

# Particularism, Perception and Judgement

*Benedict Smith*

University of Durham

According to the most detailed articulation and defence of moral particularism, it is a metaphysical doctrine about the nature of reasons. This paper addresses aspects of particularist epistemology. In rejecting the existence and efficacy of principles in moral thinking and reasoning particularists typically appeal to a theory of moral knowledge which operates with a 'perceptual' metaphor. This is problematic. Holism about valence can give rise to a moral epistemology that is a metaethical variety of atomistic empiricism. To avoid what could be called the Myth of the Moral Given, particularism has made use of a judgement-centred account of moral epistemology. This paper critically examines that account with reference to a proposed analogy between our moral knowledge and our knowledge of similarities.

*Keywords:* particularism, epistemology, perception, presentism, judgement, similarities.

## I

Broadly speaking, one official way to set out a defence of moral particularism is to explain that the nature of reasons is holistic, and that holism in the theory of reasons implies that moral thinking and reasoning is unprincipled. Accordingly, moral particularism is a metaphysical doctrine about the nature of reasons. The substantive aspect of this holistic metaphysics is that the 'valence' of reasons is dependent on context. This metaphysics denies that reasons retain normative force external to contextual instantiation and, as such, it is opposed to a central claim of principled approaches toward moral thinking which holds that the valence of reasons is atomistic. In addition to the so-called metaphysical direction from which particularism finds expression there are central epistemological dimensions to defending and seeking to undermine particularism.

There is a notable asymmetry between the dialectical roles to which epistemology and metaphysics are assigned in contemporary debates about particularism. It seems as though epistemological considerations are more explicitly discussed by those who are opposed to particularism, or by those who are defending

particularism in some qualified form. Jonathan Dancy is representative of particularism defended from a metaphysical perspective and explains that the content of epistemological commitments does not on its own serve to distinguish a particularist from an opposing view. Although particularist commitments limit the scope of options available, particularists and their opponents could share an epistemology (Dancy 1983: 543). Fundamental to particularism, then, is the metaphysics and not the epistemology. It is therefore significant that critics have sought to undermine particularism by drawing on epistemological considerations. Critics may have two motivations here. On the one hand, they may complain that particularism fails to provide a compelling account of what knowing that here is a reason to  $\varphi$  consists in, or more generally what being a reliably competent moral thinker or actor is. Alternatively they may reject the substantive claims of particularist epistemology and focus, for instance, on the particularist's attempt to give an account of moral knowledge according to a perceptual model.

A moral epistemology which utilises the notion of 'perception' may be generally unpersuasive if understood as a mere description of a contingent phenomenological aspect of what participation in moral thought and discourse sometimes feels like to people. Alternatively, moral perception could be rejected on the grounds that it makes use of epistemic processes and metaphysical assumptions to which it is not entitled. If a condition of perceptual knowledge is a causal relation running from a mind-independent object to belief, then much of our moral knowledge straightforwardly fails to meet this condition.

Nevertheless, part of the motivation for appealing to a perceptual model of moral knowledge is to provide contrast with analyses of S's moral knowledge that  $p$ , or knowledge that here is a reason to  $\varphi$ , that require S to be in command of general principles and of inferential structures allegedly presupposed by knowledge on a particular occasion. The perceptual model typically runs counter to generalist accounts of moral knowledge by claiming that the relevant form of 'discernment' escapes principles-based explanation or justification. Agents who 'see' that things are morally thus and so, or that here is a reason to  $\varphi$ , do not (or at least need not) use a process of reasoning that employs principled knowledge.

In this paper I want to examine the idea that particularism is committed to a picture of moral knowledge which is a variety of atomistic empiricism. The particularist's lessons about the holistic nature of reasons can be interpreted to imply that a correlative moral epistemology can amount to no more than a characterisation of discrete and rationally self-standing moments of seeing what to do, of how to respond, or of what beliefs to form occasion by occasion. Particularists have nevertheless attempted to combine a holistic metaphysics of reasons with an account of how agents can develop a form of 'general' competence from particular circumstances. In *Moral Reasons*, for example, Dancy acknowledges that agents can become equipped to proceed in a relevant domain on the basis of knowledge from particular cases. An emergent principle can serve as a "reminder" of the sort of

importance that a property can have (Dancy 1993: 67). Notwithstanding this role for principled thought, the particularist account of justification is grounded in the rational primacy and normative authority of the present case (Dancy 1993: 65). One might conclude that particularist epistemology must be a very peculiar form of reason perception and that a particularist must be committed to the thought that each moral case is entirely detached, metaphysically and epistemologically, from every other case. I suggest that a particularist account of moral knowledge need not have these sort of consequences.

