Kern on Knowledge and Fallible Capacity

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1. Introduction.

It is natural to think that we know many things about our environments. Indeed, it is natural to think that we know that we know many such things. It is therefore natural to think that we have a capacity to know things about our environments and a capacity to know that we know such things. However, despite the naturalness of these thoughts, the history of philosophy is littered with obstacles: a variety of arguments which can seem to threaten such seeming platitudes about our cognitive relations with our environments and ourselves. One central philosophical task, or collection of tasks, is to understand and assess those arguments.

Andrea Kern undertakes an important part of that task in her rich and insightful book, *Sources of Knowledge: On the Concept of a Rational Capacity for Knowledge*. Kern focuses on what has seemed to many philosophers to be a major obstacle to ordinary claims to know about our environments: the fact that we are fallible. Just as it seems natural to hold that we can know things about our environments, it seems natural to hold that we sometimes harbour lesser opinions. And furthermore, it seems natural to hold that some of our lesser opinions concern our own opinions: for instance, we sometimes take ourselves to know things when in fact we opine mistakenly and, so (assuming that we don't at the same time both opine mistakenly and know), fail to know that we know those things. Kern seeks to uncover the roots of the idea that those two natural thoughts—that we know and that we are fallible—are incompatible with one another. And she seeks to develop, or reveal, an understanding of knowledge on which it is cut free from those roots, enabling us to hold together the two natural thoughts. Focusing on sensory perception, she aims to explain how perception affords a *rational capacity* for knowledge, and how the possession, and successful exercise, of such a capacity is consistent with its fallibility.

Since Kern aims to understand why some other philosophers have found themselves unable to attain the required perspective on knowledge, her task is delicate. For if the illusions to which she alleges

[1] I'm grateful for discussion and comments to...

other philosophers are subject were too gripping, then they would serve as obstacles to accepting her correct view. And if the illusions were too easily shed, then it would make mysterious the inabilities of other philosophers to see past them. As John McDowell has put a related thought,

> It matters that the illusion is capable of gripping us. I want to be able to acknowledge the power of the illusion's sources, so that we find ourselves able to respect the conviction that the obligations are genuine, even while we see how we can, for our own part, reject the appearance that we face a pressing intellectual task. (McDowell 1994: xi)

My aim in the remainder is to raise some questions about a small number of points in Kern's discussion with which I don't straightforwardly agree. The arguments or claims at issue seem to me to be somewhat peripheral, and my unwillingness (yet) to agree with them is plausibly due to my failure (yet) to understand them. (I don't take failure to understand to be an achievement.) My hope is that a discussion of this handful of arguments and claims might help to focus agreement or disagreement, and might indicate some ways in which I was insufficiently gripped by some of the problems and solutions that she presents. I should emphasize that these questions arise against a background of large scale agreement. To take three examples: I agree with Kern that many extant responses to skeptical arguments so weaken the cognitive standings that they seek to defend and to identify with knowledge that they amount to forms of skepticism; I agree with her that we possess capacities for knowledge; and I agree with her that clarity about those capacities—something which Kern's discussion has significantly advanced—is essential to their defence.

In §2, I discuss Kern's presentation of what she calls 'The Paradox of Knowledge', arising from a seeming tension between the nature of perceptual knowledge and the fact of human fallibility. My aim is to consider whether that tension can be unfurled in an appropriately gripping way just by appeal to concerns about fallibility. In §3, I turn to a Kern's passing suggestion that the demand for justification arises from fallibility. My aim is to consider whether that is so. §4 and §5 concern Kern's account of the nature and acquisition of the rational capacity for knowledge. In §4, I seek to raise some questions about Kern's suggestion that there is a connection between the exercise of rational capacities and decision. In §5, I discuss the acquisition of the rational capacity for knowledge, accepting *pro tem* Kern's argument that that capacity cannot (in a certain sense) be inborn, and developing an apparent difficulty for her insightful defence of the idea that the capacity can be acquired through practice.

2. The Paradox of Knowledge.

Let's begin with the first point at which I failed to find transparent an aspect of Kern's discussion, one of her sketches of the roots of the difficulty in squaring fallibility with knowledge. She presents the following as the basic form of what she calls the *Paradox of Knowledge*:

(1) Perceptual knowledge must be grounded in perceptual experiences that guarantee the truth of the judgments they ground; for knowledge is factive.
(2) Perceptual knowledge must be grounded in perceptual experiences that are compatible with the falsehood of the judgments they ground; for knowledge is liable to error. (Kern 2017: 70)

Here, we might cavil about the idea that perceptual knowledge must be grounded in perceptual experiences that guarantee the truth of judgments they ground. Perhaps, for example, perceptual knowledge is partly *constituted*, rather than grounded, in perceptual experiences. Perhaps perceptual knowledge is grounded in a combination of perceptual experience with other sources, so that the combination can guarantee truth even though perceptual experience per se doesn't. And perhaps the epistemic standing of perceptual judgment is determined not only by its grounds, but also by additional facts about subjects' relations with their environments. However, like Kern, I'm broadly sympathetic with (1), and interested in assessing the apparent threat to its standing that is posed by (2).

