting present.

### 2.3.3 The content problem

The promise and burden of an acquaintance theory of noninferential justification is that every belief is justified entirely on the basis of the materials available within the fleeting present. I argued that this promise may not be fulfilled since we do not seem to be acquainted with the required truths and, moreover, that facts about probabilities always require a background body of information. The content problem strikes to the core of an acquaintance theory by undermining the possibility of cognitively significant thoughts within the fleeting present. The issues here require some theory to bring into sharper focus. I draw upon David Chalmers's recent attempt to defend a traditional doctrine of the given.<sup>34</sup>

The content problem concerns the ability to have cognitively significant thoughts within the fleeting present. Frank Jackson's thought experiment concerning Mary provides fertile ground for framing the content problem.<sup>35</sup> Mary is a neuroscientist specializing in color vision who knows every physical fact about color vision. Mary has been raised in a black and white room and has never seen a red tomato in normal conditions. One day, Mary leaves the black and white room and sees for the first time a ripe tomato. Upon having this experience, Mary learns something new; she learns what it is like to see to see a red object. That is, she learns about the phenomenal character of typical red experiences.

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<sup>33</sup>(Bonjour 1985, 101). My own solution to this problem is presented in (Poston 2014b, Chpt 6, sec 3)

<sup>34</sup>(Chalmers 2010, Ch 8 & 9). The following draws upon material from (Poston 2014b, Chpt 5)

<sup>35</sup>(Jackson 1982)

What is the content of Mary’s new knowledge? To answer this question Chalmers distinguishes among several types of phenomenal concepts.<sup>36</sup> When Mary steps outside the monochromatic room and attends to her new experience, her experience instantiates the property of phenomenal red,  $R$ . Chalmers distinguishes two relational phenomenal concepts about  $R$ . First, there is the *community relational concept*,  $red_C$ . This concept indicates “the phenomenal quality typically caused in normal subjects within my community by paradigmatic red things.”<sup>37</sup> The second type of phenomenal concept is the *individual relational concept*,  $red_I$ . This concept indicates “the phenomenal quality typically caused in me by paradigmatic red things.”<sup>38</sup>  $red_C$  and  $red_I$  are distinct concepts. An abnormal subject may have red-green color inversion in which case her concept  $red_I$  picks out a different phenomenal quality than  $red_C$  denotes.

The phenomenal property  $R$  can also be picked out by using a demonstrative concept, denoted by the phrases ‘this quality’ or ‘this sort of experience.’ Let us refer to this demonstrative concept as  $this_E$ . This demonstrative concept picks out whatever quality is present on the specific occasion.

Chalmers claims that each of these concepts fixes the reference to phenomenal redness relationally, either through external objects or acts of ostension. He then argues that there is a fourth phenomenal concept that picks out phenomenal redness “directly in terms of its intrinsic phenomenal nature.”<sup>39</sup> He terms this a ‘pure phenomenal concept.’

Chalmers argues that there are pure phenomenal concepts by reflection on the case of Mary. When Mary steps outside the black and white room she learns that red experiences have “such and such a quality.” She learns that red experiences cause experiences of such and such quality and she learns that the quality is now extending is such and such. Chalmers refers to this as “Mary’s ‘such-and-such’ concept.”<sup>40</sup> This is Mary’s pure phenomenal concept  $R$ . This concept  $R$  picks out the phenomenal quality  $R$ .

Chalmers then argues that the concept  $R$  is distinct from the concepts  $red_C$ ,  $red_I$ , and  $this_E$ . His argument uses cognitive significance tests for difference between concepts. When Mary steps outside the monochromatic room and sees a red object in normal conditions she gains the following beliefs:

$$\begin{aligned} red_C &= R, \\ red_I &= R, \text{ and} \end{aligned}$$

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<sup>36</sup>(Chalmers 2010, 254-260)

<sup>37</sup>(Chalmers 2010, 255)

<sup>38</sup>(Chalmers 2010, 255)

<sup>39</sup>(Chalmers 2010, 256)

<sup>40</sup>(Chalmers 2010, 256)

$this_E=R$ .

The first two beliefs are cognitively significant. She learns that the quality typically caused in normal subjects in her community by paradigmatic red things is  $R$ . Similarly, for the second identity, Mary learns that the quality caused in her by paradigmatic red things is  $R$ . However, on an acquaintance theory the first two beliefs are not noninferentially justified since the content of such beliefs involve how things appeared in the past.

A crucial question for an acquaintance theorist is whether the belief that  $this_E=R$  is cognitively significant. The belief expressed by this identity is the claim that “the quality she is now ostending is such-and-such.”<sup>41</sup> Chalmers needs to successfully argue that this thought differs in content from the trivial thought that *this quality is whatever it happens to be*.

