Moral Perception and the Contents of Experience

Preston J. Werner
Syracuse University
pjwerner1@gmail.com

Abstract

I defend the thesis that at least some moral properties can be part of the contents of experience. I argue for this claim using a contrast argument, a type of argument commonly found in the literature on the philosophy of perception. I first appeal to psychological research on what I call emotionally empathetic dysfunctional individuals (eedis) to establish a phenomenal contrast between eedis and normal individuals in some moral situations. I then argue that the best explanation for this contrast, assuming non-skeptical moral realism, is that badness is represented in the normal individual’s experience but not in the eedi’s experience. I consider and reject four alternative explanations of the contrast.

Keywords

metaethics – moral epistemology – moral perception – perception of higher-order properties – ethics – moral realism

The view that it is possible to gain moral knowledge by directly perceiving moral properties is an unpopular position in moral epistemology. Instead, moral epistemologists have appealed to the use of intuitions, “rational insight,” or some other a priori access as providing substantive moral knowledge.1

1 Preston J. Werner is a graduate student in Philosophy at Syracuse University. He previously studied at the University of Nebraska. His interests lie in moral epistemology, metaethics, normative ethics, and philosophy of perception.

However, some authors have recently defended moral perception as a source of moral knowledge. Although these defenses have their virtues, most are lacking in at least one of two ways. First, rather than giving a positive argument that moral perception actually occurs, these authors focus on responding to objections against the very possibility of moral perception. Second, even where positive accounts are given, many fail to engage the recent literature in the epistemology of perception and how moral perception may fit (or not fit) with recent accounts of the contents of experience.

I will give a positive argument in favor of the perception of moral properties by drawing on a recent debate in the philosophy of perception. Using a contrast argument, I argue that moral properties can be part of the contents of experience. In section I, I explain the structure of a contrast argument and provide an example of a (non-moral) contrast argument that can be found in the philosophy of perception literature. Sections II-IV contain my contrast argument in favor of moral perception. In section II, I propose and defend a case involving a contrast in phenomenal character between two individuals perceiving the same scene. In section III, I provide some preliminary reasons for explaining the contrast by appealing to the perception of moral properties by one but not the other individual. Since contrast arguments are inferences to the best explanation, I spend section IV considering and rejecting alternative explanations for the contrast. I conclude that the best explanation for the contrast is that moral properties are capable of being part of the contents of experience.

Before getting into the arguments, I should make explicit three background assumptions I will not defend here. First, I assume that some version of non-skeptical moral realism is true, where by this I mean that (a) there are at least some moral properties whose existence does not depend on the mental states from emotional intuitions, arguing that the former, but not the latter, are justificatory. See also Greene (2007).


3 An important exception here is Cowan (2013b), who provides a qualified defense of moral perception while engaging the philosophy of perception literature. The present paper provides a distinct positive argument for moral perception.

4 Väyrynen (2008, Section IV) defends a posteriori ethical intuitionism from a particular objection from Sturgeon (2002), but notes that his reply would fail “if we could not perceive ethical properties as being instantiated” (p.500). Väyrynen admits that his response to Sturgeon is weak insofar as “establishing that we can perceive ethical properties as being instantiated is a tall order.” (ibid.) This paper can be seen as attempting to meet that burden. McBrayer (2010a, 2010b) is also engaged with the philosophy of perception literature, but only uses it to respond to objections to moral perception, not to provide a positive argument for it.
of human beings—at least not in any interesting sense, and (b) at least some human beings have at least some non-trivial moral knowledge. Second, I assume that at least some moral properties supervene on natural properties, where identity is one kind of supervenience. Third, I assume what Susanna Siegel calls the “Content View”—the view that “experiences have contents, where contents are a kind of condition under which experiences are accurate, similar in many ways to the truth-conditions of beliefs.”

I Contrast Arguments and the Contents of Experience

Proponents of the Content View tend to agree that at least some properties such as colors, shapes, and states of motion can be part of the contents of experience. Call these properties low-level properties. There is much dispute over whether more complicated properties can be part of the contents of experience as well. Call these properties high-level properties. There are many different kinds of high-level properties: natural kind properties, artifact kind properties, the properties of causal chains, etc. According to liberals, at least some high-level properties can be part of the contents of experience. According to conservatives, high-level properties cannot be part of the contents of experience; rather, the existence of such properties from our perception of low-level properties is only concluded as a result of some further (possibly unconscious) cognitive act. The difference between low-level and high-level properties is

---

5 How exactly to characterize realism is controversial. Rather than getting bogged down in such debates, my definition of realism here is intentionally vague. I don't believe how we cash out realism has much importance to the argument that follows. In particular, I don't mean to take a stand on the naturalism/non-naturalism dispute. (With one exception: Shafer-Landau (2003), who carves up naturalism/non-naturalism in terms of epistemic access, and endorses non-naturalism. Since his non-naturalism is defined in terms of a priori access, moral perception is conceptually impossible for non-naturalism as he defines it.)

Isn't MP ruled out by the view that the moral properties are causally inert? I think that McBrayer (2010a, Sect. IV) has shown that this natural thought is mistaken, and that MP is compatible with causally inert moral properties, but I cannot defend that here.

