



DETERMINISM AND JUDGMENT. A CRITIQUE OF THE INDIRECT EPISTEMIC TRANSCENDENTAL ARGUMENT FOR FREEDOM

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ABSTRACT

*In a recent book entitled *Free Will and Epistemology. A Defence of the Transcendental Argument for Freedom*, Robert Lockie argues that the belief in determinism is self-defeating. Lockie's argument hinges on the contention that we are bound to assess whether our beliefs are justified by relying on an internalist deontological conception of justification. However, the determinist denies the existence of the free will that is required in order to form justified beliefs according to such deontological conception of justification. As a result, by the determinist's own lights, the very belief in determinism cannot count as justified. On this ground Lockie argues that we are bound to act and believe on the presupposition that we are free. In this paper I discuss and reject Lockie's transcendental argument for freedom. Lockie's argument relies on the assumption that in judging that determinism is true the determinist is committed to take it that there are epistemic obligations – e.g., the obligation to believe that determinism is true, or the obligation to aim to believe the truth about determinism. I argue that this assumption rests on a wrong conception of the interplay between judgments and commitments.*

Keywords: *Epistemic deontology, free will, transcendental arguments, judgment*

1. Introduction

There is a long and rich tradition of arguments attempting to show that to believe in determinism is somehow self-defeating or self-refuting.¹ These arguments articulate in various ways the insight expressed by Epicurus in this oft-quoted passage:

The man who says that all things come to pass by necessity cannot criticize one who denies that all things come to pass by necessity; for he admits that this too happens of necessity. (Epicurus 1926, 113)

In a recent book entitled *Free Will and Epistemology. A Defence of the Transcendental Argument for Freedom*, Robert Lockie revives this tradition by defending his own version of the Epicurean argument against determinism.²

Lockie's argument is called the 'indirect epistemic transcendental argument for freedom' (hereafter 'IETAF'). IETAF hinges on the contention that we are bound to assess whether our beliefs are justified by relying on an internalist deontological conception of justification.³ However, the determinist denies the existence of the free will which is required in order to form justified beliefs according to such deontological conception of justification. As a result, by the determinist's own lights, the very belief in determinism cannot count as justified.

This argument doesn't prove that determinism is false. Rather, it shows that a determinist can't hold her view in a coherent manner. On this ground Lockie argues for a view he calls *presuppositional incompatibilism*, i.e., the view that we are bound to act and believe on the presupposition that we possess the kind of freedom defended by incompatibilists, namely the kind of freedom that is needed in order to fulfil our epistemic obligations.

¹ See Jordan (1969, 48) for a list of defenders of epicurean arguments before 1969. See Knaster (1986) for a list of defenders of epicurean arguments before 1986. Recent influential discussions include Honderich (1990a; 1990b) and, most recently, Slagle (2016) and Lockie (2018). See Honderich (1990a, 361ff) for eight different versions of the Epicurean argument from self-defeat. The indirect epistemic transcendental argument for freedom is only one of the many arguments that took inspiration from Epicurus's quote.

² Lockie's argument is similar in many respects to the one defended in Boyle, Grisez, and Tollefsen (1976).

³ Throughout this paper I am concerned with *epistemic* justification only, and with deontological views that countenance the existence of *epistemic* obligations only.

The aim of this paper is to explain why IETAF fails to deliver the conclusion that determinism is self-defeating.⁴

In §2 I clarify Lockie's IETAF and argue that it relies on the following crucial contention:

Determinist's Commitment to Epistemic Obligations (Commitment_{EO}):

In judging that determinism is true the determinist is thereby committed to take it that there are epistemic obligations.

In §3 I discuss Lockie's own preferred version of internalist epistemic deontologism, i.e., the view that justification is to be understood in terms of the fulfilment of one's perceived epistemic obligations. Crucially, Lockie endorses doxastic involuntarism – i.e., the claim that we have no direct voluntary control over the formation of our beliefs – and on this ground he is bound to reject the existence of doxastic obligations, that is, epistemic obligations about what to believe. However, he argues that we possess the relevant freedom that underpins what I shall call cognitive obligations, that is, epistemic obligations concerning how to manage one's own cognitive activities in inquiry.

In §§4-5 I introduce Lockie's transcendental argument for the ineliminability of deontological appraisal (or 'ineliminability argument', hereafter 'IA'). IA is meant to play a crucial dialectical role in Lockie's defence of IETAF. However, I argue that IA doesn't provide any motivation for Commitment_{EO} and that as a result the defender of IETAF is left with the burden to provide grounds for Commitment_{EO}.

In §§6-7 I distinguish and evaluate three different versions of Commitment_{EO}. I argue that they are all false, and that their prima facie plausibility, if any, might be captured by structurally analogous claims that do not involve a commitment to epistemic obligations of any sort.

In §8 I conclude by locating Lockie's IETAF within the literature on modest and ambitious transcendental arguments, and through that comparison I argue that the use of modest transcendental arguments in the free will debate is problematic.