A problem for the cognitive significance of  $this_E=R$  is that the lifetime of the pure phenomenal concept  $R$  is restricted to the lifetime of the experience that constitutes it.<sup>42</sup>  $R$  is a non-relational concept that picks out the very quality exemplified in the experience. Because of its non-relational character, there are no natural persistence conditions of concept  $R$ . Moreover, the concept  $R$  is not what is expressed in public language. The terms in a public language, e.g. ‘red’, pick out relational concepts. Thus, the kind of belief expressed by the sentence ‘ $R$  is phenomenal red’ is not a belief that is noninferentially justified within the fleeting present.

The consequence that direct phenomenal beliefs exist only within the lifetime of the relevant experience puts significant pressure on Chalmers’s insistence that direct phenomenal beliefs are cognitively significant.<sup>43</sup> Chalmers argues for the significance of these beliefs by claiming that a direct phenomenal belief constrains the class of a priori epistemic possibilities.<sup>44</sup> His thought is that when Mary forms the belief that ‘ $this_E=R$ ’ her belief is false at all worlds (considered as actual) in which Mary is not experiencing phenomenal redness. Mary’s belief is cognitively significant because her new experience significantly constrains the possible worlds prior to having that experience. For instance, prior to leaving the black and white room it was epistemically possible that Mary form the belief that ‘ $this_E=G$ ’, but now, having had the relevant experience, that thought is no longer epistemically possible.

This sounds as if direct phenomenal beliefs are cognitively significant, but appearances are deceptive. The direct phenomenal beliefs exist only within the fleeting present, and so they only constrain epistemic possibilities within the

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<sup>41</sup>(Chalmers 2010, 257)

<sup>42</sup>(Chalmers 2010, 272)

<sup>43</sup>(Chalmers 2010, 282)

<sup>44</sup>(Chalmers 2010, 282)



present ‘now’. Mary’s thought that ‘ $this_E=R$ ’ constrains epistemic possibilities only for a fleeting moment; let it pass and it is an epistemic possibility that a similar thought ‘ $this_E=G$ ’ is true. What makes this an epistemic possibility is that judgments of identity, similarity, and difference are not direct phenomenal beliefs. When one thinks that ‘ $R$  is phenomenal red’ one identifies a present quality with a relational quality. One’s evidence that this identity is true relies on a host of background information that is not contained within the fleeting present. If the relational quality is  $red_C$  then one needs evidence both that this quality exists (i.e., that the members of your community do not experience different properties when faced with red things) and that the majority of other people experience the same quality as you do.

There is a real puzzle here about how to understand the significance of Mary’s knowledge when she leaves the black and white room. She gains a new belief ‘ $this_E=R$ ’ which exists for the present ‘now’ of her experience. Suppose Mary stares at the ripe tomato thinking ‘wow, this is what it’s like’. On Chalmers’s account, this is a direct phenomenal belief only within the fleeting present. If Mary were to look away and attend to another red object, her belief that ‘ $this_E=R1$ ’ would be a different direct phenomenal belief. But her belief that ‘ $R=R1$ ’ is not a direct phenomenal belief. If Mary’s knowledge is restricted to direct phenomenal beliefs then she has no way to knowingly identify or compare any pure phenomenal qualities. To the extent that Mary can knowingly identify and compare phenomenal qualities she must rely on a wealth of information that is not contained within the fleeting present. She relies on her beliefs that memory is reliable, that sensations do not change faster than she realizes, and that other people experience the same sensations. None of these beliefs are given in the fleeting moment. But to the extent Mary gains new knowledge, she relies on these beliefs.

If you take these beliefs away and consider only what Mary knows in the fleeting present via direct acquaintance with a phenomenal quality, the best one can do is get a belief like ‘ $this_E=R$ ’. But, this belief has little cognitive significance. To the extent it constrains epistemic possibilities it constrains them momentarily. The space of epistemic possibilities contracts and expands with every passing moment. Mary cannot hook up this new belief with any other beliefs, at least apart from coherence considerations. She cannot, for instance, reason that ‘phenomenal redness is  $R$ ’ because ‘phenomenal redness’ is a public language term.

The conclusion I draw is that while Mary can latch onto the property of phenomenal red this property can have little cognitive significance for her. She cannot use her latch to the property to compare or contrast that property to other phenomenal properties across time; at least, not on the basis of what an acquaintance theory of noninferential justification allows. Since this conclusion

holds for the ideal case of phenomenal properties, it holds, *mutatis mutandis*, for thoughts about other properties.

### 3 Epistemic conservatism & skepticism about the past

I have argued that skepticism about the past poses grave problems for an acquaintance theory. Yet I've also pressed the line that skeptical issues about the past are natural. Concerns about skepticism about the past arise from the simple observation that awareness occurs within the fleeting present. How is it that we know so much about the past when the data that we have is limited to what we are aware of in the fleeting present? This is a question whose simplicity requires an answer, and yet the answers given are quite few. There is in Fumerton's epistemological writings an alternative answer to this question which I think is the more adequate of the two. I turn to that now.