6 I don't believe that the arguments of this paper hinge on any particular conception of supervenience.

7 Siegel (2010), p.4.

8 I take this liberal/conservative terminology from Bayne (2009).

9 This could result from an unconscious inference, or, as a referee pointed out to me, our perception could cause an intuition (which wouldn't itself count as a perceptual state). There are other possibilities here, but for present purposes what is important is that the high-level properties are not part of the contents of experience.
probably best represented as a continuum, rather than as a binary. Nonetheless, it’s helpful for bookkeeping purposes to roughly divide them up, so I use these categories throughout despite this qualification.

The thesis I intend to defend below is:

\[\text{Moral Perception (MP): At least some moral properties can be part of the contents of perceptual experience.}\]

I will take it as uncontroversial that moral properties would be high-level properties, so if MP is true then liberalism is true. As Robert Cowan points out, this is why, in assessing MP, we should be careful not to “[prejudge] the outcome of an ongoing debate in the philosophy of perception as to what sorts of things can come to be represented in experience.”\(^{10}\) However, we should also keep in mind that liberalism does not commit one to the view that any and all high-level properties can be represented in experience. A defense of the perception of high-level properties can proceed on a case-by-case basis.

There are two views in moral epistemology that entail MP. First, according to Perceptual Intuitionism, moral properties can be part of the contents of experience in one of the traditional sense modalities (sight, hearing, etc.).\(^ {11}\) On the other hand, according to Affectual Intuitionism, (a) emotional experiences are a mode of perception (the perceptual theory of emotions), and (b) moral properties can be part of the contents of emotional experience.\(^ {12}\) On both of these views, the moral properties that figure in the contents of experience can provide \textit{prima facie} justification for moral beliefs. I wish to remain neutral for the purposes of the arguments below between these two views. As will be seen, I believe that emotions play an integral role in moral perception. However, the view that emotions play an integral role in moral perception is in principle compatible not just with Affectual Intuitionism (for obvious reasons), but also with Perceptual Intuitionism. This is because it may turn out that affective states cognitively penetrate the perceptual processing of the traditional sensory modalities such that they alter the contents of classically perceptual experiences. Cognitive penetration occurs when some prior mental state(s) of a person, such as a belief, causally influences the contents of experience.

---

\(^ {10}\) Cowan (2013b), 12.

\(^ {11}\) Perceptual Intuitionism is defended by McBrayer (2010a, 2010b), and on one reading of Audi (2013).

\(^ {12}\) This view has been recently defended by Roeser (2011), who sees herself as developing the ideas of Thomas Reid. Cowan (2013, section 4) also discusses this view (and does not outright reject it).
So, for example, a visual experience, while remaining strictly visual, may contain moral properties as part of its contents as a result of affective penetration. Of course, whether affective states penetrate classically perceptual processing is at least partially an empirical question which I cannot address here.\(^{13}\) All I am claiming here is that even though I take emotional states to play an integral role in moral perception, the arguments of this paper remain neutral between Affectual and Perceptual Intuitionism.

Though both Affectual and Perceptual Intuitionism entail Mp, the entailment does not go in the other direction. This is because according to both of these versions of intuitionism, moral properties contained within the contents of experience can serve the role of justifying epistemically basic moral beliefs, which Mp does not entail. The claim that an experience E which contains a property F can justify epistemically basic beliefs about F is plausible, but it is non-trivial in the case of high-level properties such as moral properties. Things are not epistemically straightforward here because moral properties may figure in experience only as a result of the cognitive penetration of prior moral beliefs.\(^{14}\) If this were the case, the justification of moral judgments formed on the basis of moral perception would depend at least in part on the status of the prior moral beliefs. While I do think that Intuitionism can be defended despite these concerns, I intend the argument of this paper to be neutral on the relationship between Mp and its broader epistemological consequences. I only mean to claim here that the truth of Mp is an important piece of the moral epistemological puzzle.

One typical defense of the presence of some high-level property in the contents of experience proceeds by way of a contrast argument of the type recently defended by Susanna Siegel and others.\(^{15}\) Siegel argues for liberalism using what she calls the Method of Phenomenal Contrast. The method involves considering two very similar but phenomenally distinct experiences. We first consider an experience in which it is plausible that the high-level property could be part of the contents of that experience. Then we consider an experience that (a) uncontroversially does not represent the high-level property, but (b) is in other respects as similar to the first experience as possible. Now we have two similar but uncontroversially distinct phenomenal states.

---

\(^{13}\) Cognitive penetration here, as elsewhere, also raises interesting and difficult epistemological issues which are outside of the scope of the present paper.

\(^{14}\) Vayrynen (2008) and Cowan (2013) both contain excellent discussions of this issue.

The method now proceeds by inference to the best explanation. There must be some explanation for the difference between the two experiences. A liberal regarding a particular property contends that the best explanation is that one experience represents the high-level property while the other does not. A conservative regarding the property in question must provide some superior alternative explanation as to why the two experiences are distinct. This could involve, for example, appealing to differences in low-level properties of the two experiences, an appeal to a difference in cognitive phenomenology, or perhaps a denial that the phenomenal difference is a representational difference.