⁴ This paper elaborates some of the remarks I have made in my review of Lockie's book. See Zanetti (2019).

2. The Indirect Epistemic Transcendental Argument for Freedom

Lockie's IETAF can be summarized as follows⁵ (where by 'justification_{ID}' and cognate expressions I refer to *epistemic* justification as understood according to an *internalist deontological* notion of justification).

- P1) If determinism is true, then no-one can do otherwise.
- P2) The ability to reason otherwise is necessary for someone to be held unjustified_{ID}.
- P3) If determinism is true, then no-one may be held unjustified_{ID}.
- P4) If no-one may be held unjustified_{ID}, then no-one is justified_{ID} either.
- P5) If no-one is ever justified_{ID}, then belief in determinism is not justified_{ID} either.
- C) If determinism is true, then belief in determinism is not justified_{ID}.

Lockie comments on the conclusion of the argument as follows:

I take it that this would be a wholly unsustainable position for the determinist to be in – that the determinist simply must resist the conclusion of this argument. (Lockie 2018, 183)

But why should this conclusion trouble the determinist? After all, the determinist's worldview rejects the existence of the sort of freedom that is needed in order to underpin epistemic obligations. Moreover, the determinist can grant that the very belief in determinism is not justified_{ID}, and yet she can insist that her belief is justified according to other non-deontological notions of justification (whether internalist or externalist). The determinist can argue that her belief is based on good evidential grounds, and she can also claim that it has been formed through a suitably reliable belief-forming process. Thus, the argument as it stands doesn't show that determinism is self-defeating.

The argument provides grounds for concluding that determinism is self-defeating if we add the following two premises:

Monist Epistemic Deontologism (MED): a deontological conception of justification is the sole correct account of epistemic justification.

⁵ See Lockie (2018, 182-183) for more details on the argument's overall structure and the motivation for the main premises.

Judgment's Commitment to Epistemic Justification (Commitment_{EJ}): in judging that p one is thereby committed to take it that there is a justification for judging that p .⁶

By judging that determinism is true, the determinist is committed to take it that her very judgment in determinism is justified (via Commitment_{EJ}); but since epistemic justification has to be understood in deontological terms only (MED), by judging that determinism is true the determinist is thereby committed to take it that her judgment in determinism is justified_{ED}; and yet, by judging that determinism is true, she is also committed to the claim that the judgment in determinism is not justified_{ID} (via P1-P5). Thus, by judging that determinism is true the determinist is committed to incompatible commitments: that there are no justified_{ED} judgments, and that judgment in determinism is justified_{ED}.

The argument, as it stands, has few chances to be taken seriously by contemporary participants in the free will debate and in the debate on the nature of epistemic justification. First of all, the determinist has several options to reject the argument, most of which appeal to compatibilist approaches to the problem of free will.⁷ But the most highly contentious – and widely rejected – premise is MED. If MED is false, then it is open for the determinist to argue that her belief in determinism is justified according to a non-deontological notion of justification, and thus the determinist can avoid the charge of being endorsing a self-defeating standpoint. MED could be rejected either by arguing that there is no notion of epistemic justification that has to be understood in deontological terms, or by arguing that even if *some* genuine notion of epistemic justification is captured by deontological accounts of justification, still there are other equally legitimate notions of justification that are not to be understood in deontological terms. Now, most epistemologists nowadays endorse non-deontological accounts of justification. Moreover, the monist assumption according to which there is a single correct account of epistemic justification has recently been vigorously challenged, both by internalists and externalists.⁸ This is why, as it stands, the argument is unlikely to attract serious consideration from contemporary philosophers.

One of the chief merits of Lockie's discussion of IETAF is that it attempts to defend it without relying on MED. Lockie actually rejects MED and endorses a pluralist stance in epistemology according to which there is a

⁶ I won't discuss this principle here. For a defence, see Smithies (2012).

⁷ Lockie (2018) discusses many of them in Chapter 8.

⁸ See Coliva and Pedersen (2017), especially the Introduction and the literature referred to therein.

plurality of accounts of epistemic justification that capture equally important dimensions of epistemic evaluation.⁹ In particular, he makes room for an internalist deontological conception of justification, and an externalist (non-deontological) conception of justification. Lockie's strategy consists in showing that even if the determinist's belief is justified according to an externalist notion of justification, the determinist can't occupy a coherent theoretical stance unless the belief in determinism is also justified_{ED}. Lockie's remarks on the conclusion of his argument give us a hint that indicates the missing premise that puts pressure on the determinist:

Determinists must be able to justify their position and oppose their opponents' positions. The framework for such justification must be in place – no metaphysics can be so powerful, so totalizing, as to undermine it. (Lockie 2018, 183)

In claiming that “[d]eterminists must be able to justify their position and oppose their opponents' positions”, Lockie seems to suggest that this justificatory ability involves the appeal to epistemic obligations. To a first approximation, by holding the determinist view, the determinist is willy nilly committed to the claim that the opponent ought to abandon her own view and endorse determinism. If a contention along these lines is correct, then the determinist can't be content with a non-deontological (be that internalist or externalist) justification for her belief, for it is part of what it takes to justify one's own position and to oppose the opponent's position to hold that there are epistemic obligations of the sort posited by deontological accounts of justification. Thus, this is the crucial premise that Lockie needs in order to use IETAF to conclude that determinism is self-defeating:

Commitment_{EO}: in judging determinism to be true, the determinist is committed to take it that there are epistemic obligations.