Fumerton's first solution to the problem of skepticism about the past occurred within a distinction between global and local skepticism. Global skepticism is a complete, wide-ranging skepticism about all propositions. Local skepticism is a limited form of skepticism. Skepticism about the past is a very strong form of local skepticism in which the range of propositions under skeptical attack are all those that lie outside what is knowable within the fleeting present. The propositions within the fleeting present are treated as immune to challenge for the purposes of the skeptic's argument. These propositions are presuppositions which are taken for granted for the purpose of skeptical argument.

Fumerton recognizes that some propositions are simply taken for granted. These propositions are not amenable to rational defense independently of any presuppositions. Fumerton writes,

The vast majority of skeptics ... have actually presupposed knowledge or justified belief with respect to some class of propositions. Skeptics in the empiricist tradition almost all seemed to presuppose unproblematic access to occurrent mental states. Indeed, the presupposition was so complete that one rarely even finds the Modern philosophers raising the question of whether or not one can know that one is in a certain subjective mental state. Furthermore, almost all skeptics seemed to presuppose knowledge of at least logical relations. They seemed to presuppose that one can recognize or 'see' contradiction, at least some simple necessary truths, and at

least some simple entailments.<sup>45</sup>

The two presuppositions are that we can correctly identify our own subjective mental states and that we have the ability to identify simple logical truths. The latter of these presuppositions is fundamental to any rational argument. Because the ability of an argument to convince takes for granted that one can appreciate simple logical truths, it's impossible to present an argument that one has this ability without begging the question. Suppose it's in doubt whether one's memory is reliable. An argument for the reliability of memory that depends on the reliability of memory will not help assuage one's doubts. Similarly, if it's in doubt that one has an ability to appreciate simple logical truths, an argument that presupposes one has that ability will not help. The upshot of this is that the activity of philosophy presupposes that we have certain abilities.<sup>46</sup>

What possible justification could there be for these presuppositions? The line that Fumerton considers is that there is not a justification for these fundamental presuppositions. Rather these propositions lack epistemic authority (i.e., they are not known or justifiedly believed), and it is only by taking them for granted that we can make sense of epistemic authority. If we presuppose that we can identify simple logical truths and identify our subjective states then we can make sense of classical representative realist arguments that we have some epistemic authority for believing that there is an external world. Similarly, if we presuppose that memory is reliable then we can make sense of arguments for the reliability of induction. But it is a consequence of this view that the ultimate foundations for knowledge and justification rest on unjustified presuppositions.<sup>47</sup>

Is there a way to resist this conclusion? I think there is. A resolution to this problem must take seriously that some propositions lack defenses by way of evidence and arguments designed to rationally persuade someone in doubt of those propositions. These propositions are not merely presupposed for the purposes of inquiry. It is not as if people think "let's suppose that memory is reliable for the purposes of argument and let's see what follows," or "let's take it for granted that we have an ability to intuit simple logical truths, and see what follows." Rather these fundamental presuppositions are things that people actually believe. We believe that we can identify simple logical truths, believe that we can reidentify objects over time, believe that memory is reliable, and so on. These beliefs we take to be confirmed over and over again in common experience, but reflection can bring us to recognize that there is no

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<sup>45</sup>(Fumerton 1995, 31)

<sup>46</sup>(Fumerton 1995, 52)

<sup>47</sup>Cf BonJour's doxastic presumption (BonJour 1985, 101)

confirmation apart from already presupposing the truth of those beliefs. An argument that one can reidentify objects over time must not presuppose that we can identify properties of subjective experience over time. That would beg the question.

An epistemically conservative position takes seriously this epistemic predicament. An epistemic conservative holds that the mere fact that a subject believes a proposition gives that proposition some positive level of epistemic merit. This positive level of merit is weak. It is not strong enough to warrant assertion or use in reasoning. But this merit can be combined with other merited propositions to generate justification strong enough for use in warranted assertion and reasoning.<sup>48</sup> The conservative must provide a plausible story of how conservative merit can be combined to generate justification but this story is possible to tell.<sup>49</sup>

There are several arguments for epistemic conservatism. One appeals to the fact that people are conservative. When we are trying to figure out what to believe, we follow the maxim of minimal mutilation.<sup>50</sup> This is followed by nearly everyone from the simplest folk to the most sophisticated theoretician. Another argument for epistemic conservatism argues that it is required to avoid wholesale skepticism.<sup>51</sup> I've argued that some presuppositions are so fundamental to rational belief that it's not possible to give arguments or evidence in favor of them. If these presuppositions lack any epistemic authority by themselves, it is hard to see how one should resist skepticism. Finally, another argument for conservatism appeals to the egocentric nature of epistemic inquiry. It is reasonable for a person to believe what is supported by her perspective. But a person's perspective relies on some unquestioned beliefs, and if those beliefs fail to have any epistemic authority it's difficult to see how reasonable belief is egocentric.<sup>52</sup>

In addition to those arguments, there is an elegance argument for epistemic conservatism. A central goal of inquiry is to construct theoretically elegant accounts of some phenomena. In normative epistemology, we aim for a theoretically elegant account of knowledge and justification. Elegance is a

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<sup>48</sup>see (McGrath 2007; McCain 2008; Poston 2014b) for recent defenses of epistemic conservatism.