The first question I have about (2) is, why should it be taken to follow from the fact that "knowledge is liable to error" that perceptual knowledge must be grounded in perceptual experiences that are compatible with the falsehood of the judgments they ground? Presumably, the formula, "knowledge is liable to error," means something like: the capacity to make judgments that constitute pieces of knowledge is liable to error. So, the idea is that the capacity whose exercises are responsible for our knowing things also enables our judging falsely. On the assumption that that capacity is exercised only on the basis of sensory experiences, it seems plausibly to follow that judgments that are so grounded can be erroneous. But why should the fact that it is possible to judge falsely on grounds supplied by sensory experiences indicate that those grounds fail to guarantee truth? Perhaps, for example, sensory experiences supply grounds which would guarantee the truth of some potential judgments, but the subject's capacity to exploit those grounds is fallible.

Compare here the following remark of J. L. Austin's:

> From the fact that I am sometimes 'deluded', mistaken, taken in through failing to distinguish A from B, it does not follow at all that A and B must be *indistinguishable*. Perhaps I should have noticed the difference if I had been more careful or attentive; perhaps I am just bad at distinguishing things of this sort (e.g. vintages); perhaps, again, I have never learned to discriminate between them, or haven't had much practice at it. (Austin 1962: 51)

Extending Austin's observation from perceived items to episodes of sensory experience, we might consider a case in which my sensory experience supplies grounds which guarantee the truth of the judgment this this is a glass of Haut-Médoc Cabernet. However, due to my lack of care, attention, innate ability, training, or practice, I fail to make the appropriate judgment. Instead, I judge—erroneously—that this is an Aconcagua Cabernet. If that is possible, then it would seem that the

sheer fallibility of sense-based judgment need not imply that sensory experience per se fails to guarantee the truth of a judgment that it grounds. For the fallibility might be due not to impoverished sensory experience, but rather to the possibility of faulty exercises of the judgmental capacity.

Now perhaps that line of thought is consistent with (2). For (2) requires that perceptual experiences be compatible with the falsehood of judgments they ground. And the line of thought we just scouted appealed to a case in which a false judgment was grounded in sensory experience. If that is right, then (2) is not designed to indicate that error in sense-based judgment can be explained only by appeal to sensory experiences which fail to supply grounds which guarantee truth. Rather, (2) is designed to indicate that truth guarantees can fail to transmit over grounding: a judgment can be grounded in a truth guarantee delivering experience without having its truth guaranteed, because, consistently with grounding, the content of the judgement can fail to coincide with any content whose truth is guaranteed through the experience.

In that case, however, the problem raised by (1) and (2) is not that they are straightforwardly incompatible. Rather, the problem is that (2) indicates an inadequacy in (1), since a judgment might be grounded in a truth guarantee supplied by perceptual experiences and yet not amount to perceptual knowledge. Something additional to grounding, or perhaps a specialisation of grounding, would be required in order to ensure that any truth guarantees that are furnished by sensory experiences transmit their truth guarantee to judgments formed on their basis.

If that were the issue, then there would appear to be a number of potential ways forward. For example, as just suggested, one might try to appeal to a distinction between two sorts of grounding: the exigent sort required for knowledge and the sort that is consistent with error. Alternatively, one might deny that error can involve grounding: where one judges erroneously in response to sensory experience, one's judgment can be based on, but not grounded in, truth guaranteeing aspects of one's experience. Grounding of the sort required for perceptual knowledge would require successful exercise of one's judgmental capacity and, so, the types of care, attention, innate ability, training, and practice that may be absent in cases of error.

An alternative way of developing the putative tension between (1) and (2) goes via an attempt to localise the explanation of the possibility of error in the natures of sensory experiences. Here, an initial challenge is to make a case for allowing that there is a type of fallibility whose explanation demands appeal to sensory experiences which fail to guarantee the truth of judgments. One question here concerns how, if at all, Kern thinks that that case is to be developed.

