PERCEPTUAL INTUITIONISM WITHOUT ETHICAL PERCEPTION

by

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Abstract

In recent years, there has been a renewed interest in Perceptual Intuitionism. A significant portion of the literature on the topic has focused on the ethical perception defense, the supposition seeming to be that one must defend Perceptual Intuitionism by showing that one can have ethical experiences which immediately and non-inferentially justify one's beliefs about the rightness or wrongness of particular actions. This thesis rejects this thought by proposing an alternative defense of Perceptual Intuitionism which employs the Wittgensteinian concept of *criteria* and an understanding of principles of prima facie duties as "grammatical propositions".

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Chapter 1

Introduction

In Henry Sidgwick's *Methods of Ethics*, "intuition" is generally defined as "immediate knowledge of what should be done or aimed at".[1] More particularly, such a species of knowledge could have as its objects either the rightness of particular actions (e.g. I should do keep my promise), or particular kinds of action (one should keep one's promises)—the position that one might have immediate, non-inferential knowledge of the rightness of particular actions is called "Perceptional Intuitionism". Sidgwick considers this the most "extreme form" of the intuitional method, and describes it as a method which "recognizes simple immediate intuitions alone and discards as superfluous all modes of reasoning to moral conclusions."[2] One can recognize a particular moral requirement at a glance, so to speak, without needing to infer such moral facts using general principles. While he doesn't explicitly comment on this, Sidgwick at no point in his discussion of perceptional intuitionism states that the recognition of particular duties is literally carried out through perception by "seeing" the thing to do or by judging on the basis of moral experiences of some kind. In *The Good in the Right*, Robert Audi suggests that the term "perceptional" was meant only to "capture the analogy with both the immediacy of perceptual judgement grounded in sensory experience and their focus on a specific case."[3]

While it is perhaps not terribly controversial to claim that individuals sometimes know that a particular action would be right or wrong, the thought that such knowledge is immediate (involving what might be thought of as direct cognitive access to the fact in question) and that the

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[1] Henry Sidgwick, *The Methods of Ethics* (Indianapolis: Hackett, 1981), 97.
[2] Sidgwick, *The Methods of Ethics*, 100.
[3] Robert Audi, *The Good in the Right: A Theory of Intuition and Intrinsic Value* (Princeton: Princeton University Press, 2004), 6.

method by which one comes to know such particular moral facts is non-inferential (need not be thought of as involving deduction or induction from principles) is the more disputed thought. To defend Perceptual Intuitionism is, then, to cite knowledge of the rightness or wrongness of particular actions as epistemically independent of moral principles, in the sense that one can be justified in one's belief without needing to think of this justification as depending on the truth of some further premise or principle from which this judgement was inferred as a conclusion. The model most often invoked to accomplish this form of defense is, unsurprisingly, perception—just as some might claim that one is justified in believing S by seeing that S, many propose to defend Perceptual Intuitionism by showing that there are analogous cases of ethical perception that justify one in believing that a particular action is right or wrong.

This thesis intends to interrogate the "ethical perception" defense of Perceptual Intuitionism. The thought underlying a large swathe of the literature on the topic of Perceptual Intuitionism seems to be that the prospects of Perceptual Intuitionism stand or fall with the ethical perception defense.[4] In the work of Robert Cowan, the author explicitly states that in order to defend the prospects of perceptual intuition as an epistemically independent form of moral knowledge, one must demonstrate that one can have moral perceptions in the first place. Cowan claims that "it is plausible that a necessary condition for the view is the truth of ethical perception".[5] Accordingly, Cowan devotes the bulk of a paper entitled "Perceptual Intuitionism" to defending the thesis that one can perceive thin moral properties such as wrongness in a given situation in much the same way as one can perceive that a given tree is a pine tree. Having made a case for ethical perception, however, Cowan concludes that experiences of this kind cannot likely provide an independent justification for moral beliefs—accordingly, Cowan is pessimistic about the prospects of Perceptual Intuitionism.

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[4] While this focus on ethical perception can be traced through the work of Justin McBrayer, Preston Werner, Robert Audi, Robert Cowan, and Pekka Väyrynen, this thesis will focus primarily on the last two figures (Cowan and Väyrynen).

[5] Robert Cowan, "Perceptual Intuitionism," *Philosophy and Phenomenological Research* (2013): 1.

What my thesis intends to argue is that it is not the case that *either* a) knowledge that some particular act is right or wrong must be based on immediate ethical perceptual experiences, *or* b) it must be thought of as inferential. If it could be shown that this dilemma is false, then there would be some remaining hope for the prospects of Perceptual Intuitionism. To escape the dilemma in question, I will proceed by interrogating the thought which seems to motivate the conviction that there is a dilemma in play, namely, the belief that if some state of affairs C justifies one in believing that S, the relationship between C and S must either be perceptual or involve an inference. To do this, I will examine the concept of a "criterion"—this is a concept which appears in the later work of Wittgenstein primarily in discussing how one can have third-party knowledge of another's mental states and is now used more broadly as a technical term for those features which have a necessary, conventional connection to states of affairs rather than one which is merely contingent. While there are a number of interpretations of the concept which must be considered, on the interpretation of the concept which will be called the Disjunctivist View, a criterion is a proposition in light of which one can come to know that a given state of affairs obtains. Importantly, on this view a criterion is not thought of as a symptom from which one can deduce or otherwise infer that S obtains, but instead is thought of as a manifestation of S itself. Seeing that C obtains *is* seeing that S obtains. Furthermore, reflection on the role of discernment in criterial knowledge can enable us to separate the thoughts that a) I came to know S by reasoning, and b) my knowledge that S was inferential and not immediate. After making the case that criterial knowledge should be thought of in this way, I will conclude by trying to show that knowledge of what is right or wrong in particular contexts can be thought of along these lines. By showing that this is a plausible way of understanding knowledge of what ought to be done in particular contexts, I hope to show that thinking of Perceptual Intuitionism as a distinct method of attaining moral knowledge does not rely on the ethical perception defense. Insofar as there is such an alternative model for thinking about knowledge of particular oughts, we can at

least postpone Cowan's pessimistic conclusion that perceptual intuitionism does not constitute a distinct method of attaining moral knowledge. Before coming to this, however, the first chapter will simply outline the shape which the ethical perception defense takes and address its shortcomings.

Chapter 2

A Contemporary Defense of Perceptual Intuitionism

i.   **Introduction**

In "Perceptual Intuitionism", Cowan proposes to examine the prospects of "an independent a posteriori intuitionist epistemology, providing an alternative to intuitionist accounts which posit a priori intuition and/or emotion as sources of non-inferentially justified ethical beliefs."[6] More generalist intuitionist views such as those of H. A. Prichard and W. D. Ross forward the thesis that there are general statements of duty, such as that one ought to fulfill one's promises, which are self-evident moral truths. That is to say, reflection on particular instances of right or wrong action allows one to immediately recognize, for instance, that certain action types are generally right or wrong. For perceptual intuition to be a distinct method for acquiring moral knowledge, it must be epistemically independent of such principles. Cowan defines epistemic dependency as follows: "a state, d, epistemically depends on another state, e, with respect to content c iff e must be justified or justification-conferring in order for d to be justified or justification-conferring with respect to content c."[7] For example, preservationist understandings of memory assert that memory is epistemically dependent, since one's memory-based belief that c is only justified insofar as one's belief that c was previously justified.[8] Accordingly, while I might believe that c on the basis of remembering that c, I might either have false memories or never have been justified in my belief in the first place, such that to remember that c is not necessarily to know that c. If *a posteriori*, non-inferential moral knowledge is epistemically dependent on other standing moral beliefs such as those general principles which

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[6] Cowan, "Perceptual Intuitionism," 1.
[7] Ibid. 2.
[8] Ibid. 2.

dogmatic intuitionists espouse, then it does not constitute an independent alternative to dogmatic intuitionism.

Having set these checks on what might constitute an alternative intuitionist method, Cowan proceeds to describe perceptual intuitionism, the form of a posteriori justification under consideration as the view that "normal ethical agents can and do have non-inferential justification for first-order ethical beliefs by having ethical perceptual experiences."[9] It ought to be noted, that this articulation of perceptual intuitionism is mostly in line with other definitions provided throughout the literature. In "Sidgwick and Intuitionism", Roger Crisp writes "The contrast here [between perceptual and dogmatic intuitionism] is between a form of intuitionism that puts all of its weight on the intuition that Φ-ing is right or reasonable, and a form that, though allowing such an intuition, draws its conclusions about what to do on the basis of some kind of reasoning."[10] Perceptual Intuition can be distinguished from other forms of intuitionist thought in terms of the "immediacy" of particular moral judgements—while a dogmatic intuitionist might insist that we arrive at particular moral judgements by reasoning from self-evident principles, the perceptual intuitionist claims that one can more immediately apprehend that a given action is right or wrong without reasoning from other premises. Thomas Baldwin writes of perceptual intuitionism, "the thought is that, when turning the corner of a street and encountering someone who has fallen over, we can see at once that we should offer to help. We do not need to reason our way to this practical conclusion by reminding ourselves of the principle that we have a duty to help those whom we find in distress."[11] Perceptual Intuitionism is commonly understood as the position that one can have a justified belief that some thin moral property is instantiated, i.e. that some action is right or wrong, without needing to reason to this conclusion on the basis of principles.

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[9] Ibid. 3.

[10] Roger Crisp, "Sidgwick and the Boundaries of Intuitionism," in *Ethical Intuitionism: Re-Evaluations*, ed. Philip Stratton-Lake (New York: Oxford University Press, 2002), 65.

[11] Thomas Baldwin, "The Three Phases of Intuitionism," in *Ethical Intuitionism: Re-Evaluations,* ed. Philip Stratton-Lake (New York: Oxford University Press, 2002), 92-93.

We might understand Cowan's insistence that perceptual intuitionism involves the justification of particular moral judgements by the having of ethical perceptual experiences as drawing on this connection between reasoning, inference and principles on the one hand, and immediacy and perceptual experience on the other. In this light, we can better understand the shape of the defence of perceptual intuitionism which Cowan attempts. To be distinct from dogmatic forms of intuitionism, the perceptual intuitionist's account must posit a mechanism by which agents come to know moral facts without needing to reason to their conclusions, the rationale seems to go. Accordingly, Cowan seems to assume that it is necessary to proceed by defending what he terms "ethical perception", or the view that "normal ethical agents can and do have perceptual experiences (at least some of which are veridical) as of the instantiation of ethical properties."[12] Only once this has been shown can we begin to ask whether such non-inferential ethical experiences provide an independent justification for first-order moral judgements, namely, whether seeing say, the wrongness of an action justifies one it believing that it is wrong.

ii.   Cowan's Ethical Perception Defense

In defense of Ethical Perception, Cowan first draws upon the phenomenal defense which is typically ascribed to Gilbert Harman. In a passage which I will hereafter refer to as Harman's Cat, Harman writes, "If you round a corner and see a group of young hoodlums pour gasoline on a cat and ignite it, you do not need to conclude that what they are doing is wrong; you do not need to figure anything out; you can see that it is wrong."[13] According to Harman, one doesn't reason to a conclusion that S, but one sees that S and believes it on that basis. While such a view in some sense captures the quickness of certain moral judgements, it stops short of showing that they do not, in fact, involve either conscious or unconscious reasoning. Insofar as the opponent of ethical

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[12] Cowan, "Perceptual Intuitionism," 3.
[13] Gilbert Harman, *The Nature of Morality: An Introduction to Ethics* (New York: Oxford University Press, 1977), 4.

perception can claim that Harman's Cat can be re-described as involving an inference rather than a perceptual experience without failing to do justice to the felt-immediacy of the experience, then she can reasonably doubt the existence of ethical perception—this is one of the objections which Väyrynen raises against ethical perception.[14] Accordingly, Cowan mounts a defense of the perceptual interpretation of Harman's Cat and of ethical perception more generally which he terms "the high-level-perception motivation".

The high-level-perception motivation of ethical perception draws from recent work in the philosophy of perception. While those philosophers who believe that perceptual experiences have representational content agree that such experiences will include size, shape, position, colour, and object-hood in the contents of perceptual experience, contemporary debates have centred on the question of whether or not "high-level" properties such as natural kind properties or causal relations might feature in such contents as well. Drawing on the work of Susanna Siegel, Fiona Macpherson, and Alva Noë, Cowan defends a high-level view of perceptual content in order to argue that there's no obvious reason why a line needs to be drawn demarcating some subset of properties as those high-level properties which enter into experience while some other subset is arbitrarily excluded. If *some* high-level properties feature in the contents of perceptual experience, then it will seem less incredible to argue that other high-level properties, namely moral properties, can as well. Cowan writes, "it is not obvious that one can simply rule out ethical properties as being phenomenally represented in experience without prejudging the outcome of an ongoing debate in the philosophy of perception as to what sorts of things can come to be represented in experience."[15]

For the purposes of this thesis, the plausibility of the high-level view of perceptual content is not important—what *is* relevant are Cowan's claims about *how* such moral content might enter into the content of perceptual experience, since this will demonstrate what I take to be

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[14] Pekka Väyrynen. "Doubts about Moral Perception," [unpublished draft] (2014): 2.
[15] Cowan, "Perceptual Intuitionism," 3.

the major shortcoming of the focus on ethical perception in defending perceptual intuitionism, namely, that it makes it seem necessary that we conclude that perceptual intuitions are not epistemically independent and so are not a distinct form of moral knowledge. In what follows then, I will discuss what Cowan takes to be the most plausible account of the way in which ethical perception occurs, namely, cognitive penetration.

Cognitive penetration can be thought of as a process whereby a subject's non-perceptual thoughts alter the way in which she experiences the world perceptually. More specifically, "a visual experience, e, is cognitively penetrated if the representational content and phenomenal character of e are altered by states in the cognitive system, e.g., beliefs, concepts, desires, emotions, memories, imaginative states, intuitions, and where this does not merely involve these cognitive states having effects on the subject's visual attention."[16] Of this set of candidates for cognitive states which penetrate the content of perceptual experience, Cowan primarily discusses memory, belief, and emotion. I will outline each of these mechanisms briefly before then discussing an objection to ethical perception and considering Cowan's own worries that perceptual intuitions are not epistemically independent and so cannot constitute a distinct form of justification for particular moral beliefs.

According to Cowan, there are three models of cognitive penetration which are candidates for the penetration of thin moral concepts into perceptual experience: the matching model, the belief penetration model, and the emotional trigger model. These can be understood as three ways in which one can think of content being added to the framework provided by perceived low-level properties. The matching model is one which Cowan draws from the work of Susanna Siegel—in discussing the perception of pine trees, Siegel speculates that such a recognitional capacity begins with an agent being shown exemplars of pine trees, which leads to the formation of a memory representation corresponding to 'pine tree'. Later, upon being faced

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[16] Cowan, "Perceptual Intuitionism," 13.

with low-level properties of shape and colour which are sufficiently similar to the exemplar, the perception "matches" the memory representation and this is registered by the cognitive system such that what is being seen registers as a pine tree. In such a way, one has an experience not merely of low-level properties on the basis of which one judges that x is a pine tree, but rather has an experience of seeing a pine tree.[17] In the moral context, one can imagine a case like Harman's Cat having certain non-moral, low-level properties which match an exemplar of wrongness of which the agent has a memory representation. Harman's Cat would register with the cognitive system as being wrong insofar as it bears a sufficient similarity to some paradigmatic wrong action, such that one would have an experience of the wrongness.

