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A Rejoinder to Charles Lassiter's "Response to Joshua Mugg's 'How Not to Deal with the Tragic Dilemma'"

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This post is a rejoinder to Lassiter’s response to my article “How Not to Deal with the Tragic Dilemma.” A discussion of how to navigate a social world structured by racism is, unfortunately, timely. Unfortunately, we do not need to discuss *implicit* racism to understand much of today’s injustices—often old-fashioned and structural racism are clearly the problem. As such, I have chosen not to comment directly on the murder of George Floyd at the hands of police. Still, implicit bias continues, to exist, affecting even those of us who would rather it not. For this reason, reflection on how to navigate our world given our psychology may help us better understand the relation between epistemic and moral virtues. As a final note, I would like to thank James Collier for his invitation, and Charles Lassiter for his willingness, to continue this dialogue.

In his reply, Lassiter offers three criticisms of my argument: first, that I am too demanding of localism; second, that my argument against localism fails because I have confused personal/subpersonal level processing; and third, that I have confused the philosophical import of a solution to the tragic dilemma. In my 2020 paper, to which Lassiter’s response is directed, I focused on the similarities between Lassiter and Ballantyne and Madva’s proposed solutions.¹ As Lassiter and Ballantyne (2017) say, their “localist view bears some resemblance to views set forth by Sarkissian (2010) and Madva (2016)” (14). Lassiter’s comments have helped me more clearly distinguish Madva and Lassiter’s views. In this short rejoinder, I will respond to each of Lassiter’s objections.

The Demands of a Solution

The first criticism Lassiter levels against me is that I am too demanding of localism: localism need not solve the dilemma in *every* case.² Now, we agree that localism works to diminish the instances of the dilemma. As I put it in the paper:

Admittedly, the [localist] solution works for some cases. There are some contexts in which implicit biases are morally problematic *and* epistemically distort. Grading papers and comparing qualifications of job candidates are two such examples. In these cases, we can create structures around which the stereotype information will not be activated. For example, we could review papers and CVs blindly. While the [localist] solution solves the dilemma in *some* cases, the tragic dilemma also arises in cases in which we do not and could not have control over structure (2020, 256).

Why isn’t this enough? Why do I demand that, if localism is to be a solution to the dilemma, it needs a way to deal with *all* cases? To solve a philosophical dilemma or paradox, you must solve for all cases because when one fails to solve for all cases, one fails to get to the heart of

¹ My (2020) paper is aimed against the common features of Madva and Lassiter and Ballantyne’s solutions. Madva does not adopt the label ‘localism’, which is why I did not use it there. Since here I will be concerned primarily with Lassiter’s position, I will refer to the position as ‘localism.’

² Madva made this same point in his commentary on an early version of this paper at the Pacific APA. He argued that part of the import was this is a daily lived dilemma, rather than consisting of a few isolated cases.

the problem that the dilemma is illuminating. It is for this very reason that we tell our undergraduate students that they may not change or add details to thought experiments, or simply walk from one point to another as a refutation of Zeno's Paradox. In this empirical case, we may add or dispute the empirical details, but as a philosophical solution to a philosophical problem, we should solve for all cases.

The Personal/Subpersonal Distinction in Localism

Lassiter defends localism by appeal to the personal/subpersonal distinction. While I have my misgivings about how clear and helpful this distinction is generally, I don't think it helps Lassiter's case here. Here is Lassiter's reply:

Mugg's argument and vignette suggest that considering whether information about race is relevant is a *personal* as opposed to a *subpersonal* process. This seems wrong. Determinations of relevance for cases of implicit bias are made at the subpersonal rather than personal level. Otherwise, it wouldn't be *implicit* bias...In that case, Mugg's second argument reduces to this: in some cases, information about race is tagged as relevant by subpersonal processes. But this *just is* the very problem of implicit bias!...So if localism is a viable strategy in the face of the epistemic-epistemic dilemma, then it's a viable strategy for Spencer's case (original emphasis, 2020, 46).