Since the method of phenomenal contrast will always involve an inference to the best explanation, any particular application of the method is bound to be contentious. This is perhaps to be expected, since it’s hard to imagine what a plausible deductive argument for or against liberalism would look like.

It may be helpful to consider an example. Here is Siegel:

Suppose you have never seen a pine tree before and are hired to cut down all the pine trees in a grove containing trees of many different sorts. Someone points out to you which trees are pine trees. Some weeks pass, and your disposition to distinguish the pine trees from the others improves. Eventually, you can spot the pine trees immediately: they become visually salient to you...Gaining this recognitional disposition is reflected in a phenomenological difference between the visual experiences had before and those had after the recognitional disposition was fully developed.16

The target property in this example is the kind property of being-a-pine-tree. Our two experiences are someone looking at the trees before and after developing the ability to recognize them. There is allegedly a phenomenal difference between experiencing a pine tree before and after someone can recognize them. We have a phenomenal contrast in need of an explanation. Siegel goes on to argue that the best explanation for this phenomenal contrast is that one's coming to be able to recognize pine trees gives them a new ability to represent pine trees in the contents of experience.17

This is perhaps to be expected, since it’s hard to imagine what a plausible deductive argument for or against liberalism would look like.

It may be helpful to consider an example. Here is Siegel:

Suppose you have never seen a pine tree before and are hired to cut down all the pine trees in a grove containing trees of many different sorts. Someone points out to you which trees are pine trees. Some weeks pass, and your disposition to distinguish the pine trees from the others improves. Eventually, you can spot the pine trees immediately: they become visually salient to you...Gaining this recognitional disposition is reflected in a phenomenological difference between the visual experiences had before and those had after the recognitional disposition was fully developed.16

The target property in this example is the kind property of being-a-pine-tree. Our two experiences are someone looking at the trees before and after developing the ability to recognize them. There is allegedly a phenomenal difference between experiencing a pine tree before and after someone can recognize them. We have a phenomenal contrast in need of an explanation. Siegel goes on to argue that the best explanation for this phenomenal contrast is that one's coming to be able to recognize pine trees gives them a new ability to represent pine trees in the contents of experience.17

---

16 Siegel (2010, p.100). Peacocke (1992, Ch.3) uses a similar example.
17 Siegel (2010, Ch.4) considers and rejects other possible explanations of the contrast. I take no stand on whether she is correct about the best explanation in this particular case.
The method of formulating contrast arguments should be accepted by liberals and conservatives alike. This is because so long as the proponent of a contrast argument can provide sufficient evidence that a phenomenal contrast exists between two experiential states, there is a difference for which some explanation needs to be provided. But contrast arguments do not in principle favor liberal explanations over conservative-compatible explanations, so they are not unacceptably question-begging. However, it should also be noted that since contrast arguments trade in appeals to better and worse explanations, their conclusions will rest on a number of different considerations, some of which are bound to be disputable. Nevertheless, I think that they can help us make progress even if they do not compel all liberals or all conservatives in any particular instance.

II  A Contrast Case for (Moral) Badness

Now we can turn to MP. In order to test MP, we need a contrast case. Perceiving moral properties, if possible, plausibly involves some kind of recognitional disposition. However, perceiving moral properties is not straightforwardly analogous to learning a second language or learning how to distinguish pine trees from fir trees. For many, the development of our ability to notice moral features in our environment is subtle enough that it will be difficult to provide a clear and uncontroversial example of a phenomenological contrast in an individual before and after developing a recognitional capacity for some moral feature or property. This is not to suggest that we could not develop moral capacities which would make us more phenomenologically sensitive to the moral features of certain situations. In fact, I think such cases are possible. However, these cases would probably all be too contentious to meet the strong explanatory burden that a contrast argument places on us. So I propose to set
this kind of cross-temporal intra-subjective contrast case aside for the purposes of establishing or rejecting MP.

Instead, I propose that we consider two separate individuals perceiving the same situation. Just to illustrate that there is no problem, in principle, with a contrast argument of this sort, consider a brief example of two individuals taking an Ishihara Test of Color Blindness. In an Ishihara Test for red-green color blindness, individuals look at a circle made up of much smaller red and green dots of various shades. The dots of one of the colors make up a number.20 An individual with red-green color blindness will not be able to distinguish the red from the green dots in order to read the number. The circle will look like it is made up of similarly colored dots in no particular pattern. A color-sighted individual will be able to distinguish the red from the green dots and thus be able to read the number. It is overwhelmingly plausible that these individuals, while looking at the circle of dots, will be in phenomenally distinct states.21 Just as in intra-subjective cases, it appears that some explanation of the phenomenal contrast is required in cases like these as well—at least where we can clearly establish, using empirical data, a phenomenal contrast between two individuals.