A natural way of proceeding would be via consideration of a specific form of fallibility, arising from the possibility of reflectively incorrigible errors: cases in which it would be impossible to tell just by reflection on one's sensory experience that one is not undergoing truth guaranteeing perceptual experiences. Here, one might appeal, for example, to the seeming possibility of sensory hallucinations which are indiscriminable by reflection from genuine perceptual experiences, and thus to one sort of standard sceptical scenario. The operative features of this line of thought would be the following two: (1) insofar as such sensory experiences can be enjoyed independently of the occurrence of

the environmental features which shape the matching perceptual experiences, they fail to supply a guarantee for truths about those environmental features; (2) insofar as a subject's sense-based judgments are shaped only by what can be ascertained about their experiences by reflection, a subject suffering an hallucinatory experience that is reflectively indiscriminable from a genuine perceptual experience would be unable rationally to avoid judging as if they enjoyed a genuine perceptual experience, and so would be unable to avoid error. If such hallucinatory experiences are possible, then it is plausible that the sort of fallibility they involve cannot be explained by appeal only to contingent judgmental fallibility. In addition, appeal must be made to the natures of the sensory experiences that figure in reflectively incorrigible error and, in particular, to the fact that those experiences fail to supply environmental truth guarantees. (It is worth noting at this point that there is a potential difficulty in setting up relevant cases. On some views about such sensory hallucinations, they will supply grounds that guarantee a range of truths—for example about how things appear, or about sense data. So, a full development of this line of thought would need to finesse that difficulty, either by arguing that such experiences supply no truth guarantees, or by distinguishing the sorts of truth guarantees that these experiences supply from those delivered by genuine perceptual experiences.)

On this basis, we can derive the following analogue of (2):

(3) Some sense-based judgments about the environment must be grounded in sensory experiences that are compatible with the falsehood of those judgments; for such judgments are liable to reflectively incorrigible error.

However, (3) is compatible with (1). For (1) requires only that *some* sense-based judgments are grounded in truth guarantees—namely, the knowledgeable ones. And that is consistent with some other sense-based judgments not being so grounded, as per (3).

The next task, then, is to consider what pressure there is to generalise from (3) to (4), which is incompatible with (1):

(4) All sense-based judgments about the environment must be grounded in sensory experiences that are compatible with the falsehood of those judgments.

The sheer fact of fallibility, even in the specific form of the possibility of reflectively incorrigible error, doesn't provide immediate support for the generalisation from (3) to (4). The capacity for sense-based judgment would be fallible in the reflectively incorrigible way if *some* exercises of the capacity were erroneous in the reflectively incorrigible way, even if some other exercises were bound to be reflectively corrigible. (See e.g. Austin 1946, 1962) Given that sheer fallibility fails to mediate the transition to (4), two other ways of attempting to mediate that transition suggest themselves.

One way of attempting to mediate the transition from (3) to (4) might go via an appeal to the idea that indiscriminability is symmetrical. If indiscriminability were symmetrical, then it would follow from (a) the fact that when one is hallucinating, one can't tell reflectively that one

isn't perceiving that (b) when one is perceiving, one can't tell reflectively that one isn't hallucinating. It wouldn't yet follow that perceptual experiences were like hallucinatory sensory experiences in failing to supply guarantees of truths about the environment. But it would seem to follow that perceptual experiences fail to make available to reflection any such grounds since, if they did, those grounds would provide a means, when perceiving, for telling reflectively that one isn't merely hallucinating. Hence, if successful, an appeal to the symmetry of indiscriminability might sustain a version of (4). However, although the idea that indiscriminability is symmetrical might support a version of (4), the required symmetry principle seems to be false. For example, it is natural to think that when one is sober, one can tell that one isn't severely drunk, even though one can be unable to tell, when severely drunk, that one isn't sober. (See Williams 1978: 309–313.)

Second, then, an attempt might be made to mediate the transition to (4) via an appeal to the idea that, although indiscriminability isn't in general symmetrical, it is symmetrical in the case of sensory experiences. That idea might be developed via appeal to the further idea that experiences are such that they can't have essential features which are impossible to detect via reflection. Since one can't tell, by reflection, that a sensory hallucination isn't a genuine perceptual experience, it would follow from this second idea that the sensory hallucination has no essential features not shared with a genuine perceptual experience. Hence, since the sensory hallucination fails to provide the required truth guarantees, neither can its matching genuine perception. We would therefore have mediated the transition from (3) to (4). At this stage, then, the issue would seem to turn on the standing of the principle that experiences cannot have essential features which are unavailable to reflection. As things stand—that is, in the absence of such arguments—we can leave it open that genuine perceptual experiences supply truth guarantees even though their hallucinatory ringers don't and, in that way, leave it open that the possibility of reflectively incorrigible error is compatible with (1).

Before moving on, it is worth emphasising a central feature of the position that has emerged. Insofar as some hallucinatory experiences are reflectively indiscriminable from genuine perceptual experiences, and yet differ in nature from the latter experiences, that fact points to a principled limit on the power of reflection. In effect, defending the capacity to tell how things are in one's environment on the basis of reflectively accessible grounds seems to require accepting principled limits to the reflective availability of essential features of some possible sensory experiences. What emerges is a view closely akin to one suggested by Austin in the passage quoted above. Where Austin sought to explain fallibility by appeal to contingent limitations on the capacity for sense-based judgment, the present proposal seeks to explain a specific form of fallibility—the possibility of reflectively incorrigible error—by appeal to principled limitations on the capacity for sense-based judgment. (See Hinton 1967, 1973; Martin 2004, 2006; Soteriou 2016.)