Cowan moves on to discuss the belief penetration and emotional trigger models of cognitive penetration. On the belief penetration model, rather than a memory, the cognitive state which penetrates perceptual experience is the agent's standing ethical beliefs. For instance, an agent might have a standing ethical belief that causing unnecessary pain to another being is wrong. In a situation like Harman's Cat, witnessing the hoodlums set the cat on fire involves seeing an instance of persons causing unnecessary pain to another being, and so the standing belief might penetrate into the agent's perceptual experience. In this manner, one might come to have a perceptual experience of wrongness. The third model which Cowan mentions might be termed the emotional triggering model. This model is largely similar to the belief penetration model, except that rather than having a standing belief, which together with certain basal features of the situation, triggers the episode of ethical perception, it is an emotional state such as outrage which triggers it. Faced with a situation with certain low-level properties, one experiences an emotional state which then penetrates into the content of perceptual experience as a case of ethical perception.

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[17] Ibid. 15.

Having made a case for ethical perception, Cowan takes himself to have tentatively completed the first requirement of a defence of perceptual intuitionism. Showing that there are experiences which might be thought of as episodes of "ethical perception" only shows that some moral beliefs are formed without the involvement of reasoning—it remains to be shown that such experiences justify one in believing that things are as they are represented as being in those experiences, and whether they do so independently or not. To show that one might have immediate, non-inferential knowledge of the rightness or wrongness of particular actions, it must be shown that the beliefs formed on the basis of ethical perception are epistemically independent. You will recall that according to Cowan, "a state, d, epistemically depends on another state, e, with respect to content c iff e must be justified or justification-conferring in order for d to be justified or justification-conferring with respect to content c."[18] In this case, we are asking whether believing that some particular action is right or wrong on the basis of having an experience of that action being right or wrong on each model of cognitive penetration is always sufficient to justify the belief, or whether there is some other more general principle that is necessary to justify the belief. You will recall that the paradigmatic epistemically dependent state was suggested to be memory, since remembering that x only justifies one in believing x insofar as original state of which that state is a memory is also justified.

It is not difficult to see that the matching model of cognitive penetration yields a form of ethical perception that is epistemically dependent—that harming Harman's Cat is wrong enters into the contents of perceptual experience, on this model, when the lower-level properties one perceives "match" a memory-representation one has previously formed on the basis of a past judgement. Whether or not one would be justified in believing that harming Harman's Cat is wrong on the basis of this process, then, would depend on whether or not the original judgement which forms the exemplar which Harman's Cat matches is also justified. On the belief

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[18] Ibid. 2.

penetration model, it is likewise clear that if the beliefs which penetrate into one's perceptual experiences are not themselves justified, then one is not justified in believing what one sees through ethical perception. Finally, the same can be said for the emotional trigger model. If it is the case that ethical content enters into perceptual experience when the perception of lower-level features triggers an emotional response which penetrates into perceptual experience, giving rise to an immediate experience of wrongness, then one is justified in believing that Harman's Cat is wrong on the basis of that experience only insofar as one was justified in having the emotional state in question in the first place. Were one to experience feelings of joy upon witnessing Harman's Cat, such that one failed to see anything amiss with the situation, we would be inclined to say something like "the emotion was not suited to the circumstances"—accordingly, it seems as if beliefs formed on such a basis are justified only insofar as there is something further which can be cited as a reason for the emotion. In any case, Cowan concedes that it would be strange for some unjustified or unwarranted cognitive state to give rise to a perceptual experience with ethical content which would justify one in forming beliefs endorsing that content.[19] Accordingly, he doubts that beliefs formed on the basis of ethical perception are epistemically independent.

One can see the appeal of the ethical perception defense of Perceptual Intuitionism. In cases like colour perception, on some accounts, one is non-inferentially justified in believing that something is red on the basis of it appearing red. Likewise, the hope seems to have been to show that one can have experiences of the wrongness of an action which would non-inferentially justify one in believing that it was wrong. To allow that the process of coming to know particular moral facts might require some reasoning would, on the definitions given of Perceptual Intuitionism, seem to be antithetical to the project at hand. However, while the ethical perception defense of perceptual intuitionism seems to have failed, there is reason to suspect that the approach was

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[19] Ibid. 27.

wrongheaded in the first place. The two objections I will make to Cowan's approach can be labelled "the hybridity objection" and "the narrowness objection".

iii.   Some Concerns

The Hybridity Objection

In an article entitled "Doubts about Moral Perception", Pekka Väyrynen explicitly addresses the ethical perception model which Cowan proposes. Throughout the article, he provides a number of arguments meant primarily to suggest that the recognition of particular moral facts which goes on in cases like Harman's Cat should be characterized in terms of either explicit or implicit "transitions in thought" from lower-level perceptual inputs to higher level judgements rather than in terms of ethical perception. Among these, his argument from explanatory virtues is one which, I believe, has application in demonstrating the wrongheadedness of trying to defend perceptual intuitionism via ethical perception in the first place.

According to Väyrynen, if we measure an explanation against standard theoretical virtues, we can determine that a given explanation is better than another insofar as it simpler, more unified, or has greater explanatory power. Accordingly, while moral perception might account for the phenomenology of cases like Harman's Cat, if there is a rival explanation which can account not only for cases like Harman's Cat, but also for other cases of moral judgement, then this unity might count in its favour. That is to say, if one can posit a single, general cognitive capacity which both explains what goes on when one sees at a glance that an act is wrong, but also accounts for the more deliberate consideration of features which sometimes enables one to discern wrongness, then, according to Väyrynen, this unity would count in its favour.[20] Accordingly, he suggests that it is better to think of all cases of particular moral judgement as

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[20] Väyrynen, "Doubts about Moral Perception," 13.

resulting either from "an implicit habitual inference or some other type of transition in thought which can be reliably prompted by the non-moral perceptual input jointly with the relevant background moral beliefs."[21] Such transitions in thought can be carried out without the agent's knowledge, such that the recognition of wrongness is phenomenally immediate and perhaps feels integrated with one's perception. But such a transition in thought could also occur deliberately, as when one reflects upon the features of a case to determine whether the act in question would be wrong or not. The ethical perception model can accommodate only one of these two types particular moral judgement, and so in outlining the mechanisms by which one reaches particular moral judgements, one would need to posit two mechanisms instead of one.

To highlight the unattractiveness of positing a hybrid mechanism of property recognition, Väyrynen goes on to give an example which he calls "Fine Wine". "Greg, a wine maker, reports that when he samples wine he perceives it as having various non-evaluative qualities which form his basis for classifying it as fine or not. Michael, a wine connoisseur, says that he can *taste* also fineness in wine."[22] One could account for the differences between the experiences of the two men in terms of the immediacy of the recognition of the fineness and the "phenomenal integration" of the recognition of fineness with their perceptual inputs. It is, then, a needless complication to insist that one of the men has the fineness of the wine represented in the contents of his perceptual experience while the other has only an intellectual awareness of it, especially when both men seem to have comparable discriminative abilities, training, and background knowledge.

Beyond the complicating of explanations, however, I believe that Väyrynen's objection points towards a deeper hybridity, of which the ethical perception defense of perceptual intuitionism is guilty—justificatory hybridity. That is to say, were Cowan's ethical perception approach to defending perceptual intuitionism successful, it would mean that persons who are

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[21] Ibid. 13.
[22] Ibid. 15.

justified in believing that Harman's Cat is wrong on the basis of perception would be non-inferentially justified, while those who need to intellectively attend to the features of the case, engaging in a form of reasoning, would be only inferentially justified in their belief that Harman's Cat is wrong. That is to say, we could replicate the structure of Väyrynen's Fine Wine example with Harman's Cat, such that Greg and Michael are both connoisseurs of moral quandaries, but where Greg determines that it is wrong by noting the features of the case and thereby coming to recognize the wrongness, Michael sees all the low-level features of the case but also seems to see the wrongness at a glance. Not only must we posit two separate mechanisms by which each person comes to recognize the wrongness, but we must also insist that there are two separate forms of justification going on, one inferential and the other non-inferential.

Aside from an aesthetic concern with unity, having a hybrid account of justification in the Väyrynen-inspired version of Harman's Cat suggests that the only distinction to be drawn is between an immediate recognition and a less immediate recognition which is sufficiently meaningful to warrant calling the latter inferentially justified while the latter is non-inferentially justified. Left undiscussed is an explanation of what goes on when one considers the features of a case before making a judgement which warrants the thought that judgements of this kind are justified by something other than that which justifies a more immediate judgement.

The Narrowness Objection

As I before have illustrated, it is common for authors to make one striking claim about perceptual intuitionism: they seem to claim that in order to be epistemically independent, perceptual intuitions cannot involve reasoning, the rationale seeming to be that if particular moral judgements are made on the basis of transitions in thought, they are after all governed by general principles, and so judgements of such a kind are not really justified independently of principles. For this reason, the move to Cowan's articulation of Perceptual Intuitionism can seem correct. Cowan defines Perceptual Intuitionism as the view that "normal ethical agents can and do have

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non-inferential justification for first-order ethical beliefs by having ethical perceptual experiences."[23]

If reasoning is ruled out as a means of arriving at particular moral beliefs, then it can seem reasonable to insist that one must then arrive at them by having perceptual experiences. However, one might avoid being corralled into this understanding of Perceptual Intuitionism if one could accept that certain forms of transition in thought, or reasoning, might not involve drawing inferences from premises. If this is true, then the understanding of "non-inferentially justified a posteriori belief" which Cowan seems to operate with is too narrow. Furthermore, if one can accept that certain transitions in thought are non-inferential, then one might avoid having to draw a sharp distinction between (a) those particular moral judgements which are immediate and non-inferentially justified such as the at-a-glance knowledge that Harman's Cat is wrong, and (b) those that are less-than-immediate and which are merely inferentially justified such as a more deliberate judgement that Harman's Cat is wrong, since the amount of thinking going on would not necessarily have an impact on whether or not an inference has been made. In this manner, one might avoid the hybridity objection.

iv.   Conclusion

In the literature on Perceptual Intuitionism, there seems to be a strong ongoing conviction that there are only two prospects for the view. To defend the position that one can immediately and non-inferentially come to know that some particular action is right or wrong , one must show that one can have ethical experiences on the sole basis of which one can form justified beliefs. If such experiences do not themselves justify one in forming beliefs about the thin moral character of a particular action, then it is not clear that so-called perceptual intuitions (ethical perceptions) constitute knowledge—at best, such a position would describe the mechanism by which a certain

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[23] Cowan, "Perceptual Intuitionism," 3.

subset of moral beliefs are formed. If the idea of immediate ethical perception is not successful, then we must despair of the prospects of Perceptual Intuitionism. While I might concede to Cowan that the ethical perception defense is ultimately unsuccessful, I would reject the thought that these are the only two options in play, a thought which seems motivated by a likewise dubitable position that all reasoning whereby one comes to know that a given action is right or wrong must involve inferences.

In the following chapters, I will attempt to undermine the connection between reasoning and inference so as to show that to be immediate and non-inferential, moral knowledge need not be prompted by moral perceptual experiences. That is to say, I will make the case for rejecting the thought that all transitions of thought of the form "In light of C (which is a fact, not an experience), I believe S" necessarily involve inferences. To do so, I will invoke criterial knowledge as a model of knowing S in light of C which is neither deductive nor inductive, but should instead be thought of as seeing S by seeing C. This particular understanding of criterial knowledge is, however, somewhat contentious, so the bulk of the following chapter will be devoted to making the case that the Disjunctivist View, or rather the view that understands a criterion as a manifestation of the fact S rather than a piece of evidence which generally warrants one in believing S, against competing views. Once this is accomplished, I will defend the position that knowledge of the rightness or wrongness of particular actions can be understood as a species of criterial knowledge, a position which I will (for ease of reference's sake) call "moral disjunctivism". If criterial knowledge involves reasoning which need not be thought of as inferential and if moral knowledge of the kind under discussion can be thought of as criterial, then the ethical perception defense of Perceptual Intuitionism is not the only available defense. The goal of this paper is to show that there is a plausible alternative strategy for defending Perceptual Intuitionism, namely, "moral disjunctivism".

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Chapter 3

Criterial Knowledge?

i.   Introduction

In the previous chapter, I examined the ethical perception defense of Perceptual Intuitionism and rejected it for two reasons: firstly, I argued that were such a defense to succeed, it would seem to suggest a peculiar justificatory hybridity, in that whether or not a person is justified in her belief that a given action is wrong inferentially or non-inferentially is a matter of whether or not she simply "perceived" the wrongness or whether she recognized the wrongness of the action after thinking about it and was therefore justified inferentially. This strange consequence pointed to a larger problem with the ethical perception defense, namely, its seeming commitment to the general thought that only perceptions are capable of justifying beliefs non-inferentially—all reasoning to conclusions must involve the making of inferences. While this was not explicit in Cowan's writing, it seemed to be the most plausible explanation for his apparent conviction that it must be shown that persons have ethical perceptions which are sometimes veridical in order to even begin to defend Perceptual Intuitionism—this suspicion was strengthened by reflection on comments made by other philosophers on the topic of Perceptual Intuitionism. As I noted above, Roger Crisp, writes "The contrast here [between perceptual and dogmatic intuitionism] is between a form of intuitionism that puts all of its weight on the intuition that Φ-ing is right or reasonable, and a form that, though allowing such an intuition, draws its conclusions about what to do on the basis of some kind of reasoning."[24]

To reject both the thesis that Perceptual Intuitionism stands or falls with the ethical perception defense and the belief that arriving at a conclusion by reasoning necessarily involves inference, I will begin by showing that there is kind of knowledge, criterial knowledge, which can

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[24] Crisp, "Sidgwick and the Boundaries of Intuitionism," 65.

be thought of as immediate and non-inferential even while its acquisition involves reasoning of the form "in light of C, I believe S". By defending the position that at least some instances of a posteriori knowledge both involve reasoning and are non-inferential, I will have overcome the first obstacle to proposing an alternative defense of Perceptual Intuitionism. The second obstacle to be overcome will be showing that knowledge of the rightness or wrongness of particular actions might be thought of as instances of criterial knowledge. Whether the first obstacle can be overcome, however, requires that I be able to reject alternative interpretations of the concept *criteria* which are less amenable to the project at hand. Accordingly, this section will be devoted examining the three major interpretations, the Entailment View, the Necessary Evidence View, and the Disjunctivist View, to show that the latter ought to be preferred.