I agree that if localism is a viable strategy in the face of the epistemic-epistemic dilemma, then it's a viable strategy for Spencer's case.³ Whereas Lassiter sees a Modus Ponens, I see a Modus Tollens. Put in terms of personal versus subpersonal processing, the dilemma is what to do at the personal level given the facts we know about subpersonal processes. Now, Lassiter goes on to claim that "determinations of relevance for cases of implicit bias are made at the subpersonal rather than personal level" (2020, 46), and we lack direct control of the subpersonal level. If this is the case, then we exercise no control in determining whether racial information is relevant or not. But if we cannot control this process, then we cannot control the activation of racial information. But remember that the localists' putative solution is that the information can be stored and activated in the right sorts of cases while remaining inactivated in the wrong sorts of cases. If determinations of relevance are made entirely at the subpersonal level and outside our control, then localism fails as a solution to the dilemma.

In their 2017 paper, Lassiter and Ballantyne use Dual-Process Theory's type-1/type-2 distinction rather than the personal/subpersonal distinction. According to the Dual-Process Theory type-1 processes are fast, automatic, and non-working memory involving whereas type-2 are slow, controlled, and working-memory involving. According to Lassiter and Ballantyne, these two types of processes interact, and their solution requires that type-2 processing can impact type-1 processing. Lassiter should take something similar to be the

³ Note that this vignette is a slightly modified version of Rima Basu's from her 2019b.

case about the personal/subpersonal distinction here.⁴ For their solution to work, at the personal level, we have some control over what gets encoded at the subpersonal level because we can choose what sources to expose ourselves, what statistics to look up, etc., and we exercise some control at the personal level over the subpersonal in what gets activated by way of the various psychological tricks such as saying ‘safe’ when seeing a black face. Notice that the localists’ proposed solutions are always instances of the personal working to thwart or train the subpersonal using newly discovered psychological tricks, such as saying “safe” when seeing a black face. The dilemma continues to arise because, plausibly, the encoded information will activate when it (epistemically or morally) should not. This is so because it is implausible that we currently have all the appropriate psychological tricks to control that encoded information.

Lassiter agrees that there are plausibly ways in which implicit bias manifests for which we lack psychological tricks. However, he disagrees that this is a problem for localism because he thinks “of localism as an on-going project: the more we learn about how to reduce prejudicial attitudes, the more we adjust our local environment” (2020, 45). This is a good practical strategy for mitigating the effects of the dilemma—it serves as a stop-gap measure—but it provides no solution to the philosophical dilemma at hand now. To see why, consider an alternative ‘solution’: we should try to make society more egalitarian such that the problematic base-rate information is no longer true. The problem with both ‘solutions’ is that they miss the audience for whom the dilemma exists: those of us in privileged positions within societies where race plays important sociological roles.

Clear Values Cases and Competing Values Cases

Lassiter’s final criticism has implications for the importance of philosophical reflection on the tragic dilemma. I take studying the tragic dilemma to be a good way to begin thinking about the relation between epistemic and moral oughts, and I am not alone in this (see Basu and Schroeder 2019, Basu 2019a, 2019b, 2019c). But Lassiter seems to disagree, saying that “localism is the wrong sort of solution [for moral-epistemic conflict]. This isn’t a strike against localism but an acknowledgement of problems for which it isn’t suited” (2020: 47). A prerequisite for the localist solution is that “questions about competing values are settled and we’re interested in enabling agents to act in accordance with those values” (2020: 47). He calls these ‘Clear Values’ cases. I see the epistemic-moral dilemma as central to the tragic dilemma. Explaining why, and how this relates to Lassiter’s criticism, will require some background.