Since a deontological conception of epistemic justification understands justification in terms of the satisfaction of epistemic obligations, a commitment to epistemic obligation is a commitment to the possibility of justified_{ED} beliefs. If we add Commitment_{EO} to premises P1-P5, we are then in a position to understand how IETAF is meant to yield the conclusion that determinism is self-defeating. In judging that determinism is true, the determinist is committed to take it that there are no epistemic obligations and thus no justified_{ED} beliefs (via P1-P5); and yet she is at the same time committed to take it that there are epistemic obligations

⁹ See Lockie (2018, chap. 2).

(Commitment_{EO}), and in particular that her own judgment in determinism fulfils one such obligation and thus counts as justified_{ED} (via Commitment_{EJ}).

It is clear from Lockie's discussion of IETAF that IA is supposed to provide a motivation for Commitment_{EO}.¹⁰ In what follows I shall argue that IA doesn't provide any motivation for Commitment_{EO} but rather relies on it. I shall also distinguish and reject three different interpretations of Commitment_{EO}. On this ground, I will conclude that IETAF fails to show that determinism is self-defeating. Before coming to the critical evaluation IA and Commitment_{EO}, I shall discuss Lockie's own preferred version of epistemic deontologism, as this will play a crucial role in the evaluation of IA.

3. Lockie's Epistemic Deontologism

There is one well-known objection against epistemic deontologism. According to Alston (1988), we have epistemic obligations to believe only if we have direct voluntary control over the formation of our beliefs, but since we lack this control we have no such epistemic obligations.

Lockie himself endorses doxastic involuntarism, i.e., the claim that we do not possess direct voluntary control over the formation of our beliefs. However, he addresses Alston's objection by making two moves: by shifting the focus of epistemic obligations from belief to the whole process of inquiry that culminates with the (involuntary) formation of belief; and by arguing that we do possess the kind of freedom that is required to underpin these obligations.

Lockie doesn't offer a detailed account of our epistemic obligations, but we can appreciate what he thinks about the issue by considering the following paradigmatic case of deontological appraisal:

Envisage a detective who has, throughout his police career, demonstrated a poor attitude, being lazy, egotistical, lacking due diligence, lacking moral seriousness and possessing a laissez-faire approach to his professional duties. [...] Through assiduous flattery and unctuous professional networking, our detective becomes lead investigator in a murder investigation, where he fails to seal the crime scene early enough, he cross-

¹⁰ See Lockie's first option among the moves that are available to the determinist to reject the argument. The move consists in showing that "epistemic normativity is not to be understood on the model of 'oughts'" (Lockie 2018, 184).

contaminates the storage of DNA evidence and he fails to systematically track down, cross-reference and record the relevant witness statements. He also fails to study the witness statements and forensic evidence with sufficient rigour and intricacy, or think carefully and systematically enough about the evidence and the unfolding investigation in the way he has been trained throughout his police career. He believes what he subsequently believes ('suspect x did it!') with sincere conviction – but he is unjustified (deontically) because of his deplorable cognitive conduct, his wholesale epistemic irresponsibility. Let us suppose his late-stage final processes of belief formation and fixation (say, the micro-cognitive processes that occur subsequent to his poor conduct, intellectual or otherwise) are entirely involuntary; still, he is epistemically unjustified in a strongly deontic sense. (Lockie 2018, 47-8)

With this case in mind, we can distinguish between two kinds of epistemic obligations and clarify the scope of Lockie's view.

Doxastic obligations are those obligations that concern *what* subjects ought to believe – as in the case in which one ought to judge that p , say, where p follows from truths believed by the subject and the subject knows that p follows from them.¹¹ According to Alston's objection, these obligations exist only if we possess the kind of voluntary control over the formation of belief which is denied by doxastic involuntarism. Since Lockie is a doxastic involuntarist, Lockie's deontologism is bound to reject the existence of doxastic obligations.

In fact, the detective case does not feature doxastic obligations, but rather what we might call *cognitive obligations*, that is, obligations that concern the way in which subjects ought to conduct their cognitive activities for the sake of inquiry – as in the case of the obligation to be systematic and careful in one's search for evidence, say.¹² Although we don't have the freedom that is required to underpin doxastic obligations, Lockie argues

¹¹ The choice of this principle is just for illustrative purposes. I am not concerned here with the content of specific epistemic obligations, but with the general contention that there are epistemic obligations at all and that these are presupposed in the activity of judging.