In the second section I address the place of a perceptual model of moral epistemology as it is expressed from a particularist standpoint. In the third section I explain how a criticism of particularist epistemology modelled on perception can be re-cast as a metaethical analogue to that which Sellars described as the Myth of the Given. In the fourth section I examine Dancy's recent attempt to classify judgement as central to particularist epistemology and the analogy he draws between our moral knowledge and our knowledge of similarities.

## II

Amongst the variety of commitments held by a particularist, metaphysical moral particularism is an application to the ethical realm of the claim that the normativity of reasons is holistic.<sup>1</sup> Holism about reasons is a substantial claim about the nature of reasons and, if shown to be true, moral particularism can be established as a local instantiation of the global truth that all reasons are holistic. Since it is theoretically awkward to provide domain-specific and potentially conflicting accounts of the nature of reasons, the nature of reasons as such is unitary. In terms of the logic of reasons, reasons to believe that  $p$  and reasons to  $\varphi$  are structurally of a piece (Dancy 2000: 136). Both sorts of reasons are holistic according to the particularist. Overall, establishing moral particularism turns on getting things straight in the metaphysics of reasons.

Dancy explains that what marks-off particularists from non-particularists is the nature of metaphysical commitment and not the details of epistemology. Nevertheless, whilst an important element in the debate is about the metaphysical nature of reasons this does not imply that analyses of such issues can progress quite independently of epistemological considerations. I do not think that an ultimately persuasive account of the nature of reasons can be perfected whilst remaining strictly at the ontological level. To be sure, the metaphysics of reasons is crucial. But that fact does not exclude the importance of epistemological considerations; rather, it is intimately connected with such considerations. Questions about the nature of moral reasons, about what must be the case in order for moral thought and reasoning to be rational and about what features of the world our moral thinking answers to, demand a response part of which must be epistemological in character even though metaphysical considerations remain central. If I take certain metaphysical proclivities

under issue to be questionable it is only because of their tendency to divert our attention away from broadly epistemological issues, not because such metaphysical considerations are misdirected as a matter of fact.

One prominent strand in particularist writing involves the appeal to moral perception in an account of moral knowledge. Denying a necessary role for principles in moral reasoning can naturally lead to an emphasis upon the perception or the discernment of particulars. The metaphor of moral vision has been variously used to try and capture the sense in which moral knowledge and agency rests upon episodes of successful seeings: seeings that here are a reason to  $\varphi$ . As a counterpart to a metaphysical doctrine of valence flexibility the appeal to moral perception serves a way of getting hold of moral knowledge. If the nature of reasons is such that instantiations of valence are metaphysically dependent on context, then this seems to imply that knowledge of actual valence must be the product of some sensitivity; successful operations of which, if all goes well, will co-vary with differential instantiations of valence. At one place, Dancy considers his version of particularism to be “a form of empiricism” (Dancy 1993: 68) which could encourage the thought that knowledge of moral reasons is a matter of having the right sort of experience of contingent facts.

Considered in the spirit (if not the letter) of Hume, moral knowledge subsequently looks to be the product of a form of reasoning according to which inferences from knowledge of previous matters of fact cannot rationally support our knowledge of any other particular matter of fact considered as such. Knowledge of the way that previous considerations have functioned as reasons cannot itself warrant the belief that such considerations may continue to function as reasons in the same way, or that they will function again as reasons at all. The modal character of a metaphysics of valence flexibility entails that whilst a consideration functioned here as a reason to  $\varphi$ , it might not have done. In Hume’s words: “whatever *is* may *not be*” (Hume 1993: 113). Thus knowledge that here is a reason to  $\varphi$  can be achieved only by putting oneself in contact with it. Modelling moral knowledge on some form of perceptual capacity is, then, perhaps especially suited to particularism.