ii.   Three Accounts of Wittgenstein's Criterion/Symptom Distinction

Throughout his later work (the *Blue and Brown Books* as well as the *Philosophical Investigations*), Wittgenstein draws a distinction between statements which are known on the basis of criteria[25], and statements which are known on the basis of symptoms. However, there is a great deal of disagreement about how this distinction ought to be interpreted given the seemingly disparate uses of the term found in the texts. The views I will be discussing can be said to agree on at least two points: (a) the nature of symptoms, and (b) the necessary relationship between a criterion and the states of affairs which one recognizes on its basis. Symptoms are uncontroversially understood as those kinds of features which can be taken as reliable indicators that some other state of affairs obtains. For instance, supposing that there were a patch of red which appeared on the cheek of a person with a toothache as a result of that person clutching their cheek in pain. Seeing that someone's cheek is red, one might infer that she has a toothache,

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[25] 'Criteria' is used in this context as a technical term and should not be confused with the more conversational use of the term. Importantly, a criterion, in the sense of the term I will be using throughout this paper, is *not* a standard which something must meet, but can instead be thought of a distinguishing mark that enables one to tell that some empirical proposition is true.

having come inductively to connect the presence of a patch of red with the fact that a person has a toothache. Symptoms are, then, one kind of answer which one might proffer when asked "how do you know that S is the case?", distinct in that, were one to ask the further question of "and why is that a reason to believe S?", the further explanation would involve the person's invoking something which experience has taught him coincides with S.[26]

The work I've thus far examined also seems to agree that criteria have two features which together set criteria apart from symptoms: criteria are the sort of thing which might be cited in answer to the question "how do you know that S?" (where S is some proposition specifying a state of affairs), but importantly, were one to ask the further question "how do you know S in light of C" (where C is a proposition specifying a feature of the situation at hand),[27] one has reached the point where we might say, as Rogers Albritton (invoking Wittgenstein) writes, "Here we strike rock bottom, that is we have come down to conventions"[28]—one can only answer something like "That's what that kind of thing is called", thereby invoking a truth about linguistic convention rather than some inductively discovered generality. This distinguishing feature of criteria is discussed by John Canfield and Gregory Lycan as well. Canfield writes of a case where, rather than being explicitly expressed, one indicates the criterion for one's judgment demonstratively in the following manner, "If Jones and Smith observe a deer in a clearing and Smith asks, "what leads you to believe that is a deer?" it could be acceptable English for Jones to reply, "That is the sort of animal we call a "deer"."[29] Lycan writes in a similar vein that once one has invoked a criterion to justify a given judgment, for someone to ask for further justification simply manifests a lack of understanding of the given expression. Accordingly, someone who

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[26] Rogers Albritton, "On Wittgenstein's Use of the Term 'Criterion'," *Journal of Philosophy* 56, (1959): 846.
[27] For the remainder of this paper, 'C' will be taken to stand for a criterion, and 'S' will be taken to stand for a proposition which one comes to know in light of C.
[28] Ibid. 848.
[29] John Canfield, *Wittgenstein, Language, and World* (Amherst: University of Massachusetts Press, 1981), 33.

"understands the way S-language works will see the impropriety of asking for further justification."[30] A grasp of the fragment of language in question entails being able to see that the criterion is just the kind of thing which one invokes to support a judgment like S.

Where these views differ is in how they understand this necessary relationship between a criterion and the S which can be known in light of it. In what follows I'll attempt to outline how the Entailment View, the Necessary Evidence View, and the Disjunctivist View characterize the relationship between a given criterion and the state of affairs which one might come to know in light of that criterion with a view to highlighting the potentially problematic implications of, or motivating assumptions underlying, each view. It should be emphasized that this paper will not be concerned to reconstruct Wittgenstein's own views on this matter but rather to determine which account most plausibly captures what goes on when one comes to know some S by recognizing some C.

The Entailment View

In *Wittgenstein, Language, and World*, Canfield defines an Entailment View of criteria as asserting provisionally either: "If some phenomenon C is a criterion for some state or entity S, then the statement that C obtains entails the statement that S obtains, or: Where B is a statement of the background conditions given which the criterion C is a criterion for S, then the statements that B and C obtain entail the statement that S obtains."[31] While perhaps the same cannot be said of all who take the Entailment View, for at least some, this "or" is an inclusive "or". That is to say, for Rogers Albritton, while some criteria are understood to be necessary and sufficient conditions for S *tout court*, other kinds of criterion which Albritton claims define S only in part are only sufficient conditions for claiming S given certain circumstances. For example, an angina can be said to have a single, defining criterion which is a necessary and sufficient condition of

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[30] W. Gregory Lycan, "Non-Inductive Evidence: Recent Work on Wittgenstein's 'Criteria,'" *American Philosophical Quarterly* 8 (1971): 110.

[31] Canfield, *Wittgenstein Language and* World, 37.

one's having an angina.[32] If one has an angina, then she must also have the "bacillus so-and-so in her blood,"[33] and one cannot both have the bacillus so-and-so in her blood and fail to have an angina, since, as Albritton puts it, "this is what medical science calls angina."[34] By contrast, a criterion which only defines S *in part*, or rather, which is a criterion-among-others for S, can show that S is the case only within particular circumstances—while the fact that she is holding her cheek can sometimes show that she has a toothache, in other cases this does *not* entail that S—in some cases, perhaps the person is only keeping her hand on her cheek as she rests her head on her hand. A criterion which is only a criterion-among-others is not necessary and sufficient for S *tout court*, but instead entails S only given certain circumstances.

Albritton's particular version of the Entailment View can be further distinguished among views of criteria as an identity view. That is to say, Albritton not only claims that criteria and the state of affairs which one can know to obtain on the basis of criteria are deductively connected, but he makes the further claim that this connection is one of identity. Albritton takes it that since Wittgenstein writes, "My criterion for another person's having toothache is what I *call* his having a toothache,"[35] we can infer that a criterion for another person's toothache *is* the toothache. Albritton writes, "The criterion of angina, in Wittgenstein's example, is what 'medical science calls angina' and Wittgenstein repeatedly says or implies, in the *Blue and Brown Books*, that criteria of X are phenomenon that we call 'X', or refer to by the expression 'X' (if not refer to *as* 'X')... under various circumstances."[36]

There seem to be obvious reasons for rejecting this kind of position. While it may be true that we are often willing to assert S when we are willing to assert C (as when we say "I believe it's a deer because it looks like a deer"), it would be an odd move to insist further that we are

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[32] 'Angina' is not actually defined in this manner. An angina is actually a chest pain caused by narrowed arteries in the heart. This mistake does not impact the discussion at hand.
[33] Albritton, "On Wittgenstein's Use of the Term 'Criterion'," 846.
[34] Ibid. 847.
[35] Ibid. 851.
[36] Ibid. 851-852.

referring to deer-appearances, rather than the deer itself, when we say that it is a deer. As Canfield points out, taking such a strong Entailment View runs into problems associated with the transitivity of identity.[37] When one thinks of a given criterion for "expecting someone to tea", it quickly becomes clear that any criterion which one specifies will be one among others— sometimes that a person is pacing the floor is a criterion for the proposition that she is expecting someone to tea, sometimes that she is frequently glancing out the window is such a criterion, sometimes that she is putting a large kettle on to boil is such a criterion, and so on. If these criteria not only entailed S under circumstances R but were also *identical* with S, then by transitivity each criterion would also be identical with every other criterion. We should then hesitate to understand a criterion as identical with that proposition for which it is a criterion.

While Albritton's particular version of the Entailment View is unacceptable, one might contend that the Entailment View is more generally problematic. That is to say, one might take the notion of entailment as problematic in itself. Canfield is not forthcoming about his objections to the Entailment View taken generally, but Lycan insists that it is always conceivable, even if unlikely, that some criterion for S could be met even while S is false, such that no criterion C can be taken to entail S.[38] This seems, however, overstated—the Entailment View which Canfield outlines in *Wittgenstein, Language, and World* specifies that a criterion-among-others entails S only given certain circumstances, R. Accordingly, supposing one could specify the circumstances R given which C is a sufficient condition for S, one could guarantee that, given R, C always entails S. Even in this circumstance-relative form, however, one could still raise a further objection to the Entailment View.

In cases where there is one defining criterion of S, as in Albritton's Angina case, C (that such-and-such a bacillus is present) would guarantee the truth of S in all circumstances. However, this is not the case with a criterion-among-others. For instance, it is plainly false that the fact that

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[37] Canfield, *Wittgenstein Language and World,* 46.
[38] Lycan, "Non-Inductive Evidence: Recent Work on Wittgenstein's 'Criteria'," 109-110.

something looks like a pine tree in all cases guarantees that what one is looking at is a pine tree. The possibility of pine tree facsimiles ensures that there is a possible world wherein what one is looking at is in fact a mere appearance of a pine tree. In such a case, we might ask what sort of circumstances must obtain to guarantee that what one is looking at is a real pine tree rather than someone's discarded plastic Christmas tree. While we ordinarily think that given the circumstance, R, that one is in a forest means that, the plastic tree possibility is not really a relevant alternative and hence that one could justifiably believe that what one is looking at is a pine tree, this is not *entailed* by the criterion in these circumstances. It seems, then, that in order for the criterion and circumstances to entail S, we must build a stronger guaranteeing clause in to the circumstances, R. It is unclear, however, that this could be done without the entailment becoming trivial, namely, by building "that the tree is not fake" into the specification of R. If this is the case, then a criterion-among-others only trivially entails S, given R. There is, then, reason to doubt that the connection which holds between C and S, between the fact that something appears or seems thus-and-so and the fact that things are as they appear or seem, is one of entailment.

Before moving on, I'll quickly quote John McDowell on the matter. One might respond to the possibility of false-appearances or seemings by claiming "that there must be policies or habits of basing belief on appearance that *are* utterly risk-free. It is obvious how this response might be attractive, in the context of the threat of scepticism; but I do not think it has any plausibility in its own right. It would express a rather touching a priori faith in the power of human reason to devise fully effective protections against the deceptive capacities of appearances. No doubt it would suit our vanity, or at least help us feel safe, if we could suppose our reason had such power, but obviously that is no ground to believe it is so; in fact it is a ground to be

suspicious of the idea."[39]

The Necessary Evidence View

The next view of criteria which I will examine is the view notably forwarded by Anthony Kenny, Gordon Baker, Sydney Shoemaker, and Gregory Lycan which Canfield calls the "Necessary Evidence View". As I said at the outset, the views under discussion can be said to share two beliefs in common: that there is a necessary connection between criteria and the propositions for which they are criteria, and that criteria and symptoms are distinct. On the Necessary Evidence View, the distinction between criteria and symptoms is preserved in that the criterial relation between C and S is not something which we come to know by induction, but instead is something which plays an essential role in the learning of language itself. Lycan insists that "if the [criterial relation] between pain-behavior and pain did not usually hold in particular situations, no one could have taught me to use the word "pain" correctly—where "correctly" means just, "in the way speakers of English do use it." Accordingly, we can distinguish criteria from symptoms in that their "rock bottom" is conventional, with criterial rules justified in light of "what we have learned to call evidence for S" rather than "what we have found to be evidence for S."[40] That the Necessary Evidence View differs dramatically from the Entailment View should come as no surprise, since, as Canfield suggests, it can be understood as a response to the failings of the Entailment View. Denying that any criterion's being met entails S, proponents of this view withdraw to a position which understands criteria as a unique species of evidence. Accordingly, we do not need to think of a criterion as guaranteeing the truth of S, but only as providing one with warrant for believing that S—a warrant which sometimes amounts to knowledge, and sometimes does not. Taking on board the lessons which can be learned from cases of false appearances or seemings, the Necessary Evidence View expressed by Lycan understands criteria

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[39] John Henry McDowell, "Knowledge and the Internal," in *Meaning, Knowledge, and Reality*, 395-413 (Cambridge: Harvard University Press, 1998), 399-400

[40] Lycan, "Non-Inductive Evidence: Recent Work on Wittgenstein's 'Criteria'," 110.

as providing evidential support for a claim that S in all cases, or necessarily. This support is only defeasible support. That the criterion for S has been met provides one with reason to believe that S, but that reason can be defeated in what Lycan calls "abnormal circumstances".

Lycan follows Sydney Shoemaker in his formulation of the Necessary Evidence View. Quoting Shoemaker, he writes, "If so-and-so's being the case is a criterion for the truth of a judgment... the assertion that it is evidence in favour of the truth of the judgment is necessarily (logically) rather than contingently (empirically) true."[41] According to Lycan's position, one can judge that S is true on the basis of C in normal situations. The upshot of this is that while criterial evidence is defeasible, insofar as C is unchallenged as a reason to believe that S, it is inappropriate to doubt that S. If one doubts that another person is in pain in the presence of such criteria as that the other person is writhing on the ground groaning, one must justify her doubt "by showing somehow that [she] is faking, or that [she has] a pronounced nervous tic, or that [she] usually act[s] that way when someone has been reading Hegel to [her]."[42] Accordingly, while the evidence which a criterion provides for believing that S are defeasible in abnormal circumstances, in paradigmatic circumstances one has, in Lycan's words, "logically unappealable justification" for S which falls short of deductive certainty or entailment, but innocuously so. For one's criterially justified belief made under normal circumstances to be false, it seemingly must be the case that one was, after all, mistaken about how normal the circumstances were. For instance, suppose I believe that x is red because it appears red, and the circumstances seem normal. However, my justified belief might turn out to be false if, without my realizing it, the lighting conditions were other than favorable for normal color vision. My criterial evidence for S is thereby defeated without my realizing it.

The Necessary Evidence View enables one to make a number of seemingly intuitive distinctions among persons who form true, criterially justified beliefs and those who do not,

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[41] Ibid. 110.
[42] Ibid. 111.

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which might, along with its rejection of the Entailment View, contribute to its appeal. We can speak of a person who makes a judgment on the basis of a criterion as, generally speaking, justified in her belief, with the extent to which this is the case perhaps ranging with the person's ability to discriminate between normal and abnormal circumstances. Lycan speaks of the fact that a given judgment was made on the basis of a criterion at all as being an "essential justification condition", or rather, something which manifests a person's basic competence with the expression in question such that someone who invokes a criterion to justify her belief, even while she makes frequent errors, can still be said to have learned the expression.[43] Someone who is both competent in this manner and more adept at distinguishing normal from abnormal circumstances might, even when their belief is false, be credited with having good criterial evidence for her judgment and so be thought to be justified, while someone who makes such judgments and is fortunate enough to find herself in genuinely favorable conditions, has a belief which is both justified and true. There is something intuitive about these distinctions, since it allows us to give credit where credit is due to those whose beliefs are false by sheer bad luck (in not having been in a position to tell that circumstances were abnormal by no fault of their own.)