¹² These obligations are sometimes described in the literature as 'intellectual obligations'. See Alston (1988) for a characterization of intellectual obligations. For more on this topic and the varieties of epistemic deontologism, see Vahid (1998), Nottelmann (2013), and Peels (2017). In this paper, I prefer to distinguish between doxastic and cognitive obligations in order to leave it an open question whether Lockie's favoured obligations are what Alston and others have described as intellectual obligations.

that we do have the freedom that is required in order to fulfil cognitive obligations of the sort described in the detective case.

With these clarifications in mind, we can turn to IA.

4. Deontological Appraisal as Ineliminable

As I understand IA, its aim is to establish the following thesis:

Ineliminability deontological appraisal [IDA]: We are bound to presuppose that we have some epistemic obligations.¹³

According to IDA, deontological appraisal is ineliminable not so much because there *are* some epistemic obligations; rather, deontological appraisal is ineliminable because we are bound to *presuppose* that there are some epistemic obligations.

Lockie considers two ways in which one can argue for the eliminability of deontological appraisal. One is to hold that our “epistemic obligations may be so limited as to be uninteresting”.¹⁴ Deontological appraisal would be eliminable on that view because its scope of application would so limited as to be uninteresting. This is the weaker challenge to his view, and Lockie has two responses to it which do not require the appeal to IA.¹⁵

According to the second way of eliminating epistemic deontologism “the entire framework of [deontological] internalist justification is abandoned for the entire framework of externalist epistemic value”.¹⁶ This is the kind of challenge to which IA is supposed to provide an answer. This challenge can in turn be understood in at least two relevant ways:

¹³ Although I present IA as an argument for the ineliminability of *deontological appraisal*, Lockie presents it as an argument for the ineliminability of *internalism*, or as a transcendental argument against a *totalizing externalism*. However, Lockie makes clear in several occasions (e.g., Lockie 2018, 28) that by ‘internalism’ he refers to the internalist deontological conception of justification. Moreover, Lockie also says (e.g., Lockie 2018, 118) that he prefers to deploy his argument in connection with obligations in particular, rather than in connection with internalism in general, although he eventually also presents an argument for the ineliminability of a non-deontological form of access internalism.

¹⁴ Lockie (2018, 115).

¹⁵ The first response is that we do in fact possess a significant amount of control over our cognition (Lockie 2018, chap. 4). The second response is that “However limited our agency and access may seem when considered from without, considered from within an epistemic perspective these are all the resources we have; and any limitations of these resources will leave unaffected the importance of doing the best we can” (Lockie 2018, 117)

¹⁶ Lockie (2018, 116).

1. Deontological appraisal might be abandoned because one discovers that epistemology has nothing to do with deontology, or that justification is not to be understood in deontological terms. One way of pressing this objection against Lockie is by arguing that cognitive obligations are not genuinely epistemic, or that they have nothing to do with epistemic justification.¹⁷
2. Another way of reading the claim about the complete elimination of deontological appraisal is to take it as the claim that we lack the kind of control that is required to underpin our supposed epistemic obligations. This challenge is precisely the one that the determinist is raising: by arguing for determinism, the determinist is in a position to argue that there are no epistemic obligations.

With these clarifications in mind, we can better appreciate the nature of IA. Its aim is to show that *even if* (1) and (2) are correct, still we are bound to proceed *as if* we had epistemic obligations. So, to illustrate with (2), which is the central case in the context of a transcendental argument against the determinist, even if it is true that we lack the freedom needed to underpin epistemic obligations, still we are bound to presuppose that we have some epistemic obligations.

5. The Transcendental Argument for the Ineliminability of Deontological Appraisal

What is the argument for IDA? Lockie first provides an argument for the ineliminability of a non-deontological form of access internalism and then extends this argument to deontological appraisal. The central insight of the argument is expressed by Lockie as follows:

However limited psychological science shows us to be, we cannot be so limited as to undermine the ability of such scientists to uncover our limits, then recommend (pessimistic) conclusions for epistemology based on such discoveries. On the assumption that they must have access to the ground for maintaining how limited we are in our access, there must be a limit to those limits. (Lockie 2018, 118)

¹⁷ This is a standard challenge to epistemic deontologist views that do not focus on doxastic obligations but on intellectual or cognitive obligations. See Alston (1988, sec. VII) for a version of the challenge. See Peels (2017) for an answer to Alston's objection. See Lockie (2018, chap. 3) for his answer to this challenge.

This passage suggests that there is at least one dimension of epistemic evaluation that is ineliminable, as it would always be possible to evaluate the epistemic credentials of our beliefs by checking the quality of our grounds for them. This internalist dimension of evaluation can't be coherently rejected: however limited we end up to be, there must be some *ground* on the basis of which the objector claims that we are so limited, and thus the objector's belief itself can be evaluated by checking whether her grounds are epistemically good enough.