From a particularist perspective, possessing knowledge of what to do or what to believe demands a “sensitive and detailed examination of each individual case” (McNaughton 1988: 190). The rejection of principles naturally invites an account of the route to moral knowledge that stresses attention to the details of an unpredictable moral landscape. Typically, the activity of attending to detail engages cognitive capacities in ways that the so-called passive reception of sense-data does not. Moral perception, then, is more like conception than reception. S sees that the little girl is shy by engaging contingently accumulated concepts that play an essential role in enabling S to see the girl as shy. Deliverances of moral perception must have content adequate to sanctioning rational relations between that content and belief or action. Moral perception must be reason-giving. If moral perception is going to provide the basis upon which belief and action and perhaps

knowledge rest upon in some appropriately normative sense, then its going to have to be a relevantly rational mode of awareness.

For particularists such as John McDowell, the perceptual metaphor is appropriate as a way of thinking about moral knowledge in the absence of principles. McDowell complains that dominant ways of thinking about rationality have distorted the conditions of adequacy that must be satisfied by any account of meaningful participation in a specific human activity and discourse. McDowell alludes to a “deep-rooted prejudice about rationality” (McDowell 1998: 58). The prejudice in this context refers to a bias in favour of a deductive paradigm for reasoning in the moral domain and a correlative epistemology that demands moral knowledge, like all genuine knowledge, be codifiable and explicable with essential reference to universal principles. McDowell articulates the prejudiced view of moral rationality in the following way:

Rationality requires consistency; a specific conception of rationality in a particular area imposes a specific form on the abstract requirement of consistency—a specific view of what counts as going on doing the same thing here. The prejudice is the idea that acting in light of a specific conception of rationality must be explicable in terms of being guided by a formulable universal principle (McDowell 1998: 58).

McDowell’s critique seeks to expose a principles-based approach to moral thought and reasoning as misguided by locating the motivation for it in an overall framework for thinking about rationality as such. Such a framework purports to detail what is to count as an example of successful participation in a domain. McDowell’s alternative to the epistemological implications of this prejudice is to claim that agents can possess moral knowledge in a way that does not require guidance from a principle. For example:

A kind person can be relied on to behave kindly when that is what the situation requires . . . (that the situation requires this) . . . must be something of which, on each of the relevant occasions, he is aware. A kind person has a reliable sensitivity to a certain sort of requirement that situations impose on behaviour. The deliverances of a reliable sensitivity are cases of knowledge; and there are idioms according to which the sensitivity itself can appropriately be described as knowledge: a kind person knows what its like to be confronted with a requirement of kindness. The sensitivity is, we might say, a sort of perceptual capacity (McDowell 1998: 51).

Getting things right involves exercising an inculcated capacity to be reliably sensitive. McDowell’s appeal to the role of appropriate sensitivities and of the abilities of agents to discern the moral world accurately, represents a way to bypass the appeal to principles. Overall, McDowell’s expression of moral particularism involves an emphasis on the role of perception as a corrective to the misguided picture of reasoning implied by a prejudiced picture of rationality. This corrective re-emphasises the role of subjectivity in moral knowledge, but employs the idiom of moral vision not just because it seems phenomenologically most faithful. For McDowell, exercising a capacity to be perceptually sensitive to normative states of affairs in a manner which is not underpinned by codifiable principles, is a morally

relevant application of a revised conception of what rational thought and its relation to the world consist of.

In a related way, Dancy seeks to undermine certain ‘coercive’ (Dancy 1993: 65) assumptions about what it is to be successful in reaching judgements about a given case by utilising the notion of ‘looking’. Rejecting the thought that general principles rationally constrain our moral thought, and provide the conditions under which moral discourse is possible, implies that knowing about moral reasons arises through scrutinising the contingencies of the moral world. Dancy explains the agents have an epistemic duty to look “really closely” at each case (Dancy 1993: 63).