The Necessary Evidence View is taken to be problematic by both Canfield and McDowell. McDowell in particular discusses such a view at length in both "Criteria, Defeasibility, and Knowledge" and "Knowledge and the Internal". He sees it as a species of view which takes Arguments from Illusion as not only counting against the Entailment View of criteria, but as forcing one into a kind of skeptical recoil where one is never able to know that S simply by occupying a certain position in the space of reasons i.e. by recognizing a criterion for S. Instead, we must imagine someone who knows that S as a) having the evidence provided by C and b) enjoying the good fortune of S being true, since in making a judgement one can only hope that one's present circumstances are such that C is not defeated by abnormal circumstances without

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[43] Ibid. 113.

one's knowing, as might occur in cases of illusion. From within, one cannot always distinguish cases where C obtains (it seems to be raining) and circumstances are favorable (it *is* raining) from cases where C obtains (it seems to be raining) and circumstances are *not* favorable (the rain is an illusion—maybe it's cloudy and a sprinkler is pelting your window, unbeknownst to you). Since one is justified in both cases, it is in some cases mere luck which distinguishes knowledge from justified belief.

When one gives up the likely vain hope of finding a non-circular means of specifying criterion and circumstance pairs which guarantee the truth of S, it might seem like the possibility of reasonable error forces one to adopt one of two responses. One might adopt a form of skepticism, concluding that the fact that no kind of epistemic standing can ensure that things are as they appear brings the entire notion of criterial knowledge into doubt. Rejecting this response, one might adopt the hybrid notion of knowledge which the Necessary Evidence View is committed to, wherein the blameless epistemic standing one might attain on the basis of criterial evidence (appearances and seemings) is only the internal component of a hybrid state requiring the external "favoring", or truth component in order to constitute knowledge.[44] This is, however, an unsatisfactory position to adopt regarding knowledge—it forces one to conceive of a person's knowing S as rationally indistinguishable from a state of falsely believing S, with the only difference between the two made by a factor which is thought of as external to reason, i.e. an inaccessible state of the world. However McDowell reminds us that typically when we think of the difference between *true belief* and knowledge, we highlight the importance of justification in ensuring that one's epistemic standing is rational rather than accidental—accordingly, intuitions often indicate that a person involved in a Gettier Barn scenario, forming true beliefs about some X being a barn as a matter of good fortune since unbeknownst to her she is in the heart of barn-facsimile country, does not *know* that they are looking at a barn. True beliefs which are true as a

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[44]McDowell, "Knowledge and the Internal", 400.

matter of good fortune are often thought to fall short of knowledge. We are in danger of losing sight of this on the Necessary Evidence View.[45]

The Disjunctivist View

The final view under discussion is the Disjunctivist View—in what follows, I will first outline the view as it is expressed by McDowell, and then I will note some of the attractive aspects of the other views which can be accommodated by it, as well as the pitfalls which it seems to avoid.

As with the other views, the Disjunctivist View maintains that there is some necessary connection between a criterion and the proposition which is criterially known—however, while the Necessary Evidence View took the fact that criteria can be met even while S is false as an indication that criteria do not always entail S, McDowell resists the move towards defeasibility. The adoption of the Necessary Evidence View is only necessitated if we accept a certain assumption about the generality of criterial status, namely, that if some x "is a criterion for a claim in some circumstances, then it is a criterion in any."[46] The Necessary Evidence View insists that the fact that a given criterion is met always provides one with warrant for believing that S, although one's reason for belief can be defeated or overridden in abnormal circumstances. The Disjunctivist View rejects this, insisting that one might alternatively believe that a given seeming or appearance is only a criterion for a claim under certain circumstances, namely, when the claim is actually true—accordingly, my claim that a given seeming is in this instance a criterion for the proposition S is only true when S is true.

The resulting view is one which distinctively understands criteria as not merely evidence providing one with warrant for some belief that S, but as manifestations of the fact, S. That is to say, what is available in experience is not merely the independent fact that something seems or

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[45] Ibid. 403.
[46] John Henry McDowell, "Criteria, Defeasibility, and Knowledge," in *Meaning, Knowledge and Reality*, 369-394 (Cambridge, Harvard University Press, 1998), 379.

appears thus-and-so, from which we can infer that some further fact obtains on the basis of a deductive or evidential syllogism—instead, the fact itself is sometimes directly available to experience through criteria. That a criterion is satisfied is simply to say that "the associated knowledge is available in the relevant way."[47] Accordingly, when S is true, to know that C is to be in a position to know that S as well, since C is in this instance a manifestation of the fact, S. By contrast, in those cases where something appears or seems thus-and-so and yet S is false, this appearance or seeming is merely that and not, as the Necessary Evidence View would contend, still a criterion for S. For example: if someone is expecting a friend to tea and this fact is presently manifested by his pacing the floor, looking out the window, and boiling the kettle, these are criteria for the claim that he is expecting a friend to tea. However, if someone only seemed to be expecting a friend for tea but was instead just making tea for himself, then even if he were pacing the floor and looking out the window, insofar as this doesn't manifest the fact that he is expecting a friend to tea (there being no such fact), criteria for the claim that he is expecting a friend to tea only seem to be met. Accordingly, we can distinguish between genuine criteria, which are manifestations of fact, and mere appearances or seemings which only seem to be criteria. In keeping with Gareth Evans' belief-independence thesis, "seems to be a criterion" here is not meant to suggest that in all cases wherein someone is faced with a seeming-criterion, one is thereby induced to believe S.[48] One can both experience something which appears to be a pine tree and doubt or reject that it actually is one, as one might if one saw such a tree in someone's living room ("it looks like a pine tree, but I know it might be fake", or "it looks like a pine tree, but I know it's just a plastic Christmas tree.")

In discussing the Entailment View and the Necessary Evidence View, I outlined some serious objections to each position, but also discussed intuitions which these views seemed to capture. The Entailment View, particularly Albritton's version of it, seemed to capture the thought

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[47] Ibid. 385.
[48] Gareth Evans, *The Varieties of Reference* (New York: Oxford University Press, 1982), 123.

that we will often refer to a criterion-among-others which has been met as S. However, the view was undermined by its own confidence that one could uncover rules which non-circularly connected circumstance-criterion pairs with states of affairs in a relationship of entailment. ("Under circumstances R, if C then S") Likewise, the Necessary Evidence View captured both the thought that it seeming or appearing to be the case that things are thus-and-so could never entail that things actually are thus-and-so and the thought that we ought to duly credit persons who blamelessly believe S in light of appearances or seemings even while S is false. However, the view fell into difficulties in trying to fully capture our intuitions about the relationship between knowledge and luck. In what follows, I hope to show that the Disjunctivist View both avoids these pitfalls and accommodates the intuitions which the other two views so attractively capture.

In Albritton's discussion of the Entailment View, he claims that a criterion-among-others can be understood in part as being identical with that proposition which can be known in light of that criterion. While this view seems *prima facie* extreme, he supports it by noting the ways in which we speak of criteria. "These various ways of speaking about criteria imply that to be a criterion of [S] is just to be [what is called S]..."[49] For instance, in speaking about the various movements of a person who is expecting someone to tea (putting a kettle on to boil, glancing out the window, pacing the floor), we might say of this "All this is expecting a friend to tea", or "we call *this* expecting a friend to tea". As was already suggested, this understanding of the criterial relationship is problematic. However, it might be said that there is a certain insight that this view captures. When speaking of objects or states of affairs which appear or seem to be S, we tend conversationally to refrain from using the language of "looks" and instead simply affirm that S is the case (provided we are not actually in doubt that S is true). This is noted by Wilfrid Sellars in his *Empiricism and the Philosophy of Mind*, wherein he notes that, according to conversational implicature, to claim that X looks, seems, or appears S rather than simply affirming that X *is* S, is

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[49] Albritton, "On Wittgenstein's Use of the Term 'Criteria'," 851-852.

to suggest that one is in doubt such that one feels the need to hedge the assertion.[50] Accordingly, in light of C, one simply affirms that S, thereby *calling* C, "S".

This seems to confuse the fact that we affirm that S *in light of* our recognition that things seem or appear to be S (C) rather than actually referring to C *as* S. As Lycan noted, looking like S and being S are clearly distinct.[51] That is to say, that something looks like a deer and that something is a deer are logically distinct propositions, since there is the possibility of deer facsimiles. However, we can see the close connection between C and S if we borrow the terminology of the Disjunctivist View, and understand C as manifesting S. To recognize that C is to come into cognitive contact with S, since C simply is how we experience S. Logically, S and the appearance of S come apart, however they are intimately connected in that sometimes seeing that things appear to be or seems to be S is seeing that S, criterion being a mode of cognitive access to S. We can, then, account for the phenomenon of calling C, "S" if we understand the relationship between C and S as one of manifestation rather than identity.

The Disjunctivist View can be seen as not only accommodating the insights of the Entailment View, but as also avoiding its major pitfall: circularity. While the Entailment View insists on a deductive connection obtaining between criteria and those states of affairs for which they are criteria, the Disjunctivist View is not committed to being able to specify in advance a syllogistic major premise which connects appearances to reality in all cases. Instead, the Disjunctivist View can be understood as benignly embracing the very insight which renders the Entailment View problematic, namely, that C is a criterion for the proposition S only in those circumstances where S is actually the case, and so in all cases where a given appearance or seeming is a criterion for the claim that S, S is true. This is not circular, however, since absent is the thought that one could come to know S in a risk-free manner. Instead, the Disjunctivist View

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[50] Wilfrid Sellars, "The Logic of Looks," in *Empiricism and the Philosophy of Mind*, 32-45 (Cambridge: Harvard University Press, 1997).
[51] Lycan, "Non-Inductive Evidence: Recent Work on Wittgenstein's 'Criteria'," 109-110.

accepts that, while sometimes one will be correct in believing that a given appearance or seeming is a manifestation of S, in still others she will be fooled by illusion or a mere seeming and will accordingly be mistaken. There is an important distinction to be drawn between a view which claims that by seeing C and recognizing that R-circumstances obtain, I thereby know S just as I know Q insofar as I know P and P—>Q, and a view which claims that in seeing that it seems to be the case that S, I am seeing that S insofar as S is true. One can be mistaken in believing that an appearance or seeming is a criterion of S, and so one need not be able to specify in advance some circumstance R such that R guarantees that S is true. Accordingly, circularity is not problematic for the Disjunctivist View.

As was previously mentioned, the Necessary Evidence View had the benefit of giving credit where credit is due, epistemically. That is to say, one could draw three distinctions between beliefs formed on a criterial basis: 1) those where one believes S in light of the kind of proposition which can be a criterion of S, 2) (1) and one can distinguish between normal and abnormal circumstances (fallibly), and 3) (2) and one's criterial judgment is correct. Agent (2) and agent (3) are justified in their beliefs, while agent (1) is merely intelligible in her use of the proposition in question, meeting only the most "essential justification condition" as Lycan would say. It is true that we are inclined to claim that agent (2) is justified, since by hypothesis this belief was formed blamelessly, in a context where the agent in question could not have been expected to recognize that circumstances were abnormal. It seems unfair to assert that while agent (3) is justified, agent (2) falls short, purely on the basis of luck, this seeming to be a form of blame. However, even while it is true that the Disjunctivist View distinguishes between a person being justified or not on the basis of the arguably inaccessible fact that what the agent takes to be manifestations of S are genuinely manifestations of S rather than mere seemings, this distinction need not imply that we cannot still appropriately credit the unlucky believer, agent (2). To deny that agent (2) is justified in the same manner as agent (3) is not to forget that the epistemic state

which agent (2) is in is one which demonstrates a competence with the language and that his belief, while not justified, is still both reasonable and warranted. "Justified" need not be the only term we use to mark those who exercise good criterial judgment.

Finally, just as the Disjunctivist View is able to accommodate the aforementioned insight of the Necessary Evidence View, it also avoids its major pitfall. That is to say, while the Necessary Evidence View can be accused of making knowledge a matter of a person's being lucky, the Disjunctivist View is able to distinguish between agent (3) and agent (2) in terms of their standings in the space of reasons. That is to say, while someone who blamelessly but falsely believes S has reasons which, one might say, are not really good reasons for believing S in this particular context, someone who believes S on the basis of C has a belief which is justified in light of reasons which are genuinely good reasons for believing S—to borrow an idiom employed by Jonathan Dancy in the context of reasons for action, we can distinguish between motivating reasons and normative reasons for the belief S. While a motivating reason is simply that consideration in light of which the agent in question did, or in our case, believed S, a normative reason is one which actually favors the belief, with the degree to which a reason can be said to be a good reason tracking the extent to which the reason actually favors the belief.[52] While both agent (2) and agent (3) can be said to be believing S in light of normative reasons which favour their beliefs, we can distinguish these reasons in terms of just how good they are. The knower is distinct from the blamelessly mistaken believer in that her reasons are better normative reasons for believing S while the blamelessly mistaken believer's reasons are worse—that is to say, it is not merely good luck which sets agent (3) apart from agent (2).

By highlighting both the shortcomings of views which understand the necessary relationship between a criterion and that which is criterially known as deductive (e.g. the Entailment View) and of views which understanding this relationship in inductive terms (e.g. the

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[52] Jonathan Dancy, *Practical Reality*, (New York: Oxford University Press, 2000), 1-2.

Necessary Evidence View), I've attempted to position the Disjunctivist View as the most plausible view. Importantly, this view portrays the relationship as not one of identity but one of manifestation, such that one does not infer that S is the case on the basis of C, but rather can see that S is the case in light of C which manifests this fact. This aspect of the Disjunctivist View is what enables it to appropriately distinguish between the knower and the unlucky believer in terms of their position in the space of reasons. Happily, this same aspect of the view is what makes it so attractive for our purposes—if the Disjunctivist View best describes what it is to know that S in light of a criterion (to know that it's raining in light of it looking thus-and-so outside, to see that a person is in pain in light of them groaning, writhing, and clutching at a certain place on their body, etc.) then there is a form of a posteriori knowledge which can be described as non-inferential. Instead, knowledge of such a kind involves one's having cognitive access to the fact that S through the manifestation of that fact, C. In what follows, I will address an extant objection to the Disjunctivist View before examining the question of whether such a model might be used to understand knowledge of the rightness or wrongness of particular actions.

iii.   Some Concerns

It might be retorted that the previous discussion of luck and knowledge merely glosses over the fact that, just as the blameless believer, agent (2), is unlucky in having it turn out that what he took to be a manifestation of S was in fact a mere appearance of S, we might insist that agent (3), who blamelessly believes S and gets things right is still merely lucky. We can seem forced to accept this conclusion if we reflect upon the possibility of illusion—since an illusion of S which one is blamelessly deceived by is indistinguishable from a genuine manifestation of S by the agent, it is tempting to conclude that it is not by some exercise of a power to know that one comes to have a justified belief that S, but merely a lucky guess.