I turn now to the moral contrast case which I will use to defend MP. In this case, one individual is a normally functioning adult human being. The other individual is what I'll call an emotionally empathic dysfunctional individual (EEÉDé). EEÉDéís are individuals who have a fully functioning “theory of mind”—that is, they are capable of inferring the mental states of others based on behavioral, vocal, and contextual evidence—but who nonetheless lack affective empathy in the sense that they fail to have “an emotional response to another individual that is congruent with the other’s emotional reaction.”22 For present purposes, all that is required is that EEÉDéís have an “inability to feel empathy with the victim” of a particular distressing experience, one common trait associated with psychopathy.23 It may be helpful to think of EEÉDéís as psychopaths; in fact, one popular theory of psychopathy is just that psychopaths are EEÉDéís.24 I refrain from using the term “psychopath” in my contrast case.

---

20 For some examples, and to take the test yourself, see http://www.toledo-bend.com/colorblind/Ishihara.asp.
23 Hare (1985).
because there is no consensus in the field of psychology about the essential features of psychopathy, and I don’t want to delve into those debates here. 25 What is of importance for generating my contrast case is only that there really are eedis, not whether they are to be identified with psychopathy or some subset thereof.

Consider two individuals coming across the situation described in Gilbert Harman’s famous chapter on moral observation. 26 They each “round a corner and see a group of young hoodlums pour gasoline on a cat and ignite it.” Both Norma, the normally functioning adult human being, and Pathos, the eedi, come across the same scene. 27 There is good reason to believe that Norma and Pathos are in phenomenally different states when perceiving the scene. Eedis tend to not respond to distress cues, whereas for normally functioning individuals, distress cues can invoke powerful phenomenological states. For example, in one study, adults who scored highly on the Hare Psychopathy Checklist—Revised were shown images of sad faces as their skin conductance response (SCR) was tested. SCR is correlated with physiological arousal, and thus with emotional intensity more generally. The individuals who scored highly on the Psychopathy Checklist showed heavily reduced SCRs in comparison to the control group. 28 Similar results have been shown for children with psychopathic tendencies. 29 Those who score high on the Psychopathy Checklist have also been shown to not differ in their “startle responses” (blinking and twitching) when surprised by an acoustic stimulus regardless of whether they are looking at a pleasant image, such as a smiling face, or an unpleasant image, such as a mutilated animal. A control group was shown to have a higher startle response when viewing an unpleasant image. 30 These differences, as well as others, appear to be explained by some kind of amygdala dysfunction in eedis. 31

A difference in SCRs, heart rate, and startle responses does not deductively prove that eedis and normally functioning individuals are in states with a differing phenomenal character. These measurements only directly show that eedis and normally functioning individuals differ physiologically. But to demand such a proof would be asking for a solution to the problem of other minds. What we have is the best empirical evidence currently available, and it

25 Skeem et al. (2011).
26 Harman (1977, 8).
27 Thanks to an anonymous referee for recommending these heuristically helpful names.
28 Blair et al. (1997)
29 Blair (1999).
30 Patrick et al. (1993).
all seems to point in the direction of a phenomenal contrast in cases like that of Norma and Pathos above. For most people, witnessing a cat being set on fire invokes a very strong phenomenological response. But for EEDIs, it appears that no such strong phenomenological response is present. So we have a phenomenal contrast in need of explanation.32

III MP as the Explanation for the Contrast

The phenomenal contrast between Norma and Pathos’ perceptions of the burning cat is in need of explanation. I contend that the best explanation is a difference in the perception of moral properties—Norma’s experience represents the cat’s burning as bad, whereas Pathos’ does not. Norma’s experiential state meets three conditions that we would standardly count as sufficient for a state’s representing some property F. First, assuming non-skeptical moral realism, as I am here, Norma has developed a disposition to be in this particular experiential state which more or less reliably tracks badness. Second, and relatedly, Norma’s relevantly associated phenomenology is counterfactually correlated with badness (or at least a particular type of badness) in her local environment. Finally, Norma is disposed to form moral beliefs based on experiential states of this kind. In the contrast case in question, we can safely assume that Norma will nearly-spontaneously come to form the belief that the cat’s suffering is bad. EEDIs, on the other hand, struggle with forming authority independent moral judgments unless they have rules to apply.33 So not only are Norma’s experiential states historically correlated with badness in her local environment, there is also a link between experiential states of this kind and Norma’s forming beliefs about badness in her local environment. It would appear then that we have some good preliminary reasons in favor of MP as the best explanation of the contrast in question. This hypothesis would also help to explain how Norma can more or less track and respond to badness in her local environment without explicit, conscious rule following, while Pathos, as an EEDI, cannot do so. To be sure, the experiential feature that Norma has that

---

32 An anonymous referee points out that the difference between Norma and Pathos appears at first blush to be emotional. While it is true that the contrast almost certainly has some relationship to emotion, what is unclear is whether the contrast is explained in terms of the affect, or whether affect is merely causally related to the state (belief, desire, perception, etc.) that explains the contrast. See Sect IV.

33 This is an oversimplification, but the complications don’t bear on anything said here. See Shoemaker (2011).
Pathos does not is probably emotional in some sense. But I don't think this should rule out its being perceptual, for reasons I mentioned above (Sect. I) and discuss in more detail below (Sect. IVd).

IV Are There Better Alternative Explanations?