According to Dancy:

Particularism claims that generalism is the cause of many bad moral decisions, made in the ill-judged and unnecessary attempt to fit what we are to say here to what we have said on another occasion. We all know the sort of person who refuses to make the decision here that the facts are obviously calling for, because he cannot see how to make that decision consistent with one he made on a quite different occasion. We also know the person (often the same person) who insists on a patently unjust decision here because of having made a similar decision in a different case. It is this sort of *looking away* that the particularists see as the danger in generalism. Reasons function in new ways on new occasions, and if we don’t recognise this fact and adapt our practice to it, we will make bad decisions. Generalism encourages a tendency not to look hard enough at the details of the case before one, quite apart from any over-simplistic tendency to rely on a few rules of dubious provenance (Dancy 1993: 64).

‘Looking away’ from an actual moral case with an eye to establishing a warranted belief or judgement with regard to the actual case can be evidence of an adherence to an atomistic theory of reasons. Looking away might be tempting when agents face difficult moral circumstances; where agents look to see how other cases have been considered in order to determine moral judgement concerning the case at hand. The complaint here is that this is a bad way of reaching moral judgement in practice and that it rests upon a misguided conception of the nature of moral reasons and of moral reasoning.

Positively, and along with others who stress the importance of moral vision, Dancy explains that ‘looking closely’ at a moral case is an important component in an account of knowledge from a particularist’s standpoint. Negatively, agents must seek to avoid ‘looking away’ from the details of the case. These injunctions give rise to significant epistemological implications when considered against the backdrop of a holistic metaphysics of reasons. The account can look like a form of atomistic moral empiricism which renders deeply problematic, if not incoherent, the manner in which agents can be justified or be able to justify a claim that here is a reason to  $\phi$ . A form of atomistic moral empiricism would involve the claims that moral knowledge is possible only through experiential contact with actual instantiations of valence, and that what constitute the grounds for such knowledge are discrete deliverances. Normatively speaking, agents are entitled to draw on nothing but the content of the deliverance. Failing to respect this condition would

imply that possessing a justified belief about an actual reason here and now to  $\phi$  is something that could be achieved by consulting a description of how reasons have functioned elsewhere. In other words, it would be to look away. Atomistic moral empiricism, according to how it has been sketched here, claims that justification and knowledge do not require external-to-context constraints on our activities of experiencing. For instance, that the existence and suitable manipulations of principles fix the valence of moral reasons independently of contextual instantiation and serve to rationally constrain any candidate beliefs or actions in a given circumstance.

Onora O'Neill remarks that a radical particularist epistemology which denies a role to constraints on thought and action which are in any way independent of the present context, implies that moral knowledge could rest on nothing more than "mere, sheer perception" (O'Neill 1996: 86). O'Neill fears that if a principles-based approach to moral thinking is rejected the possibility that moral disagreement can be adequately resolved is jeopardised. In such a condition agents would remain behind the veil of the particular, merely describing the way things look. What O'Neill means by 'mere, sheer perception' is presumably some episode of immediate seeing that delivers everything by way of relevant data; all rational content is deliverable by looking at this case here and now. This picture of the perceptual model, although I think ultimately a caricature, involves a recurring worry about the alleged epistemological implausibility of particularism: the idea that agents can know about moral reasons by just looking at them when they are there.

Suppose that we are inclined toward some form of perceptual account of moral knowledge supported by the belief that there are no principles which govern the rationality of moral discourse, and no reasons whose nature is atomistic in the sense that they retain normative force whether instantiated contextually or no. A scepticism with regard to principles and to an atomistic metaphysics may fail, however, to silence the thought that a perceptual account of moral knowledge is insufficient for the task of accounting for the manner in which agents are furnished with reasons, and for the task of providing the basis upon which agents can engage in deliberation and moral argument. The thought in question here is that although it is possible to concede the metaphysical claim to particularism, a moral epistemology is needed to make sense of how factors other than those 'presently' available make an inalienable contribution in the achievement of moral knowledge. The issue here is that a particularist moral empiricism seems to imply that  $S$  can be justified in having the moral belief that  $p$  if and only if  $S$  is in the *presence* of  $p$ . It is this epistemological presentism that is one central component to what Wilfrid Sellars described as the Myth of the Given.