<sup>49</sup>See (van Cleve 2011; Poston 2014b)

<sup>50</sup>(Quine 1990, 14)

<sup>51</sup>See (Fumerton 2008) for a discussion of this argument. I take Fumerton's discussion here to be more subtle and slightly more sympathetic to epistemic conservatism than an initial reading suggests. See, for instance, Fumerton's closing remarks on the relationship between Keynesian probability and epistemic conservatism. One might be tempted to think that an underlying conclusion of Fumerton's article is that one must brace oneself for skepticism if one completely rejects epistemic conservatism.

<sup>52</sup>see (Poston 2014b) for a defense of this argument.

property of a system in virtue of which it explains a great deal by way of simple postulates. Newton's theory of motion by way of the four laws is a prime example of an elegant system. Fumerton himself appeals to elegance as a reason for an acquaintance theory, arguing that "one of the great virtues of an acquaintance theory is that it can provide a unified account of noninferentially justified belief and knowledge."<sup>53</sup> But as we've seen Fumerton's acquaintance theory is unable to explain how we can have any knowledge or justification that is not available within the fleeting present.

By contrast, an epistemically conservative position combined with a coherentist dimension has greater elegance than an acquaintance theory. Like an acquaintance theory, it offers a single explanation of both a priori and a posteriori knowledge. Knowledge, on a conservative coherentist account, is ultimately justified true belief that does not rely on any false presuppositions. Knowledge, whether a priori or a posteriori, is the same. Explanatory coherentism relies on the notions of belief belief and explanation, of which we have an adequate grasp. In contrast, an acquaintance theory requires unjustified background assumptions and a problematic conception of the internal relation of making-probable.

This brief presentation is inadequate to defend the view. However, I present it as a viable option to address a fundamental epistemic problem within a commitment to epistemic internalism. We've seen that options for addressing skepticism about the past are quite limited. Yet honesty requires either a skeptical response or another view. I am not a skeptic. I take the fact that I believe memory to be reliable to be part of an overall justification of the fact that memory is reliable. Within the fleeting present, we have background beliefs together with coherence considerations generate justification. We are not aware of all these beliefs, but, on my mentalist view, justification does not require current access to all the justifiers. What we are aware of within the fleeting present is only a small part of all the mental resources we have to go on. If those resources are good then justification is present.

This solution is not ideal. We would like to have it that every belief has a proper grounding in some distinct justified belief that is available within the fleeting present. But that is not possible. Some propositions are part of the background. Some propositions function as hinges on which the doors of inquiry turn.<sup>54</sup> Either those propositions get justified by the fact that we believe they are true or they don't. I honestly do not see how apart from conservatism, these propositions get any justification.<sup>55</sup> We can say that we have

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<sup>53</sup>(Fumerton 1995, 199)

<sup>54</sup>See (Wittgenstein 1969)

<sup>55</sup>Of course, externalist views would provide justification of these kinds of propositions if the

an entitlement to these fundamental presuppositions, but plausible defenses of the entitlement position amount to an epistemically conservative position. Philosophers who defend entitlements seek to trim those propositions that we have entitlements to those that figure in skeptical arguments. But I don't see how this is not anything but reverse engineering. In contrast, the epistemic conservative takes *any* proposition to have some basic merit simply in virtue of being believed. The contours of this position are not defined explicitly to limit the skeptical assault. If you find yourself not believing those fundamental presuppositions, then those propositions have no merit for you. In such a case, your epistemic position is stark.

## 4 Conclusion

The problem of skepticism about the past is as difficult as it is easy to appreciate. Knowing occurs with the fleeting present yet the materials available within the fleeting present are quite limited. I've argued that an acquaintance theory faces insurmountable problems with skepticism about the past. The only way out of these problems for an acquaintance theorist is to make certain presuppositions that are not justified on an acquaintance theory. This move opens the door for an epistemic conservative epistemology, which takes seriously the idea that the fact that people believe a proposition bestows on it some positive level of epistemic merit. I have argued that conservatism provides a more elegant solution to the problem of skepticism about the past. It is the only simple and effective solutions to the positions that take seriously the bounds of the fleeting present.

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relevant external fact is present. But, at this point, I am working with an internalist conception of justification.

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