I have proposed an explanation for the Pathos and Norma contrast case. However, in order to fully assess this explanation, it is necessary to consider alternative explanations of the contrast and see why they are unsatisfactory. I think there are four alternative possibilities: (a) the contrast is due to a non-representational difference in phenomenology, (b) the contrast is part of their cognitive phenomenology, rather than their perceptual phenomenology, (c) the contrast is due to their representing different non-moral high-level properties, or (d) the contrast is because of a difference in their representations of internal bodily processes. I'll address each of these in turn.

IVa A Non-Representational Difference?
The first alternative explanation is that the contrast is best explained by some non-representational phenomenal difference. According to this explanation, despite the fact that Norma and Pathos are in states with different phenomenal character, the contents of their experiences are the same. Norma's experience has some raw feel, some purely qualitative non-representational character, which Pathos' experience lacks. I have no knock-down argument against this first alternative, but I can see at least two serious drawbacks. First, this explanation relies on the denial of intentionalism, roughly, the view that phenomenal character is identical to or supervenes on representational content. Intentionalism is a serious and popular view, and it would be ill-advised to reject it only in order to deny MP—especially in the absence of a principled reason. Second, the defender of this alternative explanation must provide some independent reason to believe that Norma and Pathos' phenomenal contrast in this particular case is non-representational. Given that Norma and Pathos' difference in experiential states could correspond to differing dispositions to judge the cat-burning as bad, we have some positive reason to believe that the phenomenological difference corresponds to either a difference in perceptual content or in cognitive content, broadly construed. If the thought is that the phenomenal contrast is due to differing background cognitive states, then this response just collapses into the second alternative discussed below.

One motivation for this alternative that may avoid the objections just discussed arises from the combination of (a) the fact that something distinctively
affective seems to underlie the phenomenal contrast, and (b) the view that affect is a good candidate for a raw feeling, even if intentionalism is true of most other phenomenological states. While I agree that (a) is overwhelmingly plausible, there is good reason to reject (b). Though the idea that affect is a raw feeling is a view that has been defended historically,34 most philosophers and psychologists reject this view of affect because it cannot account for the fact that affective states have intentional objects.35 To be sure, current orthodoxy could be mistaken here, but we'd need some argument to this effect in order to consider the raw feels explanation a viable alternative.

IVb A Difference in Cognitive Phenomenology?
The second alternative proposal is that the difference is one of cognitive phenomenology. The relationship between cognitive states and phenomenology is a contentious one, but for the purposes of this paper I will grant that propositional attitudes have associated phenomenological characters.36 There are a few possible candidate differences between Pathos and Norma’s cognitive phenomenology. One difference is in the beliefs that Pathos and Norma have. A second possible difference is in the desires that they have. A third possible difference is in the intuitions that they have (or don’t have). I’ll address each of these in turn.

Plausibly, Norma will form something like the judgment “That is bad” while observing the scene, while Pathos will not form such a judgment. So, one non-perceptual difference between Norma and Pathos is that they have different beliefs about the scene in front of them. If occurrent cognitive states can have an associated phenomenal character, then this difference in cognitive states could lead to a difference in phenomenal character. Couldn’t this difference explain the phenomenal contrast?

This explanation will not do. Although eedis are unable to feel empathy for a victim in distress, they are capable of learning and applying moral norms.37 Imagine that Pathos has been taught that setting cats on fire is bad. Further, imagine that Pathos has much practice in the lab at applying such norms swiftly and accurately. When Pathos sees the scene, he will be able to quickly

34 Most famously by William James (1884).
35 See, for example, DeSousa (2013, Sect. 2), Fox (2008, Ch.2). Goldie (2003, 2009) defends a view according to which affective states are essentially feelings, but allows that feelings can themselves be intentionally directed—which renders them more than mere raw feelings.
36 The literature on cognitive phenomenology has exploded in the past decade, but arguably the most influential paper is Horgan and Tienson (2002).
judge that ‘That is bad.’ In short, Norma and Pathos can have the same judgments about the scene, and thus, if the cognitive phenomenology explanation of the contrast is correct, they should have the same cognitive phenomenology. However, we can be confident that the phenomenal contrast would remain despite the sameness of cognitive phenomenology. Thus, the explanation of the phenomenal contrast in terms of different beliefs is unsuccessful.  

Now turn to the possible difference in the desires that Norma and Pathos have. Norma probably has some desire that the cat’s suffering end, while Pathos plausibly lacks such a desire. This difference in cognitive phenomenology could explain the contrast as well. But the explanation depends on two questionable assumptions. First, as above, Pathos very well could desire that the cat’s suffering end. Perhaps he has been trained up to believe that he will be paid $500 every time he stops a cat from suffering. He then could have a strong desire to stop the cat’s suffering, just as Norma does. But it’s implausible to think that this would make the phenomenal contrast disappear.