In my earlier work on this topic (Mugg 2013), I argued that there are two dilemmas in Gendler’s 2011 paper: an epistemic-epistemic dilemma (because failing to encode epistemically relevant information is irrational, but doing so incurs the epistemic costs: of A)

⁴ Dual-process psychologists have not tended to invoke the personal/subpersonal distinction. Instead, it has been philosophers who have done so, especially Keith Frankish (2009). However, given the way Frankish maps system 1 and system 2 onto the subpersonal/personal distinction put him squarely in the parallel-competitive version of DPT.

cross-race facial deficit, B) opens one to stereotype-threat, and C) requires exerting mental energy when interacting with members of other races) and an epistemic-moral dilemma (because failing to encode epistemically relevant information is irrational, but doing so results in immoral behavior).⁵ I take it that Lassiter and I agree so far. So we have the following dilemmas:

	Encode Racial Information	Don't Encode Racial Information
Epistemic-Epistemic	Epistemic Cost (Cross-race facial deficit, stereotype-threat, and cognitive depletion)	Epistemic Cost (base-rate fallacy)
Moral-Epistemic	Moral Costs (biased shoot-don't-shoot scenarios, resume judgments, etc.)	Epistemic Cost (base-rate fallacy)

Table 1: The Two Dilemmas in Gendler 2011

I went on to argue in that paper that there is no epistemic-epistemic dilemma for those in racially privileged positions because A, B, and C are not actually costly to such individuals.⁶ So we have the following:

	Encode Racial Information	Don't Encode Racial Information
Epistemic-Epistemic	No Epistemic Costs	Epistemic Costs (base-rate fallacy, forgoing Stereotype-Lift and improved executive functioning over time)
Moral-Epistemic	Moral Costs (biased shoot-don't-shoot scenarios, resume judgments, etc.)	Epistemic Costs (base-rate fallacy, forgoing Stereotype-Lift and improved executive functioning over time)

Table 2: Mugg's 'Solution' to the Epistemic-Epistemic Dilemma

If I am right, those in positions of racial privilege need not face Gendler's epistemic pessimism. But if I am right in alleviating the epistemic-epistemic dilemma by showing that it is epistemically rational to encode racially tainted information, this makes the moral-

⁵ While the epistemic-epistemic dilemma is the main focus of Gendler's 2011 article, the moral-epistemic dilemma is there as well. She writes that for those living in a racially struttred society it is "impossible to be both rational and equitable" (57).

⁶ I argued that Stereotype-threat and cognitive depletion are cognitive benefits to those in racially privileged positions.

epistemic dilemma that much worse because when we aggregate epistemic and moral values there are now fewer costs to encoding racial information in table 2 than in table 1.⁷ Lassiter claims to merely solve the epistemic-epistemic dilemma, but does so in a very different way than I did—we can access the racially tainted information in all and only the right cases. In my 2020 paper, I argued that this should solve the moral-epistemic dilemma as well. Let me elaborate on why: on localism, you epistemically should encode racially tainted information that is relevant without succumbing to the epistemic costs because you can use psychological tricks to keep the tainted information from being activated when that information is not relevant. But this strategy should work for moral cases as well. The purported solution to the epistemic-epistemic case can be extended to epistemic-moral cases. Notice that at least some of Lassiter’s examples of controlling racially-tainted information are moral in nature (e.g. thinking ‘good’ when seeing a black face decreasing IAT measurements).

	Encode Racial Information and Allow to Overly Activate	Encode Racial Information and Activate Only When Appropriate	Don’t Encode Racial Information
Epistemic- Epistemic	No Epistemic Costs	No Epistemic Costs (because information is encoded but not always activated)	Epistemic Costs (base-rate fallacy, forgoing Stereotype-Lift and improved executive functioning over time)
Moral- Epistemic	Moral Costs (biased shoot-don’t-shoot scenarios, resume judgments, etc.)	No Epistemic Costs (because information is encoded but not always activated) No Moral Costs (because information is encoded but not always activated)	Epistemic Costs (base-rate fallacy, forgoing Stereotype-Lift and improved executive functioning over time)