After presenting this argument, Lockie states that “[w]hat goes for access and control, goes for obligation”.¹⁸ His argument here is very compressed, but its crucial insight is captured by the following observation:

It is indefensible to suppose we could abandon the last epistemic ‘ought’ for a wholly externalist conception of epistemic value, as the last ‘ought’ is the ought that urges us to eliminate itself. (Lockie 2018, 119)

Lockie doesn't provide further explanations of the nature of the claim that is made here, so one is left with several questions: What is exactly the “last ‘ought’”? And what does it mean that “the last ‘ought’ is the ought that urges us to eliminate itself?”.

In what follows I shall read Lockie's point in the last quoted passage as expressing the endorsement of Commitment_{EO}. According to this reading of the argument, Lockie is suggesting that in arguing for the abandonment of an ought-based epistemology one is thereby committing herself to the existence of epistemic obligations. So, coming back to IETAF, according to this reading of IA the determinist is someone who is arguing for the abandonment of an ought-based epistemology, and by so arguing she is committed to the existence of epistemic obligations.

6. No Commitment to Epistemic Obligations

In order to assess whether Commitment_{EO} is true I shall rely on the following quite liberal understanding of how judgment's commitments work. A subject's judgment that *p* is committed to the truth of some proposition *q* (if and) only if it is not rational (or possible) for the subject to judge that *p* while she is at the same time judging that *q* is false or while she is at the same time open-minded as to whether *q* is true or not. We can then test a candidate judgment's commitment to judge that *q* by

¹⁸ Lockie (2018, 118).

asking whether it would be rational (or possible) for the subject to judge that p while also judging that q is false (or while also being open-minded as to whether q is true). If it is rational (or possible) to judge that q is false (or to be open-minded as to whether q is true) while judging that p , then in judging that p one is not thereby committed to judge that q . On the other hand, if it is not rational (or possible) to judge that q is false (or to be open-minded as to whether q is true) while judging that p , then we have (arguably conclusive) grounds to conclude that in judging that p we are committed to judge that q .

To illustrate, it would not be rational (or even possible) for a subject to judge that p while at the same time judging that there are no evidential grounds whatsoever for p . There is something Moore-paradoxical in judging that p and that there are no evidential grounds for p . For, if there are no evidential grounds for p , then from the subject's first personal point of view it is entirely arbitrary to regard p as true (as opposed to any other proposition incompatible with p). This provides evidence for taking it that in judging that p one is thereby committed to take it that there are evidential grounds for p .¹⁹

With this understanding of judgment's commitments in mind, we can test the various interpretations of $\text{Commitment}_{\text{EO}}$. We get two versions of $\text{Commitment}_{\text{EO}}$ by distinguishing between doxastic and cognitive obligations:

Commitment_{DO}: In judging determinism to be true, the determinist is thereby committed to take it that there are doxastic obligations.

Commitment_{CO}: In judging determinism to be true, the determinist is thereby committed to take it that there are cognitive obligations.

$\text{Commitment}_{\text{CO}}$ seems to fail the commitment test. To appreciate the point, contrast these cases: (a) the detective claims that p , and then is asked whether there is any evidential ground for taking p to be true; (b) the detective claims that p and then is asked whether he *has been* diligent and systematic in his inquiry; (c) the detective claims that p , and then is asked whether he *ought to be* diligent in his inquiry (or whether he is under any of the many cognitive obligations that Lockie considers in his detective case). In case (a), as we have just seen, it is clear that it would not be rational (or even possible) for the detective to judge that p while judging that he has no evidential grounds for p (or while being open minded about

¹⁹ Compare with Smithies (2012) who proposes a similar argument that appeals to Moore-paradoxicality and a similar account of how commitments work.

whether he possesses evidential grounds for p). In case (b), it would also seem not to be rational, for the detective, to judge that he was not diligent and systematic in his inquiry, since by so judging he would thereby be in a position to doubt whether he genuinely possesses good evidential grounds for p . If he had not been diligent and systematic, he might have missed some fundamental piece of evidence, or he might have misunderstood the available evidence. And if this is the case, his very judgment that p is jeopardized, as the detective is in a position to doubt whether his grounds for judging that p are good enough. However, and this is the crucial point, it is one thing for the detective to judge that he was diligent and systematic, and it is another thing for him to judge that he *ought* to be diligent and systematic. These are two separate issues: a subject might be diligent and systematic in one's inquiry, and she might end up in a position in which she judges that p on the basis of good evidential grounds, and yet she can at the same time deny, for reasons like those proposed by the determinist, say, that there is an obligation to be diligent and systematic. Thus, it is entirely possible and rational for the detective to judge that p , that he possesses good evidential grounds for p , that he was diligent and systematic in his inquiry, while also denying that he ought to be diligent and systematic in his inquiry. In judging that p we do not seem to commit ourselves to the existence of cognitive obligations. Commitment_{CO} fails the commitment test.