I'm inclined to think Kern endorses a position of broadly this sort. If that's right, then I'd be interested to know whether she sees her opponent's position as developing in something like the way sketched here and, if she does, whether she has resources to help us go beyond

agnosticism in response to the second attempt to defend the claim that no sensory experiences supply environmental truth guarantees. I'd also be interested to know whether she thinks that concerns about fallibility are really what grip those who find it difficult to see their way clear to accepting the idea of principled limits to reflective knowledge. For on the face of it, the issue here seems connected rather with the idea that there is a domain over which we are *infallible*.

3. Infallibility and justification.

In the following passage, Kern proposes a second idea whose grounds I didn't find transparent:

> ...it does not simply go without saying that any sensory state with propositional content is, *ipso facto*, in need of justification. To see this, consider the following. Imagine a subject with an infallible perceptual capacity. For a subject to have an infallible perceptual capacity means that it is impossible for her to enjoy a perceptual experience of things that does not represent things as they actually are. Let's further imagine that whenever this subject has a perceptual experience, she also believes that things are as her perceptual experience represents them to be. Thus, a subject with an infallible perceptual capacity would be able to have beliefs justified by her perceptual experiences, which, in turn, would stand in no need of justification in their own right. If it were, in principle, impossible for one to have a perceptual experience that failed to represent how things actually are, then one's perceptual experiences would have justificatory force yet without needing any justification of their own. (Kern 2017: 99)

The first set of questions I have here concern what precisely we are being invited to imagine. On the face of it, the idea is that the target subject has sensory experiences of the kind that we have, where the embedded proposal is that those experiences represent the environment as being various ways. Now the idea seems to be that we can have such sensory experiences where those experiences represent the environment as being some way which it isn't. By contrast, although the target subject has experiences of the same kind, their capacity to have such experiences is infallible, so that "it is impossible for her to enjoy a perceptual experience of things that does not represent things as they actually are." Finally, the thought seems to be that the target subject differs from us merely fallible beings in that each of our perceptual experiences requires justification whilst none of theirs do.

If that is what we are being asked to imagine, then I struggle to see why their infallibility makes that difference. For it seems that each of their perceptual experiences would correspond with a sensory experience of ours that could have represented things as being ways they aren't. But now suppose that no reflectively available feature of our experiences reveals that we were representing things as being a way they are rather than a way they aren't. In that case, given the correspondence with our sensory experiences and those of the infallible subject, it would seem that no reflectively available feature of their experiences reveals that they are representing things as being a way they are. And although

the infallible subject's sensorily representing things as being a way they are is guaranteed by the nature of their sensory capacity, the fact that it is guaranteed need not be available to them either. So, on the supposition that no reflectively available feature of any of our sensory experiences reveals that they represent things as they are, and that they don't know that their sensory capacity is infallible, it is difficult to see why the merely infallible subject is in a better epistemological position than we are. Just as the fact that it is necessary that water is H_2O doesn't suffice to make every inferential transition from "This is water" to "This is H_2O" knowledge or justification preserving, the fact that it is impossible for a subject to represent erroneously seems not to suffice to make each of the subject's judgments knowledge or justification sustaining.

Alternatively, then, suppose that it is somehow revealed to the infallible subject that their experiences represent things as ways they are. One concern now would be that such revelation might amount to a sort of justification, and so undermine the ability of the imagined case to support the claim that justification is needless for the infallible. Alternatively, if the idea is to be that there is a non-justificatory way for individual experiences to reveal themselves as representing things as being a way they are, a way which the infallible subject is then in a position to exploit, a second concern arises. The second concern is that if a case could be made for the latter position, it would short-circuit the appeal specifically to infallibility, since such non-justificatory sources of revelation could be available to merely fallible subjects. It would therefore seem to represent another way in which Kern's main line of discussion is detachable from a concern specifically with fallibility.

Now it may be that Kern has in mind a more dramatic departure from fallible perceptual capacities. In particular, it may be that her model for infallible perceptual capacity is something like intellectual intuition, a capacity which guarantees that it represents things as being as they are through its own creative power. That model treats infallible perceptual judgment as akin to the knowledge one has of exercises of one's own creative power, as when one knows what one is doing in acting intentionally. Just as one can know what one is doing without justification—specifically, without observational justification—so, the idea might be, the infallible subject can know what it perceives, because what it perceives is amongst the things it has brought about by what it does. If that is what Kern has in mind, then it would be natural to wonder whether the operative feature of the imagined capacity which frees it from a need for justification is its infallibility or rather its creativity. For we might want to allow that knowledge of what one is up to can be had without justification despite its fallibility.

What may be a related connection between capacities for sense-based judgment and capacities for intentional action appears in Kern's discussion of rational capacities, to which I now turn.