It could be objected that in the case as just described, Norma and Pathos do not share the same desire. Norma desires that the cat stop suffering as an end whereas Pathos only desires it as a means. They are motivated by different goals, so their desires must differ in content. But rather than getting bogged down here, I turn to the second questionable assumption of the current alternative explanation. This alternative explanation assumes that Norma has a desire that Pathos does not, namely the desire that the cat’s suffering end. However, Norma need not have this desire. Suppose that Norma knows that these kids set the cat on fire for a reason—there is an evil mastermind just out of sight who will shoot the children if the cat is not burned alive. Norma is

---

38 One possible objection: It could be claimed that Pathos doesn’t really understand his judgment that “That is bad” in the way that Norma understands it, and thus his judgment differs in content from Norma’s. But, the objection goes, if Pathos’ propositional attitude really did have the same content as Norma’s, then the phenomenal contrast would disappear. Although I cannot rule out this possible explanation, without some positive independent reason to think that Pathos’ judgment can’t share the same content as Norma’s, it seems to be special pleading on the part of the opponent of MP. We could stipulate that Pathos can track badness (at the level of belief) as reliably as Norma, albeit through rule application, thus avoiding this possible explanation. So although this is a possible explanation for the phenomenal contrast, it doesn’t seem to be the one that most straightforwardly explains the data.

Alternatively, it could be that Pathos and Norma’s cognitive phenomenology differs, though their contents are the same. But then we would need some further explanation for this fact.

39 I thank David Sobel and Aaron Elliott for pressing me on this point.
confident that there is no open possibility in which both the cat and the children are able to live. As a result, Norma most certainly does not desire that the cat’s suffering end, because this would lead to the children’s deaths. Yet we would expect the phenomenal contrast to remain.

Perhaps the defender of this alternative explanation would argue that Norma does have a desire that Pathos does not have, but that it is more fine-grained than I have been assuming. Maybe she has a desire that the cat not have to suffer in order to save the children. And this may very well be a desire that Pathos does not have. I agree that Norma may very well have this desire, and that Pathos probably lacks it. However, recall that the challenge here isn’t just to find some relevant difference between Norma and Pathos’ desires, but to find one that more plausibly explains the phenomenal contrast than $MP$. And it seems implausible that this desire could plausibly explain differences between scrs, heart rate, startle responses, etc. between Norma and Pathos better than $MP$. It is more likely that the fine grained desires that Norma has that Pathos does not are cognitively downstream from the immediate phenomenology of their respective experiences.

A third possible difference is in the intuitions that Norma and Pathos have. Plausibly, Norma has the intuition that “That is bad,” while Pathos does not. If intuitions are distinct from other representational states such as beliefs and perceptions, we have another possible explanation for the contrast. And on at least one understanding of “cognitive,” intuitions will count as cognitive phenomenology since they are propositionally structured, unlike experiences.40 Unfortunately, in order to settle the plausibility of this explanation, we would need to settle the extremely contentious debate about the nature of intuitions. Instead of attempting that daunting task, let me just briefly canvas a few of the answers on offer and consider how they would fare as potential explanations of the phenomenal contrast in the case of Pathos and Norma.41

On one view, intuitions are just beliefs.42 If this is the correct view of intuitions, then this alternative explanation of the contrast just collapses into the belief explanation that I have argued is unsatisfactory above. On a second view,

---

40 Whether or not intuitions count as “cognitive” is not of present importance. If the reader does not prefer this terminology, she can just consider this as a wholly distinct alternative explanation to $MP$.

41 On a fourth kind of view defended by Sabine Roeser (2011), ethical intuitions are perceptual emotional states. I hope it is clear enough that such a view is committed to something like $MP$, and so does not present an alternative to the view defended in this paper.

intuitions are not beliefs, but are dispositions to believe. If this is the correct view of intuitions, then intuitions will not provide an adequate explanation of the contrast either. To see why, consider again the possibility that Pathos has been taught that setting cats on fire is bad. Then he will be disposed to form the belief that “That is bad” when he witnesses the burning cat, just as Norma will. So they both share the disposition in question. But as noted above, it is implausible to expect the relevant phenomenological contrast to go away just because Pathos has been taught to apply a general rule.

The last account of intuitions I’ll consider is the view that intuitions are sui generis representational states. According to this view, intuitions are the mental states commonly picked out by “seems” language. Since intuitions are sui generis states, it is difficult to provide an in-depth account of their nature, other than to give examples to pick out the phenomenon in question. Mathematical intuitions, linguistic intuitions, and metaphysical intuitions provide three such types of cases. If intuitions are sui generis representational states, then they may be a good candidate to explain the phenomenal contrast between Norma and Pathos. The idea would be that it non-perceptually seems to Norma that the cat burning is bad, but it does not seem this way to Pathos. Norma has an intuition that Pathos does not, and this is why their experiences differ.