When compared to Commitment_{CO}, Commitment_{DO} seems to enjoy some prima facie plausibility. The intuitive ground for Commitment_{DO} is that in judging that p we seem to be *recommending* p as the content to be judged, and this might be captured by saying that in judging that p we are committed to the existence of a doxastic obligation to the effect that one ought to judge that p , or something along these lines.

First of all, even if we concede, for the argument's sake, the prima facie plausibility of Commitment_{DO}, Lockie can't avail himself of this move. For, Lockie endorses doxastic involuntarism, and thus he grants that we lack the freedom needed to underpin these doxastic oughts. Therefore, if Lockie were suggesting to rely on Commitment_{DO} for his IETAF, he would end up occupying the same self-defeating position that he is attributing to the determinist:²⁰ he holds doxastic involuntarism, and yet by holding it he is committed to doxastic voluntarism, as he is committed to the existence of doxastic obligations which require the sort of freedom posited by doxastic voluntarism.

²⁰ I will come back to this problem in §9 by referring it to the overall transcendental argumentative strategy employed by Lockie.

This is a problem which relates to Lockie's overall view, namely his acceptance of doxastic involuntarism and his consequent rejection of doxastic obligations. One might wish to endorse this reading of IA either by also arguing for doxastic voluntarism, or by denying that there is anything problematic in holding the self-defeating stance which Lockie occupies.

Be that as it may, $\text{Commitment}_{\text{DO}}$ also fails the commitment test. A subject might be rational in holding that p while comprehendingly denying that she ought to judge that p . Consider case (c) again. In this case, the detective might judge that he was diligent and systematic in his inquiry, and he might also judge that he possesses good evidential grounds for judging that p . However, all of this is compatible with the fact that there is no obligation to judge that p . One might reject the existence of such obligation by endorsing the impossibility of judging otherwise which is required in order for there to be obligations at all (at least in so far as obligations are understood within an incompatibilist framework, which is the only one pertinent here).²¹

Moreover, and relatedly, the intuitive ground for $\text{Commitment}_{\text{DO}}$ might be explained by appealing to normative commitments that do not involve obligations. Consider the following:

Judgment's Commitment to Alethic Correctness ($\text{Commitment}_{\text{AC}}$): in judging that p one is thereby committed to take one's judgment that p as correct.

Judgment's Commitment to Good Evidential Grounds ($\text{Commitment}_{\text{GEG}}$): in judging that p one is thereby committed to take it that she possesses good evidential grounds for p .

I have argued before that $\text{Commitment}_{\text{GEG}}$ is true.²² $\text{Commitment}_{\text{AC}}$ is also arguably true, as it is reasonable to suppose that competent believers are sensitive to the truth of the following principle about the normative connection between truth and judgment:

²¹ Notice that judging that it is not the case that one ought to judge that p does not entail that one ought not to judge that p . Judging that p and that one ought not to judge that p is indeed Moore-paradoxical, but judging that p and that it is not the case that one ought to judge that p is not.

²² See also Smithies (2012) for a similar argument.

Alethic Correctness: a judgment that p is correct (if and) only if p is true.²³

Given Commitment_{AC} and Commitment_{GEG} we might capture the intuitive thought according to which in judging that determinism is true the determinist is also somehow recommending determinism as the view to be believed. By judging that determinism is true the determinist is committed to the possession of good evidential grounds for so judging.²⁴ This commitment captures the sense in which a determinist is inviting the opponent to agree with her, as she is claiming to be judging a proposition that is well supported by the evidence, and thus she is claiming that her belief is *justified*, or *rational*. Moreover, the determinist is also committed to take it that it is *correct* to judge as she does. Thus, in this sense, the determinist is recommending the opponent to be a determinist, since to judge in determinism is the correct attitude to have with respect to the issue whether determinism is true or not. Crucially, none of these normative commitments and none of the normative notions they involve (correctness, justification, rationality) require the existence of epistemic obligations.

Although I do not claim to have provided a full vindication of Commitment_{AC} and Commitment_{GEG} , I think that since it is available to the determinist to appeal to them in explaining her normative commitments, a defender of IETAF must provide arguments to show that Commitment_{DO} is true and can't take it for granted in her argument against the determinist.

7. The Last Duty

I have understood epistemic obligations as specific obligations concerning what ought to be believed or how one ought to conduct one's own inquiry, and I have asked whether in judging determinism to be true the determinist is committed to any such *specific* epistemic obligation. However, there is another way of reading Lockie's IA.

Lockie argues that there is a *single* overarching obligation from which all other more specific obligations follow.

²³ See Wright (1992) and Lynch (2009) who take this principle to be an a priori platitude or truism about truth. See Ferrari (2018) and the literature referred to therein about the variety of understanding of the truth-norm for judgment.

²⁴ This is also the conclusion of Lockie's transcendental argument for the ineliminability of a non-deontological conception of internalism that I have summarized above.