Table 3: Lassiter’s Solution to the Epistemic-Epistemic Dilemma

Now, even if localism’s strategy can be extended to aid in the moral-epistemic dilemma, Lassiter says that it cannot help solve the moral-epistemic dilemma because “figuring out

⁷ Puddifoot (2017) alleviates the epistemic-epistemic dilemma, but if her solution is right, then it is not epistemically rational for anyone to encode the racially tainted information. Thus, if Puddifoot is right then the epistemic-epistemic dilemma is resolved in the opposite way that I resolved it, with the upshot moral-epistemic dilemma is also resolved because there is no epistemic price to pay for not encoding racially-tainted information.

what matters for us is the task of deep personal and philosophical reflection” for which localism is no help (48). He supports this position by contrasting Clear Values cases with what he calls Competing Values cases: cases “where different values can’t be jointly satisfied” (47). Lassiter says that in “Competing Values case(s)...localism is of little help. Do we manipulate our local environment so that we pay attention to lifting students out of poverty or so that we make the most rational decision possible given the evidence? In this case, we can’t jointly satisfy moral and epistemic demands. But this has nothing to do with localism and implicit biases and everything to do with values whose joint satisfaction is near-impossible in this case” (48).

First, implicit bias is relevant to some Competing Values cases, namely those cases where opting for one path or another further ingrains our biases or acts to counteract them. So I disagree with Lassiter’s claim that implicit bias has *nothing* to do with Competing Values cases. More importantly, it is an open question as to which cases are Competing Values cases and which are Clear Values cases. One way to overcome a dilemma that looks like a Competing Values case is to show that the values can be simultaneously met—that it is a Clear Values case. This is one way of thinking about Lassiter’s response to Gendler’s epistemic-epistemic dilemma. Gendler seems to have presented us with two Competing Values cases. Given the way the world is and our psychological make-up, there are competing epistemic goods: epistemically we should attend to base-rates and the existence of stereotypes, but we should not implicitly endorse those stereotypes. Lassiter’s localism rejects that the epistemic-epistemic cases really are Competing Values cases by challenging Gendler’s psychological assumptions, rendering it a Clear Values case. So, I find it odd to say that localism is not meant to be of any help in Competing Values cases.

Another way to put my point is that Lassiter’s Clear/Competing Values response trivializes the localist solution—even in the epistemic-epistemic case. Competing Values cases just are those cases in which there exist two competing values that cannot be simultaneously met and Clear Values cases are those where only one value is at issue. But the dilemma never could arise in Clear Value cases. If a dilemma could arise, there must be two distinct values at issue that (seemingly) cannot be met. As such, it would be a Competing Values case, and Lassiter claims that the localist solution is not meant as a tool for adjudicating which values we should opt for. Lassiter agrees that Competing Values cases arise in the epistemic domain (49). If localism is not meant to apply to Competing Values cases, then localism fails to solve epistemic-epistemic cases too. This trivializes the localist solution because any time one finds a case in which it does not help, the localist can say that the case is a Competing Values case, which localism was never meant to solve.

Conclusion

Where does all of this leave us? It seems to me that the most charitable interpretation is that localism works in a very limited set of cases. When there are no values in conflict with one another—epistemic or moral—and we have psychological tricks to help us gain both values, we should take advantage of those tricks. However, this is not a solution to our philosophical problem because we are still faced with the dilemma: should I encode racial

information that will plausibly lead to bad behavior or should I fail to encode racial information and violate epistemic norms?

Part of the reason I find this dilemma so worrying is that awareness of racial information may be necessary for the practical ends of making society more egalitarian. We need to understand society to correct it, and broadcasting the existence of racial disparities may be necessary to convince people that structural change is needed while simultaneously instilling implicit bias. Part of the reason we care about the epistemic-epistemic dilemma is because of how it relates to the epistemic-moral dilemma.

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