There are at least two things to say to this alternative explanation. For one thing, it will only serve as a possible alternative explanation to those who accept the account of intuitions as a sui generis representational state. This doesn’t render this alternative explanation a non-starter, but it does give some reason to search for a more ecumenical explanation of the contrast, if possible. Second, I see no reason to favor this explanation over MP. Note that such an appeal to a priori intuition to explain non-moral but otherwise similar contrast cases would be implausible. We don't think, for example, that a priori intuition could explain the contrast between the person who can distinguish pines from firs and the person who cannot. So there is some extra burden on those

---

44 Huemer (2001, 2007), Cullison (2010b), Tucker (2010), Chudnoff (2011). This view is associated with Phenomenal Conservatism in epistemology, the view that seemings (intuitions) can provide prima facie justification for beliefs.
45 This scenario is still possible if Pathos believes that the cat burning is bad, since we can believe things even despite seemings to the contrary. For example, in the Müller-Lyer illusion, one line continues to seem longer even though I believe that it is not.
46 To lay my cards on the table, I don’t accept the sui generis view of intuitions.
who would favor this explanation to explain how the moral case is importantly different from the non-moral case.\footnote{One potential difference: Intuitions are \textit{prima facie} important for moral theorizing, but not for pine tree theorizing. Fully addressing this possible difference would require much more than I can say here about moral epistemology and moral methodology. I do not think that the use of intuitions in moral theorizing, once properly understood, supports the appeal to intuition to explain the contrast in question, because I believe that \textit{a priori} intuition cannot provide epistemic access to the moral properties. However, defending that claim is outside of the scope of this paper. My positive claim in the text is only that there is an extra burden to be met by the would-be \textit{a priori} intuitionist in order for their alternative to be properly assessed. I thank an anonymous referee for pressing me on this issue.} Furthermore, for anyone who rejects or is agnostic about the \textit{sui generis} view of \textit{a priori} intuition, MP serves as a more ecumenical and more explanatorily simple explanation. I don't mean to claim that these burdens cannot be met. I concede that, without a more fully fleshed out picture of this alternative, we can't fully assess the prospects of the \textit{a priori} intuition route for explaining the case of Norma and Pathos.\footnote{Just to be clear, \textit{MP} is compatible with \textit{a priori} intuition as a source of moral knowledge— it is only incompatible with a view that says that \textit{a priori} intuition is the \textit{only} source of moral knowledge. For all that \textit{MP} says, \textit{a priori} intuitions may be the source of the vast majority of moral knowledge (though presumably this would be unlikely if \textit{MP} is true). So the skepticism expressed in the text is only skepticism about \textit{a priori} intuitions explaining Norma's particular instance of forming a moral belief.} I only mean to stress that more work would need to be done to render this alternative explanation as a real contender.

\section*{IVc A Difference in Non-Moral Properties Represented?}

The third alternative explanation acknowledges that the phenomenal contrast between Pathos and Norma is due to a difference in which properties are perceived. However, according to this explanation, the different properties perceived are not (explicitly) moral properties. On this approach, Norma and Pathos directly perceive different properties, but not different moral properties (since neither of them perceives any moral properties at all). The challenge of this approach is to pinpoint a candidate non-moral property to explain the phenomenal contrast. To see why this challenge is a serious one, consider one candidate high-level (non-moral) property, \textit{being-a-cat-in-pain}. Here is how the third alternative explanation could be cashed out with \textit{being-a-cat-in-pain} as the candidate property: When Norma rounds the corner, she directly...
perceives the property of *being-a-cat-in-pain*. From this perception in addition to other background beliefs, Norma *infers* (perhaps unconsciously) that the property of *badness* is present in the state-of-affairs in front of her. On the other hand, when Pathos rounds the corner, he fails to directly perceive the property of *being-a-cat-in-pain*. He lacks the recognitional capacity to directly perceive that property. Thus, the contents of Pathos’ experience are different from those of Norma’s, which also explains why Pathos can’t infer, at least not in the same spontaneous way, that the state-of-affairs in front of him is *bad*. What is most important is that the phenomenal contrast is a result of Pathos’ failure (and Norma’s success) at directly perceiving the (non-moral) property of *being-a-cat-in-pain*.49

The problem with this explanation is that there is no reason to suppose that Pathos fails to perceive the property of *being-a-cat-in-pain* if we already suppose that Norma does. And this is what would be required to generate a phenomenal contrast. As noted above, eedis are not impaired in their ability to perceive the pain or suffering of others.50 Nor are they impaired in their ability to perceive any other non-moral properties. Since eedis are not impaired in their ability to perceive most non-moral properties, the explanation given with respect to *being-a-cat-in-pain* will extend to other alternative explanations of this third sort.

IVd A Difference in Representations of Internal States?

According to the fourth alternative explanation, Norma’s differing phenomenology may be explained by appeal to a representational state about *herself*. She may be representing herself as for example being in pain or distress as a result of her affective empathy from witnessing the cat’s suffering. On this alternative explanation, Norma and Pathos’ phenomenal contrast is explained purely by a difference in their internal mental states—Norma is in distress (or some similar state) and represents herself as such, and Pathos is not in distress (because he lacks affective empathy toward the burning cat). No appeal to a difference in their perception of properties “out there,” in the world,

49 Note that this is compatible with Pathos’ having the concept of cats’ being in pain. Pathos may be able to infer, based on directly perceiving other low-level properties, that *being-a-cat-in-pain* is being instantiated in front of him. And he may even be able to infer from that that *badness* is instantiated in front of him. However, the important difference for the topic at hand is in the properties directly perceived.

50 Richell et al. (2003), Blair et al. (1996).
is necessary. We only need to appeal to Norma’s representation of changes within her own bodily states (increased heart rate, SCR, etc.).