4. Rational capacities and decisions.

Kern's central proposal is that the capacity for perceptual knowledge is a rational capacity. As she understands them, these are

> ...capacities whose paradigmatic exercise consists in an act that manifests a *decision* about what would be right to do according to the relevant capacity under the prevailing circumstances. (Kern 2017: 175, my emphasis)

Here, it wasn't clear to me how Kern was thinking of the operation of decision and, so, whether or not it was the appropriate notion to figure here in her account of rational capacities.

Naturally enough, Kern's initial discussion of the role of decision takes place in the context of a discussion of action:

> To decide to do what it is right to do under the prevailing circumstances in light of the relevant capacity means exercising that capacity in the way that is paradigmatic of it *qua* rational capacity: namely, exercising it in such a way that one is thereby *guided by* the capacity in question. That is to say, it is to exercise the capacity in such a way that one's act is a manifestation of one's understanding of what, under the prevailing circumstances, it is in accordance with the capacity to do. (Kern 2017: 174, her emphasis)

Where, for example, one decides to ski in a particular way, one's decision is guided by one's understanding of what, in the prevailing circumstances, it would be in accordance with the capacity to do. What makes it so that one's consequent action counts as being guided by, or as manifesting, a *decision*, rather than as being guided immediately by the capacity in question? According to Kern, one's consequent action doesn't so count in virtue of a distinct *act* of decision which falls under a different capacity:

> Imagine that Jim is up on the slopes skiing parallel short turns and that he proceeds to explosively extend his legs because he has decided to do what, in light of his capacity to ski, was the proper thing to do under the prevailing circumstances. It would be wrong to think that what is going on here involves two distinct acts—an act of decision and an act of explosively extending his legs—each of which falls under a different capacity. Rather, what we have here is a single act, which has its cause in the rational capacity to ski and which exercises that capacity in the way paradigmatic of that capacity. (Kern 2017: 174–175)

On one reading, Kern here makes the plausible claim that Jim's act of explosively extending his legs is not a distinct act from his decision so to act. On that view, either Jim's act of explosively extending his legs is his act of deciding to explosively extend his legs, or one of the acts is a constituent of the other, so that although there are two acts here, they are not distinct, and combine to form a single more expansive act. But if the exercise of the capacity to ski comprises both the decision and the bodily act, what is the role of the decision in mediating between capacity and bodily act?

Kern's proposal appears to be that the act amounts to a decision insofar as the act "is a manifestation of one's understanding of what, under the prevailing circumstances, it is in accordance with the capacity to do." But couldn't an occurrence be a manifestation of one's

understanding of what, under the prevailing circumstances, it is in accordance with the capacity to do without being, in addition, a manifestation of a *decision* in favour of that occurrence? The notion of decision appears to bring in train the additional idea that the course of occurrences in which one participates is shaped through an exercise of one's *agency*. On one plausible version of this view, one's bodily act of skiing manifests one's decision not only because it manifests one's understanding of what is in accordance with the capacity to ski, but because, in addition, one has imposed on oneself the constraint of acting in accordance with that capacity, and one's bodily act is governed by that self-imposed constraint. (See Soteriou 2013: 257–307)

Since it would be open to Kern to adopt this more restrictive conception of decision with respect to acts in accord with the capacity to ski, we needn't disagree about that case. However, Kern's discussion of another case suggests that we may disagree with respect to it:

> This reading of the relevant concept of decision provides us with an answer to the observation…that when someone says something intelligible to me in a language I have mastered, it is not open to me to simply not understand him or to understand him to have said something else. We can now see that this observation does not pose any objection to the Aristotelian conception of rational capacities. When I understand what someone says to me, I am doing precisely what is correct or appropriate in light of the capacity I thereby exercise—namely, my capacity to understand the language she is speaking. The fact that my understanding of the other's words is the manifestation of a decision does not mean that there is some act of decision I perform that precedes and produces my understanding of the utterance. It rather means that my understanding of what the other person says is guided by my capacity to understand the language in question. My understanding is thus guided in the sense that it is a manifestation of my understanding of what is in accordance with the capacity. (Kern 2017: 175)

On the face of it, Kern's opening characterisation of the case—"it is not open to me to simply not understand him or to understand him to have said something else"—fits poorly with the idea that one's understanding what someone says is a manifestation of a decision. And contrary to Kern's suggestion, that doesn't seem to due to the mistaken idea that a decision would have to be a prior, productive act. Rather, it is because the subject's understanding of what is said seems to be shaped directly by their capacity to understand—together, perhaps, with their understanding of what is in accord with that capacity—without any need for them to impose on themselves the constraint of operating in accord with that capacity. Similar comments would apply to other capacities which seem to operate automatically, including, for example, capacities for sense-based judgment, recognition, and the like.

