

Compound Evidence: A Defense of Uniqueness Theory

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1. Introduction

Uniqueness theory is the thesis that for any body of evidence E there can only be one rational doxastic attitude towards a certain proposition P . The doxastic options consist of either believing P , disbelieving $\neg P$ or suspending judgment P_{sp} . Those who oppose this thesis are permissivists. Permissivism is the theory that there exist circumstances where with the same body of evidence two actors can rationally adopt different doxastic attitudes towards P . To properly assert Permissivism we'd need to show an instance of a *genuine permissive* case. One of the necessary requirements for a genuine case is below.

Genuine Permissive Premise:

Permissive cases grant that two actors share the same body of Evidence.

I will argue that this permissive premise required to disprove Uniqueness theory is significantly more demanding and intuitively resistant than most counterexamples assert. I will do this by defining the different components of a body of evidence. Then, I will defend my definition against two prominent objections: evidentiary relevance concerns and permissive epistemic standards.

2. The Problem of Shared Evidence

A and B are both jurors on a trial. Through their aspirational diligence, they consider all the evidence E presented in the hearing. The trial concludes and the jury deliberates. A forms the belief that the defendant is guilty, G . B forms the belief that the defendant is not guilty, ($\neg G$ / G_{sp}). This sort of situation is paradigmatic of what we know happens in many trials. To claim that one of the two diligent jurors is irrational *seems* wrong. Thus, to avoid this we can claim that we have found a *genuine permissive case*. Another way to preserve the jurors' rationality would be by showing that they are a part of a *non-genuine permissive case*. For example, suppose A believes G because a portion of the evidence presented was that the defendant's fingerprints were found on the murder weapon. This seems like a perfectly rational deduction to make. If B were being rational, shouldn't she have no choice but to share this belief? It turns out that prior to the trial, B watched a documentary on finger-print forensics where they

accurately explained that fingerprints are poor indicators for deducing who committed a crime. When B hears the evidence she applies her prior knowledge to get a more complete understanding of the evidence. This demonstrates that evidence E is a far more unique and complex combination of facts than we may have previously believed. If E is simply the evidence brought up in the trial, then we are forced to submit that this is a *genuine permissive case*. However, it is far more likely that the evidence presented in the trial (E_{case}) is only a portion of the *overall evidence* E. Therefore, this example is non-genuine and we can maintain uniqueness theory.

3. Compound Evidence Proposal

A thorough definition of the different types of evidence I have discussed above will help explain why this distinction is important.

Case Evidence (E_{case}) is a set of local facts which immediately bear on P . From the example above it is the evidence of, people, place, forensic analysis, testimony, etc.

Life Evidence (E_{life}) is a set of non-local facts rationally applied which contextually bear on P or E_{case} .

Overall Evidence: A combination of E_{life} and E_{case} whether that be through confidence modulation or adding relevant facts.

An important objection to consider is that with this formulation, an actor could apply Life Evidence that was prejudiced or irrelevant to the case. For example, consider the juror who had a bad experience with a dentist and now they believe all dentists are untrustworthy. It's possible this juror could apply this Life Evidence to undermine the presented Case Evidence and find the dentist guilty. Instead of giving up on Life Evidence's contribution, we could simply explain that this application of Life Evidence is an example of the juror's irrationality. Applying one case to generalize against a larger group is not a piece of valid evidence "rationally applied". Thus, it would not count as valid Life Evidence. I believe that this formulation of evidence more accurately captures what happens when actors consider evidence about P . This accuracy also clears up the intuition which drove us to permissivism in the first place. When the permissivist grants that the evidence for two actors is the same, what they are more likely indicating is that their Case Evidence is the same. Our new formulation is as follows:

Non-Genuine Permissive Premise:

Permissive cases grant that two actors share the same body of Case Evidence.

When we are coming to the intuitive conclusion for permissivism in many cases we are likely believing the more conceivable premise, *non-genuine*. This version of the premise does not carry the same power and implications that the genuine premise does in showing that we share permissive intuitions. Further analysis reveals that to say two actors share Overall Evidence is a premise which appears incomprehensible. To share the same Overall Evidence would mean to share the same Life Evidence. A condition which seems extremely hard to meet since Life Evidence is full of all sorts of unique, subjective content that can only be gained through one's lived experience. It seems that even if we were able to grasp this hostile and unrealistic premise, it could be possible that the intuition we'd arrive at is one that instead goes against permissivism.

4. Responding to Relevant Evidence Concerns

Miriam Schoenfield raises a concern with attempts that try and expand the scope of relevant evidence beyond the Case Evidence.¹ She argues that expanding the scope of evidence to include Life Evidence would seem to defend uniqueness in some cases but does not necessarily map to all cases. There still seems to be some cases of disagreement which can't be explained away from appeals to differing evidence. She introduces an example from Gideon Rosen which posits two Paleontologists who disagree about what killed the dinosaurs. Schoenfield contends that "It seems unlikely that this disagreement can be rationalized by appealing to subtle differences in the bodies of evidence that the paleontologists have". The type of evidence which bears on P is likely only within academic papers which are intersubjectively available. This move seeks to disqualify Life Evidence's relevance in Overall Evidence. Further she posits the worry that if we do allow Life Evidence to contribute to our Overall Evidence, it is possible that non-experts may be able to amass more Overall Evidence (more weighted on Life Evidence) than those experts which may have less Overall Evidence (more weighted on Case Evidence). Regarding non-experts being able to outweigh experts with evidence, I believe that this concern can be dismissed by appealing to two ideas. First, Life Evidence in the theory as I have proposed only allows for such non-local evidence which contextually bears on the E_{case} . If a non-expert tried to apply evidence to the case which did not satisfy this condition, it would not be considered as valid Life Evidence. Further still, the application of non-local