To see one way in which this response might fail, consider another kind of emotional response, fear. Suppose I am hiking and I notice a snake near my feet. This invokes a strong fear response with an associated powerful phenomenological character. I freeze in fear—an appropriate response, since with patience the snake will become disinterested and move away. Furthermore, suppose that this fear response and its associated phenomenological character are more generally causally correlated with danger in my local environment, and that the responses in part invoked by states with this phenomenological character tend to appropriately respond to that danger. A natural question arises—does the phenomenological state associated with fear represent danger, (or perhaps more specifically, danger-to-me)? Or does it merely represent an internal state, being-afraid? Perceptual and cognitivist theorists of emotions have compellingly argued that the feeling of fear is capable of representing danger, where this is construed as a relation between an object (such as a bee or a snake) and a subject. In brief, this is because the feeling of fear (a) meets all of the appropriate (Dretske/Millikanian) externalist conditions on representation, (b) is capable of having an intentional object, and (c) disposes us to react in ways appropriate to the danger in our local environment (e.g. my freezing when a bee lands on my arm). This perceptual theory of emotions can also be extended to many if not all other emotions with equal plausibility.51

Of course we could reject perceptual and cognitivist theories of emotion, and I don’t expect to have convinced anyone with what I have said or will say here. However, as noted above, it is widely agreed that emotions can be directed at objects, and most philosophers of emotion accept the possibility of some kind of external world representation in emotional states.52 We would need some independent reason for rejecting such theories, or at least the representational nature of emotions that these theories entail. Though I can’t defend perceptual or cognitivist theories here, I will say that I don’t think such reasons are forthcoming.

The last two paragraphs have explained the contrast in terms friendly to the Affectual Intuitionist, according to which emotional experiences are a subset of perceptual experiences. But suppose that the perceptual theory of emotions is

51 For a defense of a perceptual theory of emotions, see Prinz (2004), especially pp.67–78.
For a defense of a (similar in broad outlines) cognitivist theory, see Nussbaum (2001).
See also de Sousa (2013).
52 See de Sousa (2010).
false. It still could turn out that emotional states, such as Norma's distress, cognitively penetrate her visual processing and thus affect her visual experience. Furthermore, these changes in her visual experience as a result of this cognitive penetration may very well themselves meet conditions (a)-(c) canvassed above. So even if the perceptual theory of emotions is false, we still have a more holistic potential explanation of the differences between Norma and Pathos' experiences which can make more sense of the role of these experiences and their function in each of the individuals' broader cognitive setup. This is the way in which, as mentioned above, Perceptual Intuitionism is compatible with the role of emotion in this contrast case.

Whether or not the perceptual theory of emotions is correct, the aspect of Norma's phenomenal character that Pathos lacks meets analogous conditions with respect to badness that my feeling of fear meets with respect to danger. Though Norma's phenomenal character tracks some change in her internal state, it also tracks a property in her external environment. And, plausibly, this phenomenal character disposes her to act appropriately in response—she may try to put out the cat, for example. Her feeling of distress either represents badness in her local environment in the same way that my feeling of fear represents danger in mine, or it causally influences visual processing to represent badness in her local environment. If the explanation works in the latter case, there seems to be no reason not to extend it to the former. Of course, if Norma's phenomenal character does not track badness in her local environment, then all bets are off. But again, we are assuming non-skeptical realism, and we are assuming that Norma generally does a decent job at picking out badness in her local environment. So it appears that this fourth alternative explanation, while plausible, also does not provide the best explanation for the phenomenal contrast.

V Conclusion

The idea that we directly perceive at least some moral properties is one worth taking seriously. It could provide an alternative, or at least a supplementation of, current intuition-based moral epistemologies. In this paper, I have used a

---

53 Robert Cowan (2013a) argues that emotional experiences must be epistemically dependent since they "are, or ought to be, responsive to reasons" (12). He is also worried (as are many philosophers of perception) about problems with cognitive penetration. (He develops the former of these concerns in more detail in 2013b.) I cannot address these concerns here, though they are certainly legitimate worries.
contrast argument, commonly used in the philosophy of perception, to provide an inference to the best explanation in favor of MP, the thesis that at least some moral properties can be part of the contents of experience. My arguments have concerned one particular moral property, badness. I don’t take myself to have established that all moral properties can be part of the contents of experience. Since contrast arguments must proceed on a case by case basis, this is an open question. However, since MP is an existential claim, if the contrast argument for badness given above is successful, then MP is true. Nevertheless, I think some reflection will show that badness is not unique and that similar contrast arguments could be constructed with respect to many moral properties, though perhaps not all. I leave this exercise for future research. In sum, I think we have some positive reason to believe that MP is true, and thus that the direct perception of moral properties is not just possible, but actual.54

References


54 I thank Aaron Elliott, C.J.K. Gibilisco, David Sobel, Pekka Väyrynen, and two anonymous referees for useful comments on earlier drafts. I would also like to thank, for many extremely helpful conversations during the writing of this paper, Patrick Arnold, Janice Dowell, David Faraci, Allison Fritz, Reina Hayaki, Landon Hedrick, David Henderson, Andrew Spaid, Steve Swartzer, Adam Thompson, Mark van Roojen, and those at the 2012 Great Plains Graduate Philosophy Conference.