It may be that the putative disagreement here is merely terminological, and that Kern simply has a more liberal understanding of decision than mine. If so, it would be important to check that no specific features of any more restrictive notion play an essential role in other aspects of Kern's discussion. Alternatively, it may be that Kern

has an understanding of decision akin to mine, and wishes to defend the idea that something like the idea of operating under a self-imposed constraint figures in understanding what someone says. Here, the idea might be that it is in some sense open to one not to operate in accord with one's language mastery and, in that sense, open to one to simply not understand what someone says to one in a language of which one has mastery. However, having imposed on oneself the constraint of operating in accord with one's language mastery—and, in that sense, having decided to try to understand what someone says—it is not then open to one to not understand them, or to understand them to have said something other than what they said. For operating in accord with the self-imposed constraint requires one to operate in accord with what one understands to be in accord with one's language mastery, which, in turn, dictates a particular understanding of what they have said. The alternative line strikes me as implausible, but I'm open to persuasion.

5. The acquisition of rational capacities.

Towards the end of her book, Kern raises problems for two putative accounts of the acquisition of the rational capacity for knowledge, and provides an insightful account for how the second account might be defended. The first account, which Kern follows Kant in rejecting, is one according to which the rational capacity for knowledge is (in a specific sense) "implanted" by God or by nature. The second account is one on which one can acquire a rational capacity only through exercises of that very capacity. Let's consider them in turn.

Kern explains the first account, on which a rational capacity for knowledge is implanted, in the following passage:

> The account that Kant wants to rule out as incompatible with a proper understanding of a capacity for knowledge of objects of experience is one that tries to answer the question we raised above [—How can we account for a "cause" whose efficacy depends on the employment of the concept of knowledge?—] in the following way. We can understand a capacity for experiential knowledge in an analogous way to how we understand artifacts....Kant's concern is to rule our this (mis)interpretation. (Kern 2017: 247, with interpolation reconstructed from 246)

The core of the target account seems to be that the concept which plays a constitutive role in shaping the capacity for knowledge—namely, the concept of knowledge—is to be employed in this shaping role only by the implanter of the capacity and not by its subject. Kern explains that the target account is undermined by a crucial objection of Kant's:

> The crucial objection is supposed to demonstrate that the mooted proposal is actually incompatible with the concept of knowledge. The objection is that this suggestion can only make sense of the "subjective necessity" of employing the concepts "implanted" in us but cannot account for their "objective necessity". Kant's argument runs as follows. The hypothesis can admittedly explain why we cannot help but make judgments about objects of experience by bringing them under one or another of the concepts

> that have been "implanted" in us. But if the employment of these concepts represents nothing more than "an arbitrary subjective necessity implanted in us" for "combining representations in accordance with such a rule governing their relations," then it is impossible for us ever to make a judgment in which we are conscious that our judgment necessarily agrees with the object of experience. In such a case, Kant says, one can only ever say: "I am so constituted that I cannot think these representations otherwise than as thus connected." (Kern 2017: 249, interpolated quotes from Kant *Critique of Pure Reason*: B168.)

The key distinction here is between the way in which a concept of an artifact's telos—specifically, a clock's telos) figures in shaping its activities and the way in which a concept of knowledge figures in shaping a knower's characteristic activities. Kern explains the distinction in the following way:

> Knowledge is different from telling time, Kant argues, in that it is a self-conscious telos. That is, unlike the clock's capacity, a capacity for knowledge is not simply one whose exercises consist in acts that fall under the concept of that capacity from some perspective or other. A capacity for knowledge is one whose exercises fall under the concept of this capacity from the perspective of the subject whose capacity it is. It is a capacity whose exercises consist in an employment of the concept of that capacity by the subject who possesses it. In the case of a capacity for knowledge, an act that manifests this capacity contains a representation of that act as being in (perfect or imperfect) agreement with the concept of that capacity. The representation of an act as being in agreement with the concept of the relevant capacity and the exercise of that capacity itself are not two acts stemming from different capacities but two aspects of one and the same act. (Kern 2017: 252)

If I understand this argument correctly, it aims to show that a subject's exercises of a capacity for knowledge must be guided by the subject's employment of a concept of that capacity, the concept of knowledge. If that requirement were not met, then—according to the argument—the subject could have no understanding of the telos of exercises of the capacity, and so of the adequacy or inadequacy of those exercises. But in that case, judging could only be experienced as something that simply happens to one, irresistibly or not, rather than as an act that is guided by one's conception of its constitutive end. But judging is by nature bound up with one's conception of its constitutive end. Thus, no capacity whose exercises are not guided by their subject's conception of the telos of judging—namely, by their conception of knowledge—could be a capacity for knowledge.

If I were going to challenge this argument, I think that I would seek to challenge the claim that there couldn't be a form of judging, and so a form of a capacity for knowledge, whose exercises weren't shaped by the subject's employment of a conception of knowledge. It seems reasonable to me that there would be a problematic instability in the thinking of a subject who was able to conceive of, and so, in principle, to

begin assessing, their exercises of a capacity, and yet had no conception of the end of that capacity. So, it seems reasonable to me to hold that stable exercise of a capacity for knowledge by subjects with that degree of self-consciousness would require them, in addition, to possess a concept of knowledge. However, I find it less obvious—though not obviously false—that *no* subject could possess a capacity for knowledge without an adequate conception of its successful exercise. However, I don't want to press that challenge here. Instead, I'd like to raise a question about exactly what the argument is supposed to rule out.