The only fundamental internalist ‘ought’ is (early) Chisholm’s ‘primary intellectual duty’ to aim to acquire truth and avoid error. That is as much content to the notion of duty as internalism as such need make space for. Given such an approach to epistemic duty, it becomes optional whether the proponents of any particular internalist account wish to articulate, at the level of first-order epistemic theory, any system of duties, rules, etc. Given that one ought to aim to possess truth, developing an account of the means to that end then becomes an engineering problem. (Lockie 2018, 111)

Crucially, the only fundamental epistemic duty is not to actually possess the truth,²⁵ but rather to *aim* to possess it. On this account, being epistemically justified is then a matter of doing the best that one can in order to fulfil the overall obligation to aim to believe the truth. According to this view, there is no need to specify further independent epistemic obligations beside the fundamental epistemic duty to aim to believe the truth. Arguably, the specific duties that we have in specific cases can all be derived from the last duty by asking what ought to be done in order to aim to believe the truth – and this is an “engineering problem”.²⁶

With this account in mind, we can now re-read the whole passage in which Lockie argues that this overarching duty is ineliminable:

It was stressed above that internalism should be understood as a very high-order theory, not the claim that we must be operating on a set of first-order rules or obligations ... So, the crucial question is this: at the very high-order level, is the last, most fundamental epistemic ‘ought’ ineliminable, foundational, *sui generis*, or is not? We have to hold that it is ineliminable. It is indefensible to suppose we could abandon the last epistemic ‘ought’ for a wholly externalist conception of epistemic value, as the last ‘ought’ is the ought that urges us to eliminate itself. (Lockie 2018, 118-9)

According to the present reading of the argument, the “last most fundamental epistemic ‘ought’” is the duty to aim to achieve the truth. To abandon the last duty consists in judging that our supposed last duty is not a duty at all – and thus that it is false that we ought to aim to believe the

²⁵ For the sake of simplicity, I will speak of the aim to possess/achieve/believe the truth only, and will drop the talk of ‘truth maximization’ and ‘error avoidance’, since they are not crucial in this context and their omission won’t affect the argument. See Lockie (2018, 5.1.2) for more on this point.

²⁶ Lockie (2018, 111-112).

truth. Now, with this interpretation in mind, the argument seems to amount to the following: in judging that we are not under the obligation to aim to believe the truth one is thereby implicitly presupposing that we are under the obligation to aim to believe the truth. For, it is in the name of the duty to aim to believe the truth that one claims that (it is *true* that) there is no such thing as the duty to aim to achieve the truth. It is in aiming to judge the truth about deontology that one eventually ends up judging that there is no such thing as the obligation to aim to judge truly. So understood, the argument relies on the following specification of Commitment_{EO}:

Determinist's Commitment to Last Duty (Commitment_{LD}): in judging determinism to be true, the determinist is committing herself to the existence of the last duty, namely to it being the case that we ought to aim at achieving the truth.

Is there any *prima facie* plausibility in the claim that in judging we are committed to take it that we ought to aim to achieve the truth?²⁷ One might wish to argue for Commitment_{LD} by noticing that to judge that *p* is to take a commitment towards the *truth* of *p*. Moreover, some theorists argue that judging aims at truth,²⁸ and on this ground one might argue that since judging aims at truth, by issuing a specific judgment (like the judgment in determinism) one is thereby committed to the existence of the corresponding obligation to aim at truth. However, to aim at *X* does not need to generate a commitment to an *obligation* to aim at *X*. Compare with archery. By aiming at doing center I am not thereby committed to take it that one has an obligation to aim at doing center. It is entirely possible to aim at doing center while consciously rejecting any obligation to aim at doing center. One might insist that there is a conditional obligation there: in so far as you want or have a reason to do archery, you ought to aim at doing center. However, one can consistently aim at doing center by taking it that doing center is *correct*, or *good* (at least in archery), and yet deny the existence of obligations (on determinist grounds, say). Analogously, it is rational for a subject to aim to believe the truth about free will, to eventually conclude that determinism is true, and to reject, on this ground, the existence of an obligation to aim at truth, while at the same time conceding that her judgment in determinism is correct (Commitment_{AC}), that it is well grounded (Commitment_{GEG}), and that judging truly is good

²⁷ Lockie argues for the claim that the duty to aim at truth is the fundamental duty, but he doesn't provide any support for Commitment_{LD}. For the sake of the present argument, I will concede Lockie's claim about what our most fundamental duty is, and will concentrate the discussion on Commitment_{LD} only.

²⁸ Various understandings of this claim are argued for by Steglich-Petersen (2006), Bird (2007), Velleman (2000). For criticisms, see Shah (2003), Owens (2003), and Zalabardo (2010).

or valuable. As we have noticed above, the intuitive ground for the various readings of $\text{Commitment}_{\text{EO}}$ might be captured by appealing to non-deontological normative commitments involving the notion of correctness and the non-deontological epistemic notions of justification and rationality.