This is a worry addressed by Sebastian Rödl. In *Self-Consciousness*, Rödl argues that it is

a mistake to conclude from the fact that blameless error is the product of bad luck that one must therefore characterize a successful case of belief (knowledge) in terms of luckiness. To demonstrate this, Rödl invokes the concept of a "fallible power", which he defines as "one whose exercise is liable to be thwarted by unfavorable circumstances."[53] That is to say, a power is the kind of thing which is by definition imperfect—its exercise is not such that it is totally risk-free. For example, to say that someone has a power to juggle is not to say that in all contexts wherein that person attempts to juggle, she is successful. A strong wind might prevent her from successfully juggling, just as wearing oven mitts might, having her hands covered in Crisco, or any other number of circumstances which one might think up with some imagination. While the unsuccessful exercises of such a power might be explained in terms of unfavorable circumstances, a successful exercise need only be explained as an actualization of that power itself—the absence of unfavorable conditions (good luck, one might say) need play no role in explaining the action which manifests the power in question. Rödl writes, "'No content is specified by the phrase 'no unfavorable circumstances obtained.'"[54] That no such circumstances obtained means that circumstances were such that the power was properly exercised, and adds nothing to the explanation of why it was properly exercised. A power does not bear the same explanatory relation to failed acts as it does to successful acts. Its successful act is explained by the power alone, its failed act by the power through negation and subtraction, that is, by circumstances unfavorable to its exercise."[55] Accordingly there is an asymmetry between the explanation of successful and unsuccessful cases of knowing—in the case of blamelessly mistaken belief, one's failure to know is explained in terms of the power to know and the bad luck that thwarted that power, while in the case of knowledge, conditions favorable or otherwise play no role in the explanation. It is simply the successful exercise of a power to know.

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[53] Sebastian Rödl, *Self-Consciousness*, (Cambridge: Harvard University press, 2007), 151.
[54] Ibid. 155.
[55] Ibid. 154.

This general response might be characterized in a different (and hopefully illuminating) idiom. In "Discrimination and Perceptual Knowledge", Alvin Goldman discusses the necessary involvement of powers of discrimination in the acquisition of knowledge. Goldman describes a knower as one who forms beliefs in keeping with a cognitive mechanism which not only reliably produces true beliefs, but inhibits false beliefs—one needs not only to be able to tell when S is true, but must also be able to refrain from believing S when it is false, or rather, "discriminate or differentiate between incompatible states of affairs."[56] Were we to omit this feature of knowing, then we would be left in a position where knowledge could be a matter of accident, since if an agent is unable to discriminate between incompatible states of affairs at least sometimes, then for any A and any B such that A and B are states of affairs which the agent is unable to discriminate between, whenever the agent believes that A instead of B is the case, it is a matter of luck since it could have been the case that B and not A obtained and the agent would have been none the wiser. This is just to reiterate that to know is incompatible with being correct in a belief as a matter of luck.

Importantly, however, while being able to know S involves being able to tell when S is true in such a manner that one would not be led to believe S were S false, Goldman refrains from claiming that this power must be infallible. To do this, he introduces the concept of "relevant alternatives" to suggest ways in which one might maintain the importance of discrimination to knowledge without insisting that one must be able to exercise this power infallibly. A relevant alternative to S is some state of affairs P which could be true in light of the appearances at hand, which would be indistinguishable from S from a certain vantage point—in classic Gettier problems barn facsimiles are relevant alternatives to actual barns since they share in appearances from the vantage point of the driver. The term "relevant" in this expression serves as a limit on which alternatives an agent must be able to discriminate between from his present vantage point

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[56] Alvin Goldman, "Discrimination and Perceptual Knowledge," in *Perceptual Knowledge*, ed. Jonathan Dancy (New York: Oxford University Press, 1988), 43.

in order to be counted as knowing S. Goldman writes, "A knowledge attribution imputes to someone the discrimination of a given state of affairs from possible alternatives, but not necessarily all logically possible alternatives. In forming beliefs about the world, we do not normally consider all logical possibilities. And in deciding whether someone knows that p... we do not ordinarily require him to discriminate p from all logically possible alternatives."[57] While Goldman hedges somewhat in this article (in that he doesn't explicitly state what would be an overly broad construal of "relevant alternative") it is at least clear that he rejects the thought that one must be counterfactually sensitive to all possible alternatives. Accordingly, we could claim that a person knows that S insofar as she knows that the appearance in light of which she believes that S is not a mere seeming induced by a relevant alternative—for instance, we might be willing to assert that a person knows that a certain object is a pine on the basis of it looking thus-and-so from her vantage point if there are no alternative hypotheses that would account for those looks— if she is in a forest where there are no plastic Christmas trees, then she would not need to take steps to rule out the Christmas tree (logical) possibility, since it is not a relevant alternative. Were she in a living room looking at the object, there would be a relevant alternative in play (since the appearance could plausibly be accounted for by either a real pine tree or a false one), and so in order to know that it is a pine tree, she would need to be able to rule out this other alternative. Barring this, it would be a matter of luck if her belief happened to be true. To know that S in light of C, one must be able to rule out at least relevant alternatives, that is to say, one must be able to rule out conflicting accounts of the appearances to assure oneself that one is judging that S in light of a genuine criterion rather than a mere seeming.

Using the terminology borrowed from Goldman, it can be seen that those who criterially know S do so as the result of exercising a power of discrimination, not merely as a matter of accident. Failing to be in a position to discriminate S from irrelevant alternatives does not make it

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[57] Ibid. 44.

a matter of luck that the agent has a true belief that S. If one knows S, then one has exercised a power to discriminate S from relevant alternatives which are incompatible with S being true, whereas if one is blamelessly mistaken about S, we might say that the exercise of her power has been thwarted by an alternative which was *not* relevant. If one holds a skeptically broad conception of "relevant alternatives", then it will seem as if no one can know S, since there are logical possibilities which cannot be ruled out. However, if we maintain a more conversational understanding of "relevant alternatives", then this troubling thought can be avoided and we can maintain the asymmetry of explanation which Rödl proposed, explaining successful cases of knowing in terms of the exercise of a power of discernment while failed exercises alone are explained in terms of bad luck, or, as one might say, the unforeseen occurrence of what might reasonably have thought to be an irrelevant alternative.

Fundamental to assuaging this worry is the thought that cases of criterial knowledge exemplify the exercise of a power. As long as we can characterize knowing S on the basis of C in terms of an agent exercising what might be termed a power of discrimination, then we need not worry that she is merely enjoying good luck. This power is the product of an ongoing process of refinement whereby the agent becomes able to reliably affirm, doubt, or reject seemings or appearances. Understanding criterial knowledge as involving a cognitive mechanism which is counterfactually sensitive although fallible can allow us to reject the thought that the person who believes S in light of genuine criteria is merely lucky.

iv.   Conclusion

In the previous chapter, it was suggested that the understanding of non-inferential *a posteriori* knowledge found throughout contemporary discussions of Perceptual Intuitionism in ethics was too narrow in scope. While Cowan presented the ethical perception defense as if it were the only possible defense of Perceptual Intuitionism, this account seemed motivated by an

undue conviction that all forms of reasoning involve inference. This made it seem as if one could only non-inferentially come to know that some particular action was right or wrong on the basis of a specifically ethical experience. However, if one reflects upon criterial knowledge on the Disjunctivist View, it becomes clear that the category of the non-inferential *a posteriori* is broader than Cowan seems to think. On this view, one can know that something is a pine tree in light of its appearing thus-and-so, that a friend is upset in light of his face having a certain expression, that someone is expecting a friend to tea in light of her pacing the floor. A criterion is an appearance or seeming which manifests a given fact, such that to see that things seem, look, or appear to be thus-and-so is to see that they are thus-and-so. If we have reason to think that the category of *a posteriori* non-inferential knowledge ought to be expanded to include criterial knowledge, then we also have reason to wonder whether Cowan's pessimism about the prospects of Perceptual Intuitionism was unwarranted. Of course defending the Disjunctivist View of criteria was only the first step in showing that there might be an alternative defense of Perceptual Intuitionism. It is still to be shown that it is appropriate to think of our knowledge of the rightness or wrongness of particular actions as on this criterial model. Accordingly, in the following chapter I will attempt to show that moral knowledge of that kind can plausibly be thought in terms of moral seemings which are either mere seemings or manifestations of a moral fact. In showing that this is at least a reasonable way of modelling moral knowledge, I will hope to make the case that Perceptual Intuitionism does not stand or fall with the ethical perception defense.

Chapter 4

Maybe Moral Disjunctivism

i.   Introduction

At the outset of this thesis, I proposed to defend the prospects of Perceptual Intuitionism, understood as the view in moral epistemology that one might have non-inferential, a posteriori knowledge that a particular act is right or wrong. While Robert Cowan seemed to despair of this possibility, I argued that his dismissal was too hasty and could be rejected if we could (a) demonstrate that there are forms of non-inferential a posteriori knowledge beyond what Cowan seems inclined to acknowledge, and (b) show that moral knowledge could plausibly be cast in those terms. To this end, the second chapter explored a particular structure of knowledge touched on by Wittgenstein in his later work, namely, knowledge on the basis of "criteria". While some interpretations of this form of knowledge couched it in terms that saw criteria as mediating between an agent and the world, such that to see that something looks or appears S is merely to have grounds to infer, deductively or inductively, that S obtains, these interpretations were rejected since they seemed to falsify the distinction between knowing and blamelessly believing or to implausibly suggest that there is an infallible and non-trivial procedure for determining whether or not S obtains on the basis of criteria. The third interpretation, on the other hand, avoided these pitfalls while proposing that criterial knowledge is non-inferential. To know that S obtains on the basis of criteria is to know that S obtains on the basis of a manifestation of that fact. Furthermore, we can be assured that judgements made on the basis of criteria constitute knowledge insofar as they are true judgements, justified insofar as they are made in light of manifestations of fact and made through the exercise of a power of discernment which suitably assuages the worry that knowledge is undermined by luck.

Having made a plausible case for understanding criterial knowledge disjunctively, that is

to say, understanding it as a form of knowledge that is non-inferential and *a posteriori*, the final task of this paper will be to demonstrate that moral knowledge might be thought of along these criterial lines. Towards that end, I will be drawing heavily upon the work of Jonathan Dancy—particularly his articulations of holism in the theory of reasons—to draw parallels between moral judgement and "criterial" judgement ("criterial" being shorthand for knowledge on the basis of appearances and seemings discussed in the previous chapter). By showing that moral reasons and judgements are structured in a manner which is largely analogous to criterial judgements, this section will attempt to make the case that moral knowledge might be thought of as a species of criterial knowledge, that is to say, might be thought of as both non-inferential and a posteriori contra those who dismiss the prospects of Perceptual Intuitionism. To bolster this case, I will attempt to show that this position can withstand extant criticisms before finally returning to the worries raised in the first section concerning Cowan's approach to the discussion of Perceptual Intuitionism to show that this way of conceptualizing knowledge of this kind is not susceptible to them.

For it to be possible to think of moral knowledge as potentially a species of what I have been calling criterial knowledge, it must be shown that moral reasons function in a manner that is at least analogous to that of criteria on the Disjunctivist View. That is to say, it must be the case that we can isolate something in the moral case which can be thought of as an appearance or seeming. In keeping with McDowell's rejection of the generality of criterial status, it must be the case that we can distinguish between moral seemings which are manifestations of fact, and those moral seemings which are mere seemings. Finally, to speak of beliefs formed on this basis as knowledgeable, we must be able to speak of moral judgement as involving the exercise of a power of discernment, which enables a knower to reliably distinguish manifestations of moral fact from mere seemings. To accomplish this, I will first propose prima facie right-making or wrong-making features as potential candidates for moral seemings. This suggestion will be

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supported by both showing that they share the disjunctive structure of criterial seemings—a suggestion I will illustrate by drawing on the taxonomy of reasons provided by Dancy in his *Ethics Without Principles*—and by showing that the relationship between such features and thin moral properties might be described as "grammatical" rather than "empirical". In this I will proceed in the spirit of the interpretation of principles of prima facie duty forwarded by Robert Arrington in his "A Wittgensteinian Approach to Ethical Intuitionism". After this, I will proceed to examine the role of discernment in moral judgement by again drawing upon Dancy's work. Employing both the notions of right- and wrong-making reasons and moral "shape", I will attempt to show how we can think of moral judgement as involving exercises of powers of discernment which enable one to determine whether a given moral seeming constitutes a right- or wrong-making reason, taking right- or wrong-making status as analogous to genuine criterial status.

ii.   Moral Seemings and Criteria

In trying to isolate what to think of as a moral seeming, we're looking for something analogous to what Albritton called a "criterion-among-others"—some feature which, when an action is right, manifests this fact, but which does not guarantee that the action is right in every instance that it occurs. For instance, sometimes that a person is boiling a large quantity of water in a kettle is a criterion for the claim that the person is expecting a friend to tea. In other cases, that someone is expecting a friend to tea is manifested by his pacing the floor, or setting out more than one tea cup, or frequently peering out the window as if expecting someone. There is a plurality of features which, then, can make it seem as if a person is expecting a friend to tea. However, each of these seemings is only a criterion for that state of affairs in those contexts where it is actually the case that she is expecting a friend to tea. Criteria of this kind are contrasted with those criteria, like the presence of a bacillus such-and-such, which both

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guarantees and singularly manifests that a person has an angina. It seems unlikely that a moral seeming would be singular in the way which the criterion for a person's having an angina is singular, that is to say, that there would be one and only one feature of an action which guarantees its wrongness or rightness.[58] What we are trying to identify, then, are a plurality of features which sometimes manifest the rightness or wrongness of a given action, but only in those cases where the action is actually right or wrong, otherwise being only mere seemings. In what follows, I will make the case that those features of actions outlined by principles of prima facie duty might be thought of as moral seemings. It should be noted that I am not attempting to compile an exhaustive list of features which might be taken to be moral seemings any more than the list earlier in this paragraph was ever intended to be the full set of characteristics which might manifest that someone is expecting a friend to tea. I only mean to show that these are features which might be thought of as criteria-among-others for judgements of the rightness or wrongness of particular actions.

In a general discussion of what it is for things to seem to be a certain way, William Tolhurst remarks that seemings are closely related to belief in that, while it may both seem to an agent that things are thus-and-so while they don't believe that they are in fact thus-and-so, a seeming can, under appropriate circumstances, provide epistemic support for a person's believing that things are as they seem.[59] Psychologically, a seeming is the kind of thing which inclines one to believe that S (all things being equal), though the extent to which a given seeming actually disposes one to believe can be minimized or defeated altogether by the presence of a conflicting seeming, or by some defeating consideration which brings one to doubt that things are as they seem. In this discussion, Tolhurst tellingly invokes Ross's prima facie duties to provide an analogy for the kind of phenomenon he intends to elucidate. He writes, "this is analogous to

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[58] It is beyond the scope of this work to directly address what might be termed "mononomic" moral systems. One could point to Prichard's "Does Moral Philosophy Rest on a Mistake", or Urmson's "A Defence of Intuitionism" to see the kinds of arguments which can be levelled at such systems.

[59] William Tolhurst, "Seemings," *American Philosophical Quarterly* 35 (1998): 293.