Kern sometimes presents the argument's output in an apparently stronger form than I've presented it here:

> ....our insight into the self-constituting character of such a capacity makes this question [—How can a self-constituting capacity belong to an individual, empirical subject?—] all the more urgent. For it entails the negative idea that we cannot understand a rational capacity for knowledge as an "inborn capacity." (Kern 2017: 257)

On the face of it, the conclusion of the argument we considered just above entails that we cannot understand a rational capacity for knowledge as a capacity that can be possessed independently of possession of the concept of knowledge. But in that case, the conclusion doesn't seem immediately to entail that no such capacity could be inborn. It would entail that the rational capacity for knowledge couldn't be an inborn capacity only if being an inborn capacity were incompatible with being inborn, as part of a package, along with a concept of knowledge. It seems, then, that there are three options to consider at this stage: (1) the argument recently considered immediately sustains the conclusion that a rational capacity for knowledge can't be inborn; (2) the claim that we cannot understand a rational capacity for knowledge as inborn is to be understood only as ruling out its being inborn unadorned with a concept of knowledge; (3) although the argument recently considered doesn't immediately sustain the conclusion that a rational capacity for knowledge cannot be inborn, it does so with minimal mediation. Kern seems to want to take option (1) or option (3). Indeed, she helpfully develops a further argument towards (3) in the following passage:

> Rational capacities can be acquired only through practice and cannot be possessed by nature, for it is only the former manner of acquisition that can explain why the capacity that is this acquired is such as to contain an understanding of what it is to possess and to exercise the capacity in question. (Kern 2017: 262)

Despite this further consideration, my inclination at this stage is to remain agnostic about the prospects for option (2). I don't yet see, for example, why it would not be possible to create a subject with a rational capacity by brute force duplication of a subject who had acquired that capacity by practice. Perhaps the difficulties with this proposal concern a need for specific historical relations to one's own or others' exercises of such a capacity in order fully to acquire it, but it is not clear to me precisely how the operative difficulty would be developed. I would

anyway find it helpful to know more about where Kern stands on this issue, and on what grounds.

As noted, Kern seems to hold that a rational capacity for knowledge cannot be inborn. And even if she were wrong, it might anyway turn out that the capacity isn't inborn. Either way, then, it is worth considering the second potential account of the acquisition of the capacity, on which it is acquired by practice.

Kern presents the second potential account with the following difficulty:

> We have thus presented the acquisition of rational capacities as a process that builds on the learning subject's capacity to form a representation of the capacity that she is to acquire—a representation that is in non-accidental agreement with that capacity. For that is what all acts of learning are: acts that are in non-accidental agreement with the capacity in question in the sense that their agreement with the capacity is explained through the capacity in question. Yet having representations that are in non-accidental agreement with what they represent, we argued, means to be in possession of a rational capacity for knowledge. If that is so, however, then it seems to be impossible to explain the acquisition of a rational capacity for knowledge in the same manner as one explains rational capacities in general—namely, through practice. For it seems that the possibility of a subject's acquiring rational capacities through practice already presupposes the subject's possession of a rational capacity for knowledge. Hence, possession of the latter capacity cannot be explained through practice. (Kern 2017: 262–263)

It is not entirely transparent what the worry is here. There seem to be at least two possible readings, or two potential worries.

The first potential worry arises from the claim that acquiring a rational capacity requires acting in ways which non-accidentally agree with the capacity. But acting in ways which non-accidentally agree with the capacity seems to require acting in ways which manifests knowledge of what would be in accord with the capacity. It seems to follow that acquiring a rational capacity requires knowledge and, so, requires possession of a capacity to acquire knowledge. But in that case, given that a capacity for knowledge is a rational capacity, it seems that acquiring a capacity for knowledge requires possession of a capacity for knowledge. I'm inclined to think that this is the potential worry which is uppermost in Kern's mind, and to which she seeks to respond. Her response is summarised in the following passage:

> The objection according to which the acquisition of a rational capacity for perceptual knowledge cannot be explained by practice because any such explanation already presupposes a subject's possession of such a capacity rests upon a misunderstanding about the relevant idea of practice that is employed in such an explanation. It must presuppose that explaining a subject's possession of a rational capacity through practice must mean explaining her possession of it through acts that are, logically, less than exercises of the capacity whose possession is thereby