A defender of $\text{Commitment}_{\text{LD}}$ might understand the last duty as the duty to aim at truth *while inquiring*, and not as the claim that *in judging* we ought to aim at truth. Since the aim of inquiry is to believe truly, one might argue that in inquiry we ought to aim at achieving truth and one might further argue that we are committed to the existence of this obligation in inquiry. But then the claim suffers from the same problem that we noticed in the case of $\text{Commitment}_{\text{CO}}$. The last duty is meant to be the source for the sort of cognitive obligations that are appealed to in the detective case. We ought to be systematic in our search for evidence, say, because we ought to aim to achieve the truth, and being systematic is what it takes to aim to achieve the truth. But since it is entirely possible to rationally judge that p while denying the existence of specific cognitive obligations, it is also rational to judge that p while denying the source of specific cognitive obligations. So, I conclude, $\text{Commitment}_{\text{LD}}$ is false.

8. IETAF and Modest Transcendental Arguments

Thus far, I have argued that $\text{Commitment}_{\text{EO}}$ is false, and that as a result IETAF fails to deliver the conclusion that determinism is self-defeating. In concluding the paper, I wish to highlight another important limitation of Lockie's transcendental strategy which arises even if we concede that his IETAF succeeds.

Let us suppose, for the argument's sake, that IETAF succeeds in showing that determinism is self-defeating. However, IETAF is compatible with the fact that we have good grounds for believing that determinism is true. The resulting stance would be such that one is unavoidably committed to presuppose the truth of a proposition – the existence of epistemic obligations, and therefore the existence of (incompatibilist) freedom – even if one appreciates that all the evidence indicates the falsity of that proposition. Within this stance, we might keep being confident that determinism is true, even if we realise that by being so confident we are also presupposing that there is the sort of free will whose existence is denied by determinism.

In order to appreciate why this is an important limitation, it is useful to locate IETAF in the debate between modest and ambitious transcendental

arguments.²⁹ Ambitious transcendental arguments aim at showing that the *truth* of some proposition *p* is the condition of possibility for some fact that even the sceptical opponent is prepared to accept. Modest transcendental arguments aim at showing that *to believe in* (or have some *cognitive relation* towards) some proposition *p* is a condition of possibility for the fact which is agreed upon by sceptics and non-sceptics alike. IETAF belongs to the category of modest transcendental arguments since its aim is to show that to *presuppose* the existence of free will is something that we do whenever we judge, and in this sense is a condition of possibility of the very activity of judging.

Now, there is an important disanalogy between Lockie's dialectical engagement with the determinist and canonical uses of the modest transcendental strategy. Modest transcendental arguments have been often explored as viable strategies to respond to a *sceptic* who is challenging the possibility of knowing some proposition *p*, and not as strategies to respond to someone *denying* the truth of some proposition *p*. To illustrate, modest transcendental arguments have often been used in order to respond to the sceptic about the existence of the external world.³⁰ Crucially, this sceptic claims that we do not have enough grounds (or grounds at all) to believe that the external world exists, but he does not argue that we have good grounds to believe that the external world doesn't exist. This is why a modest strategy is (modestly) satisfying in this context: because a modest transcendental arguer ends up in a position in which she does not have grounds for believing *nor does she have grounds for disbelieving* in the existence of the external world, and yet she is bound to believe in its existence as this belief being in place is a condition of possibility for some inescapable cognitive activities (like judging, experiencing, etc.) whose reality is conceded by the sceptic herself.³¹ But the fight against the determinist is different. To continue the comparison, the determinist is like an idealist denying the existence of the external world. The determinist is not claiming that we do not have enough reasons to settle the question whether there is free will or not. The determinist is claiming that free will doesn't exist, and she takes herself to have good

²⁹ See Stroud (2000), Stern (2017) and the literature referred to therein.

³⁰ See Stern (2000) and those hinge epistemologists like Strawson (1985), Wright (2004), and Coliva (2015) who appeal to Wittgenstein's remarks in *On certainty* in order to answer to external world scepticism.

³¹ Moreover, some modest transcendental arguers go further. Stern (2000) argues that the belief in the external world is warranted; Wright (2004) and Coliva (2015) claim that belief in the external world enjoys a special kind of non-evidential warrant; Pritchard (2016) claims that the proposition that there is an external world is beyond the scope of rational evaluation. No such claims are made by the indirect transcendental arguer for freedom. This further reinforces the point I am making here about the disanalogy between IETAF and modest transcendental arguments against the external world sceptic.

grounds for that claim. So, the indirect transcendental arguer for freedom will end up endorsing a deeply dissatisfying standpoint:³² even if we can't but presuppose that we possess free will, we have very good reasons – as the determinist says – to believe that this unavoidable presupposition is in fact false. This standpoint is in no way intellectually reassuring: it rather represents our cognitive standpoint like a cage which is structured by false unavoidable presuppositions. This might be the truth about our condition – although I have offered reasons to think that it is not. But this is in no way a truth that allows us to claim victory over the denier of free will.

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³² Unless, of course, the modest transcendental strategy is coupled with arguments that show that we have no grounds at all in favour of determinism. But this would be an altogether different project.

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