Ross's distinction between prima facie duties and duties sans phrase. Just as we can be confronted by conflicting obligations, e.g., the obligation to keep a promise and the obligation to save a person's life, so too, we can be subject to conflicting appearances."[60]

Principles of prima facie duty are a frequent topic of discussion in the literature on particularism. This discussion largely addresses the question of what standing the features outlined in these principles have, namely, whether they are "univalent", counting always for or against a given type of action which is characterized by them. Ross writes of prima facie duties that "each rests on a definite circumstance which cannot seriously be held to be without moral significance."[61] In this list are duties to keep promises, to make reparations for wrongs done, duties to show gratitude to those who have helped one, duties to promote just distributions, duties to improve the well-being of others, and duties to avoid harming others.[62] David McNaughton describes this as "a list of fundamentally morally relevant characteristics of actions", or "right- or wrong-making characteristics which always carry weight when we are considering whether a particular action is right or wrong."[63] While the former of these two definitions might be thought to be uncontentious (insofar as we understand 'relevant' in the broadest sense possible),[64] the latter is subject to considerable debate. Perhaps most prominent in this is Dancy's work wherein he defends a strong form of holism in the theory of reasons. According to Dancy, any feature which is a favouring reason in one context may fail to be relevant or even change valence so as to become a disfavouring reason in a different context. For the present discussion, we need not

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[60] Ibid. 295.

[61] W. D. Ross, *The Right and the Good*, (Oxford: Clarendon Press, 1930), 20.

[62] David McNaughton, "An Unconnected Heap of Duties?" in *Ethical Intuitionism: Re-Evaluations*, ed. Philip Stratton-Lake (New York: Oxford University Press, 2002), 79.

[63] Ibid. 79.

[64] For instance, we could understand "significance" as being not necessarily as a right- or wrong-making reasons, nor ever as a favouring- or disfavouring reason, but instead merely on the model of "default reasons", considerations which are relevant insofar as they come "switched on" and require defeat or disabling for them to fail to be reasons in these two mentioned ways. Dancy makes a suggestion like this in both *Moral Reasons* and *Ethics Without Principles*.

involve ourselves directly in this debate. Instead, the form of holism which is relevant for our purposes is that which tells us that a consideration (such as that an action would be a promise-keeping) which is right-making in one context may fail to be right-making in another, in the sense that it doesn't manifest rightness in all contexts in which it is present in an action.

This mode of speaking merits some explanation. In his defence of particularism, *Ethics Without Principles*, Dancy develops a detailed taxonomy of reasons, outlining the plurality of roles which salient considerations might play in holistically determining the rightness or wrongness of an action in a particular context. Dancy identifies four pairs of roles which a given consideration might play: favourer/disfavourer, enabler/disabler, intensifier/attenuator, and right-maker/wrong-maker. In a given context, a favourer is one which favours doing a given action. For instance, having made a promise to someone, that a given action would be keeping that promise is sometimes a reason which favours my doing it. In wondering whether I ought to break such a promise, that the action would be a breaking of the promise might function as a disfavourer, or a reason which tells against doing the action. An action for which there is a disfavourer is not necessarily one which ought not to be done—while an action might be a promise-breaking, and while this may tell against it, it might also be favoured by some other consideration such that it is still right to do. For instance, a promise-breaking might also involve helping someone in dire need, which might favour the promise-breaking. The second set of salience-types which Dancy outlines is enablers/disablers. An enabler might be thought of a condition which must be met for a favourer/disfavourer to tell for or against a given action. For instance, in order for the fact that an action would be a promise-keeping to tell in its favour, it is typically thought that the promise must not have been given under duress. As might be expected, a disabler is a consideration which prevents a consideration from favouring an action. That a promise was extracted under duress, for instance, would disable the consideration that an action would be a promise-keeping from favouring the action. Finally, Dancy distinguishes intensifiers/attenuators from both

enablers/disablers and favourers/disfavourers. These are considerations which do not themselves favour or disfavour an action, but which strengthen or weaken such reasons. For instance, that someone needs help might favour my helping her, but the consideration that I am the only one around who is able to help her seems to intensify this reason without itself being an additional favouring reason. This is, then, yet another form of relevance which a consideration might have in a given situation.[65]

Thinking of reasons as complexly related in the manner which Dancy outlines suggests that a consideration's status as a favourer/disfavourer and its strength as such cannot be determined in advance—it is liable to change in complex ways in keeping with the presence or absence of other considerations which act as enablers/disablers or intensifiers/attenuators. While the previous discussion doesn't directly touch upon the thought that those reasons which constitute the rightness or wrongness of a particular action also behave holistically, it might be thought that those reasons which favour an action which is right might simply *be* those which are right-making. In speaking of resultance, or the relationship between the rightness or wrongness of a given action and those features which constitute it (which the action is right or wrong in virtue of, one might say), Dancy suggests that this is an appropriate way of thinking. While an action might have reasons disfavouring it, those reasons might not carry the day in a given context so that the action is not actually wrong. Such features would thus fail to be wrong-makers since they fail to make up the resultance base of wrongness in this context.[66] That some action would be a promise-breaking may count against it in a context where nothing disables the original promise (e.g. it was not made under duress), yet there still might be stronger favourers recommending the action. Perhaps the action would involve helping someone in need, a reason which might be intensified by the fact that the need in question is dire, and that no one else is around to help. Those reasons which favour helping someone in need in spite of the action being a promise-

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[65] Jonathan Dancy, *Ethics Without Principles* (New York: Oxford University Press, 2004), 38-42.
[66] Ibid. 86.

breaking might constitute the resultance base of the rightness of this act of helping. There are, then, as many ways of making an action wrong or right as there are kinds of favourers or disfavourers—at least some of these are captured by those features which are specified in principles of prima facie duty.

Whether any of these reasons actually *is* a right-maker or wrong-maker in a given situation is determined holistically, in keeping with the overall layout of the features in the situation, that is to say, the "shape" formed by favourers/disfavourers, intensifiers/attenuators, and enablers/disablers.[67] Accordingly, we can see that in some contexts, a given feature is part of what constitutes the rightness of a particular action, while in other contexts it does not play this role. Just as criteria were thought of as lacking generality on the Disjunctivist View, those features outlined by principles of prima facie duty lack generality as well, in that they only sometimes feature in the overall "shape" of a situation as right-making reasons. Just as a feature is a criterion for a given claim only in those cases where the claim is actually true, so too is it the case that a given favouring reason is a right-making reason only in those cases where the action in question is actually right. However, while this shows that those considerations which feature in prima facie duties might be thought of as lacking in general right-making status in the sense discussed, it is yet to be shown that their connection to rightness might be thought of in terms of seemings. That is to say, while the features outlined might sometimes be co-present with rightness such that they are correlated, one might yet deny that the relationship between the two should be thought of in criterial terms. To help assuage this worry, I will draw from a suggestion made by Robert Arrington that principles of prima facie duty might be thought of as expressing "grammatical propositions" rather than "empirical propositions". This suggestion is bolstered

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[67] In *Moral Reasons*, Dancy refers to this layout as the "shape" of situation as that which as grasped when one has a full view of the circumstances of a case which enables them to see the role played by each feature—some features are sunk down into the "valley floor" of practical irrelevance, while others rise up into "various peaks, major and minor, which are the properties which a practical difference to the case", by fulfilling the various roles discussed. (112)

both by considerations of the epistemic standing of such principles and by their pedagogical role in moral education. In thinking of principles of prima facie duty as grammatical propositions, we have further grounds for thinking of those features which are thereby connected to rightness and wrongness as moral seemings, since grammatical propositions might be thought to specifically connect criteria to those states of affairs which are known on that criterial basis.

In "A Wittgensteinian Approach to Ethical Intuitionism", Arrington engages in a discussion of the epistemic status of principles of prima facie duty, wherein he rejects the Rossian thought that such principles are self-evident and instead proposes an understanding of such statements as "grammatical propositions". A grammatical proposition is one which is contrasted with empirical propositions. An empirical proposition is one which is subject to the court of experience and so one which can be found to be true or false on the basis of empirical evidence. Arrington writes, "the important thing about empirical propositions is their contingency: given what they mean, their truth value is undetermined, and this truth value is something we must find out or discover."[68] An empirical moral proposition would be one like "it was wrong of you to lie, just then", since such a statement could be either true or false depending how things stand in the world. One might discover that it is false, for instance, if one saw that the lie was told to spare someone's feelings in a context where not knowing the truth would not cause foreseeable harm to the person lied to. In such a case, it might be true that lying was the right thing to do. By contrast, a grammatical proposition is one which could not be shown to be true or false in this manner, since such propositions do not purport to convey information about how things stand in the same manner as empirical propositions—instead, such propositions are "rules of language"—they tell us "how to use correctly the words that occur in those empirical propositions which are only true or false."[69] To illustrate this point, we might draw from Canfield's discussion of "criterial rules",

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[68] Robert Arrington, "A Wittgensteinian Approach to Ethical Intuitionism," in *Ethical Intuitionism: Re-Evaluations*, ed. Philip Stratton-Lake (New York: Oxford University Press, 2002), 279.
[69] Ibid. 282.

which he speaks of as a species of grammatical proposition. These are statements which are true by linguistic convention. To answer how one knows that some object in sight is a deer, one might respond by citing such a criterial rule, saying something like "if it looks and behaves like that, then it is a deer."[70] Such a statement could not be shown to be true or false in light of empirical evidence since it is simply a description of linguistic convention indicating that the term "deer" applies to things that look and behave in such-and-such a way. A grammatical proposition, then, is one which is necessarily true insofar as it correctly describes linguistic convention, outlining those features in light of which it is appropriate to use a given expression. On Arrington's example, "blue is a colour", such a statement might be taken to outline the kind of thing which it is appropriate to call a colour (blue) in just the same way that "things that look and behave thusly" might be taken to outline the kind of circumstances which make saying "that's a deer" appropriate.

Having characterized the distinction between grammatical propositions (or criterial rules) and empirical propositions in this manner, Arrington proceeds to argue that principles of prima facie duty might be thought of as propositions of the former kind. To illustrate this, Arrington uses the statement "lying is wrong."[71] To show that this is the kind of proposition which is not merely contingently true Arrington observes, "There is no uncertainty about the matter on my part, and it is difficult to imagine any circumstances in which my confidence in 'it is wrong to tell a lie' would increase or decrease."[72] This is demonstrated by the fact that, while there are particular cases of lying which are not wrong (as was already observed), these examples do not serve to falsify the proposition in question as we might expect if what was meant by "lying is

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[70] Canfield, *Wittgenstein Language and World*, 33.

[71] The statement which Arrington uses throughout this article, "Lying is wrong" is not actually a principle of prima facie duty. He both acknowledges this and accounts for it by insisting that his choice to use it as his primary example was simply a matter of it being both suitably similar to such principles, and a "clearer case" for him. (275) Strictly speaking, however, the duty not to lie is a merely "derivative" duty, as David McNaughton points out in "An Unconnected Heap of Duties".

[72] Arrington, "A Wittgensteinian Approach to Ethical Intuitionism," 276.

wrong" is that "All acts of lying are wrong", which would be an empirical claim open to falsification by a single counter-example. Since they are insensitive to evidence, Arrington pursues the claim that principles of prima facie duty function in much the same way as statements of the kind "blue is a colour" or "something that looks and behaves like that is a deer". That is to say, he claims that the truth of such statements is a matter of whether or not they correctly describe linguistic convention, or spell out rules which tell us when it is appropriate to use a given expression.[73] Accordingly, we might take "lying is wrong" to articulate a rule of the kind "lies are the kind of actions which are wrong", understanding such propositions as identifying "a factor that must be taken into account in judging that a particular act is one's duty or not."[74] Actions which are acts of lying are the kind of action which are wrong, one might say, or rather, lying is a criterion of wrongness. That an act is a lie is simply the kind of consideration in light of which one might intelligibly judge that an action is wrong, just as we might cite other such criteria of wrongness. Arrington writes, "in investigating a case of marital infidelity, or example, we are on the lookout for deceit, for the breaking of promises, and for harm and hurt," these arguably being other criteria for moral wrongness.[75] That principles of prima facie duty are not shown to be true or false empirically leads one to think of them as playing a role other than describing the world— the role which, Arrington proposes, is that of describing linguistic conventions for use of thin moral concepts like wrongness and rightness.

A second motivation for thinking of such propositions as grammatical is their role in education. In Canfield's discussion of grammatical rules, he emphasizes the pedagogical role which they play. He writes of criterial rules that they play two roles in a given language game— firstly, there is the role which they play in initiating someone into the use of a given fragment of language. In teaching someone to use expressions involving the term "deer", one might articulate

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[73] Ibid. 282.
[74] Ibid. 282.
[75] Ibid. 287.

to one's linguistic pupil "that's the sort of thing we call a deer", or more simply "that's a deer". The second role they play is their function in the formation of empirical propositions, that is to say, in communication among speakers. Criterial rules "pave the way for later communication between us vis-a-vis the criterially governed term. Having grasped the criterion and the grammar of the language game in which "deer" is used, one can go on to play the language game, to make "stage two" statements about deer or statements like 'there was a deer in the field last night.'"[76] Grammatical propositions, then, have an important pedagogical function in partially enabling one to appropriately use a given expression.[77]

Just as criterial rules are believed to involve this important pedagogical role, so too are moral principles. In a discussion of principles in *Moral Reasons*, Dancy insists that his rejection of generalism (the view that the very possibility of moral thought of judgement depends on the provision of a suitable supply of moral principles[78]) does not entail the more radical position that principles play no important role whatsoever. He writes, "it seems wise for particularism to allow *some* role to moral principles, somehow conceived, rather than simply announce that everyone is completely mistake about them and their importance in ethical thought and education."[79] This thought might be understood as pointing towards the role which principles actually play in the moral education of children. Regardless of what one takes to be the role played by principles in mature moral thinking, in actual practice parents and other educators tend to teach children about right and wrong in terms of principles of prima facie duty captured in various guises such as, for example, "You should tell the truth", "It's wrong to hurt others", "Play nice", etc. Though in the early stages, teaching is carried out in this manner, the hope is not that children will follow these

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[76] Canfield, *Wittgenstein Language and World*, 34.
[77] Criterial rules are not in themselves enough to enable one to correctly use a given expression—it would be a mistake to think of such rules as a codification of concept-use rather than describing the kinds of features which sometimes warrant concept use. This should be made clear by reflecting on the rejection of the Entailment View in the second chapter of this paper.
[78] Dancy, *Ethics Without* Principles, 73.
[79] Jonathan Dancy, *Moral Reasons*, (Cambridge: Blackwell, 1993), 67.

rules to the letter even as they mature, such that they never in their lives tell a lie even when they do more harm by truth-telling. Instead, rule adherence is hoped to be just an early stage in a process of learning wherein children come to understand what is of value or at stake from case to case such that they can make more nuanced judgements about what ought to be done. Principles of prima facie duty are surpassed, becoming mere rules of thumb articulating the kinds of features which can be important to moral judgement. In "Particularism and Moral Education", David Bakhurst describes this process as a species of a more general structure of learning. "Though students of, say, musical interpretation, literary appreciation, architectural design, or medical diagnostics are taught rules, it is a mark of their increasing maturity that they liberate themselves from adherence to rule and exercise judgement sensitive to specific cases."[80] This kind of thought is important, since it is keeping with a rejection of the Entailment View of criteria—our criterial rules should not be thought of as being able to codify the relationship between criteria and those states of affairs which are criterially known, but might be thought of instead as more generally indicating a relationship between a seeming and a state of affairs such that one must still develop appropriate powers of discernment to correctly judge whether a given seeming is a mere seeming or a manifestation of fact—principles of prima facie duty, after all, cannot themselves tell someone when the fact that an act is a lie is a wrong-making feature or when it is morally required of one to lie. However, the learning of criterial rules might be thought of as a necessary first stage of moral development, enabling one to at least begin using the expressions governed by such rules in a manner which is subject to refinement as one progresses beyond such a basic competency to what might be termed moral expertise. Thoughts of this kind about the dual roles of moral principles as pedagogical tools for moral development and heuristic devices in mature judgement echoes Canfield's comments about the dual roles of criterial rules in such a manner that we have additional reason to think of such principles as grammatical propositions, as per

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[80] David Bakhurst, "Particularism and Moral Education," *Philosophical Explorations: An International Journal for the Philosophy of Mind and Action* 8 (2005), 266.