> explained. What we have to realize instead is that possession of a rational capacity, whichever capacity it is, is to be explained through acts that already *manifest* the capacity in question, yet in a particular manner: namely, in a manner that is *mediated through and dependent on ghe exemplary acts of another subject*. We get caught up in the above dilemma only if we conceive of the acts through which one explains the possession of a rational capacity in terms of acts that do not yet depend, in the particular sense specified above, on the very capacity whose possession is explained. When it comes to the acquisition of rational capacities, however, the acts do not precede and ground the possession of the capacity in the sense that one can perform them without thereby already manifesting the capacity in a particular, mediated, and dependent way. (Kern 2017: 267)

This seems to me to be an insightful, and viable, response to the first potential objection. As applied to the rational capacity for knowledge, Kern's thought is that

> ...the learning subject acquires a capacity for knowledge by responding to the knowledgeable acts of another subject as examples of a capacity for knowledge. That is to say, the subject forms a representation of the capacity for knowledge that is exemplified in the latter's acts and guides her own acts by that representation. In the simplest case, she does this by simply responding to the knowledgeable act of the other with the same sort of knowledgeable act. (Kern 2017: 265–266)

Crudely, a subject's acts can non-accidentally agree with a capacity, and so manifest knowledge of what would be in accord with the capacity, through non-accidentally agreeing with *another* subject's capacity, and so manifesting the other subject's knowledge of what would be in accord with the capacity.

The second potential worry is distinct, but arises from Kern's appeal to mediated, or dependent, manifestations of capacity. More specifically, it arises from the claim that acquiring a rational capacity requires practice that is in non-accidental agreement with the rational capacity exercising practice of one who already possesses the rational capacity. For it is only because one's practice is in non-accidental agreement with another's exercises of the rational capacity that one's practice amounts to mediated, or dependent, exercise, or manifestation, of that rational capacity. But one's practical agreement with another is mediated by one's representations of their practice. Hence, one's practical agreement with another will be non-accidental only to the extent that one's representations of their practice are in non-accidental agreement with the practice they represent. But in that case, one can acquire a rational capacity only if one already knows about the practice of one who has that capacity and, so, only if one already possesses a capacity to know about others' practices. And now, since the capacity for knowledge is a rational capacity, one can acquire that capacity only if one already has it.

It's not clear to me that Kern considers, or responds to, this second potential worry. As we saw, in addressing the first potential

worry, she appeals to the idea of the learner as "simply responding" to the knowledge capacity manifesting practice of the teacher (Kern 2017: 266). It may be that the idea of simple response could be exploited in order to finesse the concern that ensuring non-accidental agreement in practice between learner and teacher would require the learner to non-accidentally represent the teacher's practice as it is. However, that would seem to require a mode of non-accidental connection—in this case, between the learner's and the teacher's practices, that is not mediated by the learner's representation of that practice, and it is not clear to me that that is consistent with Kern's official conception of the available explanatory resources. One natural route to explore here would go via the idea that non-accidental agreement in practice could be enforced through the learner's sensory perception of the teacher's practice. Taking that route would require allowing a treatment of the latter power as non-representational and, so, as distinct from the capacity for knowledge but nonetheless as enabling non-accidental responsiveness to the specifics of the target practice. However, Kern's official view of sensory perception treats it as a representational capacity (e.g. Kern 2017: 50–58), so that it could enable non-accidental responsiveness to the target practice only by being a capacity for knowledge, so it's not clear that she'd be willing to explore this route. I'd anyway be interested in learning more about her response to the second potential worry.

6. Conclusion.

My aim in the preceding discussion has been to raise some questions, and indicate some concerns, about the small number of points in Kern's book with which I don't straightforwardly agree. Pursuing that limited aim has meant that I have not tried to develop a single line of argument in, or out, of accord with Kern's. Let me conclude by indicating a thread which runs, however faintly, through the various components of my discussion.

As I noted at the outset, Kern's task is delicate, since her aim is to uncover and undermine (some of) the roots of scepticism which are operative in its deformation of our thinking. To that end, she is required to articulate considerations which are appropriately gripping—and, indeed, have gripped some of those troubled by scepticism—despite their being illusory. And her positive proposal also has to grip, in order stably to displace sources of opposition which would otherwise hold sceptical worries in place. The faint thread running through the components of my discussion has been the worry that she hasn't quite succeeded in both aspects of her task. With respect to the former aspect, it seems to me unclear that the roots of scepticism are bound up only with concerns about fallibility, for reasons I began to sketch in §2 and §3. Indeed, the work that is required in order to move from general concerns about fallibility to minimally gripping arguments for scepticism might begin to suggest that its roots are legion. With respect to the latter aspect, it is unclear to me, for reasons I began to sketch in §4 and §5, that Kern's positive articulation of the idea of a fallible but rational capacity for knowledge has yet been made sufficiently gripping to supplant those seeming-roots of skepticism which do derive from the idea of fallibility. For all that, I think that Kern's book significantly

advances our understanding of both the rational capacity for knowledge and the tasks that remain in this area of philosophy.

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