¹ Schoenfield, M. (2014), Permission to Believe: Why Permissivism Is True and What It Tells Us About Irrelevant Influences on Belief. *Noûs*, 48: 193-218. <https://doi.org/10.1111/nous.12006>

evidence to a situation which it had no relevance would make such an actor irrational. This is not to say either that non-local evidence needs to be *obviously* relevant to suffice as Life Evidence. Consider the apocryphal story of Newton's intuition for discovering Gravity. He views an apple falling and realizes the moon must also be falling. An intuition which then set off a series of inquiries leading to one of the greatest scientific discoveries of all time. Upon viewing this case it may no longer seem implausible that seemingly irrelevant evidence can bear on academic matters. Back to our Paleontologists, it may be possible that A and B share the same three premises from the academic literature. A believes P and B suspends judgment on P. The difference maker may be that A believes one of the premises is stronger based on a *relevant* analogy to an external field of study. Thus, A's body of Overall Evidence differs from B's and uniqueness theory can still apply.

5. Permissive Epistemic Standards

Another popular attempt to grant permissivism is by arguing the validity of multiple epistemic standards. An epistemic standard is a particular way of interpreting evidence to provide you with a doxastic attitude. A person with low epistemic standards would tend to believe and disbelieve than more often than a person with higher epistemic standards who may typically remain agnostic. Epistemic standards allow for permissivism because even where we conceptually grant two actors have the same evidence, their standards may be different. Permissivists, however, need not say that all epistemic standards allow for justified disagreement, rather that there exists at least more than one which is rational to apply. This asserts that epistemic standards are not all equal. To capture this relation, we're going to need some way to grade them. One such way is to consider their truth-conduciveness. This can take form in a sort of guess and check work to map whether your standard is leading you to the correct conclusions. If A realizes their standard is often overzealous in its prescriptions it is likely to lead them to moderate their attitudes in the future based on similar pattern of evidence. Additionally, A could improve their standard by copying the standards of another actor whose attitudes seem to be more truth conducive. Through either one or both above methods we can see the way in which an actor can hone their standards to one which we'd deem as *strongly* truth conducive. Suppose two actors A and B consider the prospect of the existence of extra-terrestrial life. They both are equally aware of all the relevant Case Evidence and even share all the same Life Evidence. Their epistemic standards are also equally truth conducive. A's epistemic standard prescribes that they suspend judgment on the matter. B's epistemic standard prescribes a belief in extra-terrestrial life. With this it seems like we have found a genuine permissive case once again.

5. Rejecting Permissive Epistemic Standards

Epistemic standards as discussed seem to be subjective to the actor. They are developed and strengthened through their life experience. In this way what can we attribute this development to? It seems obvious that evidence is what fuels this development. When A decides to alter their overzealous standards, it is in response to the evidence that they have been incorrect previously on a similar pattern of evidence. If epistemic standards are a function of this Life Evidence, then suddenly the concept that A and B truly share the same body of Overall Evidence where their equally strong epistemic standards differ is a sort of contradiction. Since epistemic standards stand-in for an example of Life Evidence. Life Evidence as we have defined is “a set of facts rationally applied which contextually bear on E_{case} ”. If A has seen similar situations analogous to E_{case} and previously had success in following the evidence to P, then this past experience is a relevant fact which bears. Similarly, if B has seen similar situations analogous to E_{case} and saw where it was insufficient in justifying a belief in P then this is an instance of relevant life evidence. Thus, where two actor’s differing epistemic standards is cause for disagreement we have another instance of a non-genuine permissive case.

6. Conclusion

For Uniqueness Theory to hold as true, it needs to correctly describe our doxastic situations in all cases. If there exists even one instance where a body of evidence can prescribe two rational doxastic options then permissivism is true. We first began by looking at a paradigmatic example of rational disagreement, trial juries. Through our analysis we saw three potential options to respond: deny the rationality premise, deny the evidence sharing premise or embrace permissivism. I decided to challenge the evidentiary sharing premise by proposing my Compound Evidence theory. The notion of Compound Evidence allowed us to unpack evidence into two components, Case Evidence and Life Evidence. These new terms allowed us to re-interpret common permissive cases and show that the evidence sharing premise likely only considered sharing of Case Evidence. A premise which is insufficient for debunking Uniqueness Theory. We then considered two possible objections to this defense of Uniqueness: relevant evidence concerns and permissive epistemic standards. I responded to relevant evidence concerns by reiterating the defined limits on what counts as Life Evidence. Additionally, we saw that there exist many examples of Life Evidence which can be crucially important to P without being *obviously* relevant. I addressed permissive epistemic standards by asserting that any sufficiently strong standard possible of yielding permissivism can be reduced to Life Evidence. A reduction

which undermines its ability to show permissivism, since it denies the shared evidence premise.

Bibliography

Schoenfield, M. (2014), Permission to Believe: Why Permissivism Is True and What It Tells Us About Irrelevant Influences on Belief . *Noûs*, 48: 193-218.