Arrington's suggestion, and so to think of those features outlined in such principles as criterial seemings.

In the previous chapter, the Wittgensteinian notion of a criterion was discussed at length, with three interpretations of the concept being discussed. Both the Necessary Evidence and Entailment Views were rejected and it was determined that the Disjunctivist View best captured the relationship between seemings or appearances and knowledge. For the purposes of this paper, criterial knowledge provided an important model of knowledge, since one might non-inferentially come to know that S on the basis of criterial seemings—if such a model could be shown to be amenable to moral knowledge, then this might be a way of restoring faith in the prospects of Perceptual Intuitionism. Thus far, I have made a case for thinking of those features outlined by Rossian principles of prima facie duty as moral seemings. By showing that such features both share the disjunctive structure of criterial seemings in that they are only right-making reasons when the action in question is actually right, that principles articulating their connection with thin moral properties share the epistemology of grammatical propositions (or criterial rules), and that such principles play a comparable pedagogical role as criterial rules in initiating persons into the use of thin moral language, I have hoped to show that these are indeed strong candidates for moral seemings. What remains to be shown, however, is that we can think of mature moral judgement as involving the exercise of powers of discernment. If this cannot be done, then an important aspect of knowledge will be missing from the proposed model—as was explored in the previous section's discussion of knowledge and luck, if a person is not counterfactually sensitive to relevant alternatives in forming her beliefs, then we cannot think of her as knowing that which she believes, even if her beliefs are true and made in light of a criterion.

iii.   Discernment and Relevant Alternatives

The previous chapter's discussion of discernment revolved largely around the work of Alvin Goldman, invoking his useful notion of a "relevant alternative". In discussing criterial

knowledge, it was proposed that for a belief to count as knowledge, it must be produced by a reliable cognitive mechanism, where such a mechanism is understood as one which "not only produces true beliefs in actual situations, but would produce true beliefs, or at least inhibit false beliefs, in relevant counterfactual situations."[81] Powers of discernment were understood to be those which enable one to differentiate between incompatible states of affairs. The thought that a given belief, even if true, was produced by a mechanism which would not have impeded the formation of a false belief in some subset of situations wherein the appearances were misleading brings us to deny that the belief in question can be considered knowledge. I say "some subset of situations", since this thought is not unqualified—"a knowledge attribution imputes to someone the discrimination of a given state of affairs from possible alternatives, but not necessarily all logically possible alternatives,"[82]—it is only those alternatives which are relevant alternatives which one must be in a position to discriminate among, a relevant alternative to S being some state of affairs P which could be true in light of the appearances at hand, which would be indistinguishable from S from a certain vantage point, and which is thought to have some likelihood of actually obtaining. When there is a relevant alternative in play, one must be sensitive to this fact, either refraining from affirming S (doubting S), or putting oneself in whatever vantage point is required to rule out P. To know S, one must know not-P, for every P which is a relevant alternative to S in that context.

Goldman's discussion enables us to distinguish between cases of knowing S and merely believing S on the basis of the counterfactual sensitivity of the mechanism which produced the belief in question. Furthermore, we can distinguish between at least 2 kinds of situation on the basis of the role which discernment must play: 1) X seems S, and there are no relevant alternatives in play, and 2) X seems S, and there is a relevant alternative in play. In what follows, I will show that we can make similar distinctions in the moral case—in so doing, I hope to make

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[81] Goldman, "Discrimination and Perceptual Knowledge," 43.
[82] Ibid. 44.

it clear that beliefs formed on the basis of what I've termed "moral seemings" can be counterfactually sensitive. That is to say, such judgements (when they go as well as they can) are justified insofar as they are made on the basis of manifestations of fact, but still only constitute knowledge when they involve the ruling out of relevant alternatives so that we can avoid the charge that someone who believes S is just lucky that things were not otherwise. One might occasionally be unluckily thwarted in the exercise of moral judgement, but this need not shape how we characterize successful moral judgements.

The first case under discussion is one where X seems S, and there are no relevant alternatives in play. To return to the pine tree examples used before, suppose one judged that a given tree which looks like a pine tree was a pine tree in a context where there are not relevant alternatives in play. That is to say, while it is logically possible that the appearance in question might be that of a tree facsimile such as a plastic Christmas tree, there are not, in fact, any such trees around, nor is this the sort of possibility one would think of as particularly likely. (For what reason would there be a plastic Christmas tree standing upright in a forest of pine trees?) Accordingly, we would credit such a person as knowing that this is a pine tree without requiring that she engage in any deliberation. It seems as if one might think of a similarly structured case presenting itself to moral judgement. That is to say, we might think of Harman's Cat as a case like this. Upon witnessing the young people setting the cat on fire, the harm involved in the act would constitute the wrong-seeming. One might ask whether there would be a relevant alternative in play which would demand that one refrain from immediately judging on this basis that setting the cat on fire would be wrong. That is to say, is there some conflicting seeming in the form of favouring reasons for setting the cat on fire that would provide grounds for doubting that the action would be wrong? There might be logical possibilities of such conflicting seemings which one could develop in a creative mood—maybe the young people are lighting the cat on fire to prevent someone from detonating a bomb in an orphanage, this particular terrorist's only

demand having been to see the cat burn—just as the person in the forest need not actively rule out possibilities which are merely logical but not likely, we might say that the unlikelihood of there being sufficiently strong reason favouring setting the cat on fire to outweigh the disfavouring reasons means that we are entitled to immediately judge that it is wrong on the basis of it seeming to be so. Absent relevant alternatives, one might judge that such an action would be wrong without needing to rule out any alternatives in order to be credited with knowing that it is wrong.

The second kind of case under discussion, however, is one where X seems S and there *are* relevant alternatives in play. To stick with our pine tree examples, one might imagine a case where there is something that looks like a pine tree in someone's living room around Christmas time. Such an appearance could, however, also be accounted for by the presence of a plastic Christmas tree. Not only that, but the object in question's being a plastic Christmas tree is a relevant alternative, since it is a time of year when many families set up plastic Christmas trees in their living rooms rather than dealing with the mess of the genuine artifact (which tends to leave one's house full of fallen pine needles until Summer). In such a case, it would be appropriate for the agent in question to either withhold judgement either way, or to take steps to determine which seeming is a genuine manifestation of fact by appropriately shifting her vantage point (examining the tree more closely, feeling its needles, checking the base to see if it's a sawed off tree). The agent can only be credited with knowing that this is a pine tree if she has ruled out such alternatives, thereby exercising powers of discernment which ensure that her beliefs are counter-factually sensitive.

In the moral case, we might think of someone yet again deliberating about an action that is wrong-seeming but in a situation wherein there are relevant alternatives in play. The action seems wrong but there are conflicting seemings which make the action also right-seeming— considerations which make it at least plausible that the action might be right after all. For instance, suppose a given action would be a promise-breaking. In light of this, the action seems

wrong. However, in the context in question, this same promise-breaking action is also an act of beneficence, involving helping someone in need. If it is plausible that the service which one could render to the person in need would favour the action more than the promise-breaking disfavours it, there is a relevant alternative in play. Accordingly, that this action is a promise-breaking might plausibly be a mere seeming of wrongness, rather than a manifestation of wrongness. Recognizing that there is such a relevant alternative in play, the agent in question cannot make a judgement about the wrongness of the promise-breaking without changing her vantage point so as to rule out the relevant alternative. In the moral context, this might involve the sort of deliberation involved in determining the "shape" of moral saliences. That is to say, one might change one's vantage point by trying to discern what roles the other features of the situation play in determining the overall rightness or wrongness of the proposed action, as intensifiers/attenuators, enabler/disablers, and favourer/disfavourers. In the course of such deliberation, one might wonder how strong the reasons disfavouring the promise-breaking would be. That the action is a promise-breaking is enabled as a disfavouring reason by the fact that the promise was not extracted through coercion and the fact that object of the promise is not itself a wrong. One's reasons to keep the promise might be intensified by the fact that some harm will probably come to others as a result of their acting on the expectation that the promise would be kept. That the action is an act of beneficence might count in favour of it in a manner which is attenuated by the fact there are others present who might help if the agent in question does not. On such a basis, one might determine that breaking the promise would in fact be wrong—the fact that it would be a promise-breaking is a criterion for wrongness in this context rather than a mere seeming. This is all just to show the general shape of thinking that goes on when one is trying to rule out a relevant alternative, and how we might characterize what is going on in such thinking. The weighing of reasons can be conceptualized in terms of an exercise of one's powers of discernment, ruling out a relevant alternative to some seeming to determine that the seeming in question genuinely

manifests the rightness or wrongness of the particular action.[83] In order for one's belief that a

given moral seeming is genuine to be counted as knowledge, it must be counterfactually sensitive

in such a way that the presence of relevant alternatives reliably prompts one to take measures to

change one's vantage point by taking stock of the overall "shape" of reasons. Failing this, one's

belief that a given action would be wrong would be correct only if correct as a matter of mere

luck. Had circumstances been such that the conflicting seeming had genuinely manifested the

rightness of breaking the promise to help the other person, such a person would have failed to

adjust her beliefs accordingly. We can, then, say that the kind of person who is in touch with

moral facts not only recognizes moral seemings, but is alive to the possibility that such seemings

could be misleading.

iv.   Some Concerns with Moral Disjunctivism

Having outlined the general shape which moral judgements must take if they are to yield

knowledge on this particular view, it remains only to show that the position can withstand

foreseeable criticisms or overcome certain necessary difficulties. The first difficulty which will be

addressed relates to a variation on the second case addressed in the previous section. When one

examines cases where a) X seems S, b) there are relevant alternatives in play unbeknownst to the

agent, and c) the agent falsely believes S, it is difficult to determine what one must say about such

an agent. That is to say, the disjunctivist commitment to the belief that what constitutes a

justifying reason for belief (or a right-making reason for action) is given to an agent by the nature

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[83] This gives rise to a question which it is not within the scope of this thesis to address, but which merits serious mention. To be the kind of person who is able to know the thing to do, one must be able to see what is more supported by reasons in a given situation, ruling out relevant alternatives on the basis of such judgements of "weight". The sort of person who is able to attain moral knowledge, then, must be attuned to what matters most in a given situation, which might be understood, following McDowell in "Virtue and Reason", as having a "conception of how to live." In situations where relevant alternatives are in play, there is a question of whether one should act in pursuit of this or that concern. "Acting in light of a conception of how to live requires selecting and acting on the right concern." (135) One might worry that such an understanding of discernment could be characterized in terms of general principles, such that moral knowledge is, after all, a product of inference.

of the situation itself can make it difficult to appropriately credit such agents when their ignorance is blameless. The moral disjunctivist must give a satisfying account of what might be said of the agent who fails to do as she technically ought, but whose actions would have been right had the situation been as she believed it to be. The second worry I will address is whether or not the moral disjunctivist view might overcome the "hybridity objection" which was levelled at Cowan—that is to say, one might wonder whether or not there a problematic difference between the way in which a person who makes an immediate moral judgement and a person who makes a deliberative moral judgement are justified in their beliefs. Following this, I will conclude.

Subjective and Objective Oughts

The Disjunctivist View is distinctive for its narrow conception of criteria—while the Necessary Evidence View spoke of a criterion as an appearance or seeming which generally provides one with justification for a belief that S, the Disjunctivist View restricted the concept of a criterion to refer only to manifestations of the fact, S, such that some appearance or seeming only justifies one in believing S insofar as S is actually case. To be a reason which justifies one in believing S, it is not sufficient for the appearance or seeming to *sometimes* manifest S—it must be a criterion of S in this particular instance. This move, the rejection of what McDowell calls the "generality of criterial status", is what enables the Disjunctivist View to distinguish between states of knowing that S from states of blamelessly (but falsely) believing that S in terms of a person's standing in the space of reasons. This rejection of the generality of criterial status can be thought to draw a necessary connection between being justified in believing that S and S being true—the status of one's reason for belief is to that extent determined by "the facts". A mere seeming can never justify one in believing that S.

A parallel thought can be traced through the moral disjunctivist view that I've outlined above. That is to say, those reasons which justify one in believing that an action is right are those features of the situation which manifest this independent fact. A given seeming justifies one in

believing that an action is right only insofar as that seeming is a right-making reason, or a manifestation of the moral fact. If the action is not, in fact, right, then the seeming in question does not justify one in believing that the action is right. Likewise, the status of one's reason is determined by "the moral facts", which are themselves holistically determined by the overall "shape" of moral saliences in a given situation. One is justified in believing that an action is right in light of a given moral seeming (that the action is a promise-keeping) only insofar as the action in question is actually right, which is a fact determined by the layout of the situation, i.e. which features act as enablers/disablers, attenuators/intensifiers, and favourers/disfavourers. This position begins to appear problematic, however, when we reflect upon what Dancy refers to as "subjective oughts".[84] A person who is fully apprised of the morally relevant features of a given situation is in a position to become aware of any relevant alternatives in play such that she can exercise her powers of discernment to form beliefs about what action is right in the situation at hand. By contrast, a person who is ignorant of some relevant alternative in play may act in a manner which *would* be right if the situation were as she took it to be. Failing to do what is right in light of the facts, she still seems to do something which she is both justified in doing, given her beliefs, and which she would be wrong to not do.

In light of this line of thought, it can begin to seem as if this conception of what counts as a justifying reason and a right action is excessively narrow on the moral disjunctivist view. We can outline two specific charges which can be levelled at the view: 1) persons who form beliefs about rightness in light of incomplete knowledge of the reasons in play in a given situation seem to be justified in their beliefs in a manner which the moral disjunctivist view cannot accommodate, and 2) while we might assert that such persons should do that action which is made right by "the facts", there seems to be a sense in which it is right for them to do that which *would* be right if the situation were as they suppose it to be, in a manner which the view also

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[84] Jonathan Dancy, "Prichard on Duty and Ignorance of Fact," in *Ethical Intuitionism: Re-Evaluations*, ed. Philip Stratton-Lake (New York: Oxford University Press, 2002), 237.

leaves no room for. According to this line of thinking, there is an action which one ought to do "given the facts" and an action which one ought to do "given her beliefs".[85] The moral disjunctivist view must show itself to have the conceptual tools needed to address these intuitions if it is going to plausibly model knowledge of the rightness or wrongness of particular actions.

To frame the issue at hand, I will begin with an example of a case where, unbeknownst to the agent, a relevant alternative is in play—in such a case, the agent believes that a given action is right in light of moral seemings, but in fact she is mistaken. For instance, suppose that the agent in question has promised to meet a friend at noon one day at a restaurant. On her way to fulfill this promise, the agent passes through a park where no one is around, and then continues on to the restaurant, thereby keeping her promise. In this context, it seemed right to hurry along to keep her appointment. However, suppose that unbeknownst to her, someone in the park she passed through was drowning in a pond and in dire need of help. Saving someone's life rather than keeping a lunch appointment surely would have been the right thing to do in this context, but the agent was unaware that there was a relevant alternative in play at all, and so didn't doubt that she ought to keep her appointment. The tension in question arises when we ask (again borrowing Dancy's formulation) "What ought she to do, given the facts?—the objective question" and "What ought she to do, given her beliefs?—the subjective question".[86] In answer to the former, it seems like the shape of facts suggests that helping the drowning person is favoured by the fact that it would be helping someone in need, a reason intensified by the fact that the need is dire and the fact that there is no one else around who can help, to the extent that the favouring reason is also a right-making reason. Given the facts of the case, helping the person in need is the right thing to do—in such a case, that the action would be helping someone in need is a criterion of rightness, and so is the kind of reason which would justify one in her belief that it would be right to help the drowning person. We might go on to say that the fact that she should hurry along to the

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[85] Ibid. 237.
[86] Ibid. 237.

restaurant is a mere seeming, and so the woman in question was unjustified in her belief that hurrying along to the restaurant was the thing to do. This conclusion seems overly harsh, however—the considerations which led to her belief, had there been no relevant alternative in play, *would have* justified this woman in her belief. Furthermore, there is also the intuition that, given her belief that keeping her appointment was the thing to do, she would have been doing something wrong had she failed to keep her appointment.

I will answer the first of these two challenges first—it should be evident that this is a moral analogue to the "credit where credit is due" challenge which was addressed in the second chapter of this thesis. Accordingly, we can avail ourselves of the same answer that was given there. Understanding moral seemings disjunctively does mean that one is justified in believing that some action is right in light of a given favouring reason only insofar as it is actually a right-making reason—however there is still a wide repertoire of language available for use in properly crediting someone who is blamelessly mistaken in believing that some action is right. For instance, we might speak of such a person as exercising the kind of competence with the expressions in question which amounts to forming beliefs in keeping with criterial rules. We might go further and commend such a person for forming a moral belief which meets what be thought of an internal standard of rationality. This is the kind of response to the issue which Derek Parfit gives in "Reasons and Motivations". Parfit distinguishes between constraints imposed on one by the situation, and those deriving from the agent's perspective. What we have most reason to do, to use Parfit's terminology, is given to us by "the facts", while what it is rational to do "depends instead on what we believe, or—given the evidence, ought rationally to believe." "If I believe falsely that my hotel is on fire, it may be rational for me to jump into the canal; but I may have no reason to jump."[87] While Parfit is writing about practical reasons in this particular article, the distinction is one which Dancy takes to apply to the moral case as well,

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[87] Derek Parfit, "Reasons and Motivation," *Aristotelian Society Supplementary Volume* 71 (1997): 99.

enabling us to distinguish between a belief which is justified and one which is "rational" in the sense employed by Parfit.[88] Accordingly, we can credit such a person with having acting in keeping with the constraints of rationality, or with behaving reasonably, or having been warranted in acting as she did, even as we insist that she wasn't, strictly speaking, justified in her belief that hurrying to keep her appointment was right.

The second challenge which the moral disjunctivist view must address is the thought that there is a plurality of ways in which an action gets to be right—there are both oughts grounded in "the facts", and there are oughts which are grounded in one's beliefs. Allowing that the woman hurrying to keep her appointment is warranted in her belief that this is the right thing to do does not address the intuition that such a person would be acting wrongly if she failed to keep her appointment *given her beliefs*—believing that she has an appointment with a friend, knowing that her friend would be embarrassed if she were stood up at the restaurant, we would condemn this woman if she chose not to keep her appointment (given that she doesn't take herself to have stronger reasons favouring some other action). This is the criticism which Dancy levels at this view in "Prichard on Duty and Ignorance of Fact". It is not simply the case that this person needs to be credited as being rational in her belief—there seems to be a second "ought" in play which comes into tension with the "ought" which asserts the rightness of saving the drowning person.[89]

To resolve this tension without conceding that there are "subjective oughts", Dancy shifts the focus from trying to assert that the agent was right to keep her promise to the thought that it would have been wrong for her to have broken the promise, given her set of beliefs. However, Dancy rejects the thought that the wrongness of breaking the promise would be grounded in the agent's beliefs. It is not the case that it would be wrong to break the promise because, were situation as she took it to be, the agent would have been justified in believing that it was wrong. Instead, we can understand the wrongness of breaking the promise as being grounded in the fact

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[88] Dancy, "Prichard on Duty and Ignorance of Fact", 238.
[89] Ibid. 239.

that it would be a forbidden combination of belief and action. In much the same way as we can think of hypocritical actions as being sometimes wrong insofar as they involve both the agent believing that others should not act in a given manner and then acting in that same manner herself, we can think of there being a moral principle which likewise forbids certain combinations of beliefs and action, namely, the combination of the belief that some action would be wrong and the doing of that same action. By adopting this approach, we can claim that breaking the promise would be wrong insofar as it is such a forbidden combination of belief and action, even while we continue to affirm that keeping the promise was neither right nor justified on the moral disjunctivist view.[90]

The Hybridity Objection

The final concern which this thesis will address before concluding is the worry that the moral disjunctivist defense of Perceptual Intuitionism would be just as susceptible to the hybridity objection as the ethical perception defense. This objection, made in the first section of this paper, was inspired by Väyrynen's worry that positing ethical perception as a explanation of moral judgements which have a phenomenological felt-immediacy such that one seems to "perceive" at a glance that a given action is right or wrong means that instead of maintaining that there is one mechanism which covers both judgements of this kind and judgements that involve some deliberation, one must posit two distinct mechanisms.[91] In a similar spirit, I expressed the worry that if the ethical perception defense of Perceptual Intuitionism were successful, then there would be a justificatory hybridity as a result. That is to say, while beliefs formed on the basis of ethical perception would be non-inferentially justified, those beliefs about the rightness or wrongness of particular actions which one arrives at as a result of some kind of deliberation would apparently be only inferentially justified. This seemed to be a somewhat arbitrary basis on which to distinguish the two methods of belief formation. It would be similarly objectionable if

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[90] Ibid. 240-241.
[91] Väyrynen, "Doubts about Moral Perception," 13.

the model of moral knowledge at hand drew such sharp distinctions between beliefs formed with felt-immediacy and beliefs formed through some process of deliberation. Accordingly, I will briefly comment on this before concluding.

In the previous discussion of objective and subjective oughts, we drew a distinction between two types of scenario: 1) the action is right-seeming, and there are no relevant alternatives in play, and 2) the action is right-seeming, and there is a relevant alternative in play. It was remarked that in the former case, in the absence of relevant alternatives which might plausibly be accounted for by the features of the situation one might immediately affirm the seeming in question, judging at a glance that the action in question is right. Having made one's judgement in light of genuine criterion, one's judgement would be justified and the absence of relevant alternatives would suggest that one need not deliberate to rule out such alternatives in order to assure oneself that her true belief is not true as a result of mere good luck. In the latter case, insofar as one is likewise forming a true belief in light of a moral seeming which is a genuine criterion, one's judgement would likewise be justified although the presence of some relevant alternative would suggest that one would need to take stock of the overall "shape" of the situation so as to rule out this conflicting seeming, assuring oneself that this is a mere seeming and that the feature in light of which one judges that the action is right is a right-making reason, a manifestation of the moral fact, and a genuine criterion. In any case, reflecting on the role of discernment in the acquisition of moral knowledge allows us to see that although some cases require that one deliberate in order to know that a given action is right or wrong, this does not mean that a judgement made after a process of deliberation is justified in a manner which is distinct from how more immediate judgements are justified. Criterial moral judgements of both kind can be thought of as non-inferential. The role of deliberation is not to justify a given belief— it's role is simply to set reasonable doubts to rest, to rule out relevant alternatives, and to ensure

that one is not merely lucky in having formed a true belief. Accordingly, the moral disjunctive defense of Perceptual Intuitionism can avoid the charge of justificatory hybridity.

Conclusion

The focus on so-called Ethical Perception was prompted by the thought that for perceptual intuitionism to be said to provide a distinct justification for particular moral judgements, they must not be "epistemically dependent"—Cowan writes. : "a state, d, epistemically depends on another state, e, with respect to content c iff e must be justified or justification-conferring in order for d to be justified or justification-conferring with respect to content c."[92] According to Cowan, to defend the position that one can immediately and non-inferentially know that a particular action is wrong or right, one must show that a person can know that S, where S is some claim that an action is wrong or right, without S needing to be appropriately related to some other justification-conferring proposition such as a general principle from which S can be inferred. Believing that the ethical perception defense was the most promising approach to defending Perceptual Intuitionism and fearing that ethical perception was epistemically dependent, Cowan despaired of being able to successfully defend Perceptual Intuitionism.[93]

This thesis has meant to show that Cowan's pessimism is unwarranted insofar as there is a plausible alternative to the ethical perception defense. While those who write on the topic of perceptual intuitionism seem to believe that if a judgement is the product of a piece of reasoning, it must be epistemically dependent on principles which are themselves justified a priori, I have attempted to show that this belief involves an overly narrow conception of what might be included in the category of non-inferential, *a posteriori* knowledge. By defending the Disjunctivist View of criteria, I hoped to broaden this conception of non-inferential *a posteriori* knowledge to include what I have referred to throughout this paper as "criterial knowledge", or

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[92] Cowan, "Perceptual Intuitionism," 2.
[93] Ibid. 28-29.

true beliefs formed on the basis of seemings or appearances which manifest the fact which is believed. By making the case that knowledge of the rightness or wrongness of particular actions might be thought of along these disjunctivist lines, or rather, that we can think of such beliefs as being justified in light of moral criteria, I have hoped to show that a moral disjunctivist defense of Perceptual Intuitionism is at least a plausible alternative to the ethical perception defense. Accordingly, Perceptual Intuitionism does not necessarily stand or fall with the ethical perception defense.

Bibliography

Albritton, Rogers. "On Wittgenstein's Use of the Term "Criterion," *Journal of Philosophy* 56, (1959): 845-857

Arrington, Robert. "A Wittgensteinian Approach to Ethical Intuitionism," in *Ethical Intuitionism: Re-Evaluations*, edited by Philip Stratton-Lake, 271-289, New York: Oxford University Press, 2002.

Audi, Robert. *Moral Perception*, Princeton: Princeton University Press, 2013.

Audi, Robert. *The Good in the Right: A Theory of Intuition and Intrinsic Value*. Princeton: Princeton University Press, 2004.

Bakhurst, David. "Particularism and Moral Education," *Philosophical Explorations: An International Journal for the Philosophy of Mind and Action* 8 (2005): 265-279.

Baldwin, Thomas. "The Three Phases of Intuitionism," in *Ethical Intuitionism: Re-Evaluations,* edited by Philip Stratton-Lake, 92-112 New York: Oxford University Press, 2002.

Canfield, John. *Wittgenstein, Language, and World*. Amherst: University of Massachusetts Press, 1981.

Cowan, Robert. "Perceptual Intuitionism," *Philosophy and Phenomenological Research* (2013): 1-30.

Crisp, Roger. "Sidgwick and the Boundaries of Intuitionism," in *Ethical Intuitionism: Re-Evaluations*, edited by Philip Stratton-Lake, 56-75, New York: Oxford University Press, 2002.

Dancy, Jonathan. "Moral Perception," *Aristotelian Society Supplementary Volume* 84 (2010): 99-117.

Dancy, Jonathan. *Moral Reasons*, Cambridge: Blackwell, 1993.

Dancy, Jonathan. *Practical Reality*. New York: Oxford University Press, 2000.

Dancy, Jonathan. "Prichard on Duty and Ignorance of Fact," in *Ethical Intuitionism: Re-Evaluations*, ed. Philip Stratton-Lake, 229-247, New York: Oxford University Press, 2002.

Evans, Gareth. *The Varieties of Reference*. New York: Oxford University Press, 1982.

Goldman, Alvin. "Discrimination and Perceptual Knowledge," in *Perceptual Knowledge*, edited by Jonathan Dancy, 43-59, New York: Oxford University Press, 1988.

Harman, Gilbert. *The Nature of Morality: An Introduction to Ethics,* New York: Oxford University Press, 1977.

Lycan, W. Gregory. "Non-Inductive Evidence: Recent Work on Wittgenstein's 'Criteria,'" *American Philosophical Quarterly* 8 (1971): 109-125

McBrayer, Justin. "A Limited Defense of Moral Perception," *Philosophical Studies* 149 (2010): 305-320.

McDowell, John Henry, "Criteria, Defeasibility, and Knowledge," in *Meaning, Knowledge and Reality*, 369-394 Cambridge, Harvard University Press, 1998.

McDowell, John Henry, "Knowledge and the Internal," in *Meaning, Knowledge, and Reality*, 395-413 Cambridge: Harvard University Press, 1998.

McDowell, John, "Virtue and Reason," in *Virtue Ethics*, edited by Stephen Darwall, 121-143 Malden: Blackwell, 2003.

McNaughton, David. "An Unconnected Heap of Duties?" in *Ethical Intuitionism: Re-Evaluations*, ed. Philip Stratton-Lake, 76-91, New York: Oxford University Press, 2002.

Parfit, Derek. "Reasons and Motivation," *Aristotelian Society Supplementary Volume* 71 (1997): 99-130.

Rödl, Sebastian. *Self-Consciousness*. Cambridge: Harvard University press, 2007.

Ross, W. D. *The Right and the Good*, Oxford: Clarendon Press, 1930.

Sellars, Wilfrid. "The Logic of Looks," in *Empiricism and the Philosophy of Mind*, 32-45 Cambridge: Harvard University Press, 1997.

Sidgwick, Henry. *The Methods of Ethics*. Indianapolis: Hackett, 1981.

Smith, Benedict. *Particularism and the Space of Moral Reasons*, New York: Palgrave MacMillan, 2011.

Tolhurst, William. "Seemings," *American Philosophical Quarterly* 35 (1998): 293-302.

Väyrynen, Pekka. "Doubts about Moral Perception," [unpublished draft] (2014): 1-28