### III

Sellars claims that the Myth of the Given closely resembles the naturalistic fallacy in ethics (Sellars 1997: 19). It is mistaken to analyse epistemological or normative

facts in terms of descriptive facts just as it is mistaken to analyse moral facts in terms of natural facts. For Sellars it was the foundationalist's mistake to demand that experiences, in being the mysterious "unmoved movers of empirical knowledge" (Sellars 1997: 77), play two distinct and simultaneous yet incompatible roles: to impact the mind in a fashion that presupposes no prior knowledge or conceptual possession, and at the same time that *that* impact be adequate so as to provide for rational relations such as reasons to believe, say. In short, to provide actual or possible *justifications*. According to one interpretation, the particularist's critique of 'looking away' complains that agents have a tendency, encouraged by a wrong-headed metaphysics of reasons, to fit the present case say into some system of prior knowledge. It seems to me that criticising a model of reasoning that could encourage agents to 'look away' is both defensible and desirable, but I do not think that things are symmetrical here. Even though we should resist looking away we should not thereby infer that we must all go about *looking toward*, so to speak. In other words, resisting atomism about reasons which could otherwise encourage agents to pass over what is actually in front of them is not best achieved by imploring agents to fixate upon what is actually in front of them.

According to the Sellarsian critique, an unfortunate legacy of foundationalist empiricism is the thought that experiential content can be delivered to a subject independently of that subject exercising conceptual capacities, and that such deliverances can serve as the independent basis of all knowledge states or claims. This has occasioned a misguided conception of the relation between empirical content and knowledge, and has resulted in rendering mysterious how the deliverances of experience could stand in a justificatory relation to beliefs either individually or in co-operation as part of a wider 'world view'. In a famous passage Sellars writes that:

The essential point is that in characterising an episode or state as that of *knowing*, we are not giving an empirical description of that episode or state; we are placing it in the logical space of reasons, of justifying and being able to justify what one says (Sellars 1997: 76).

The sort of characterisation that Sellars rejects here involves a conception of experience as an impression devoid of conceptual structure and logically prior to and independent of beliefs. Sellars writes that:

the *given*, in epistemological tradition, is what is *taken* by (supposedly) self-authenticating episodes. These 'takings' are, so to speak, the unmoved movers of empirical knowledge, the 'knowings in presence' which are presupposed by all other knowledge. . . . Such is the framework in which traditional empiricism makes its characteristic claim that the perceptually given is the foundation of empirical knowledge (Sellars 1997: 77).

Sellars's analysis of the relation between a misconceived notion of experience and justification is relevant to the present context in the following way. An epistemology of 'knowings in presence' seems to be just that sort of picture to which particularism is committed. According to this picture, a morally relevant episode of knowing in presence means that what it is to be justified, and what it is to possess knowledge, can be analysed in terms of merely enjoying the presence of an object;



an object whose nature is such that it must be rationally potent to the extent that it must provide reasons *and* whose nature is such that an agent need have at their disposal no prior concepts with which to recognise that object as a reason.

The implication of a particularist moral epistemology is that agents can be impressed by the rational content of reasons independently of knowing what it would mean to be so impressed on other occasions. Further, agents must consciously resist drawing inferences from those other occasions in order to rationally support beliefs about this here present reason. Agents must have at their disposal no prior concepts or knowledge with which to recognise a moral reason as a moral reason whilst being rationally impressed by its content. This picture is untenable because of the dialectical weight attributed to the notion of presence, but it can be encouraged by particularists who lay epistemological emphasis on the “authority of the present case” (Dancy 1993: 65). The untenable picture is what we could call the Myth of the Moral Given.

It is a myth to suppose that looking really closely at a moral state of affairs can exhaust what it is to know that here is a reason. Sellars is hostile to the epistemological presentism of traditional empiricism and moral particularism can seem like a presentism of an ethical variety. The idea that one can be impressed by the normative authority of the present case by looking at it cannot be sustained whilst denying that agents need any prior abilities that equip them with the resources to see a reason as such. The normative authority of the present case cannot be gleaned from the moral equivalent of a “bare presence” (McDowell 1996: 19). The phrase the ‘authority of the present case’ sounds like the sort of thing that Sellars might have called “a mongrel resulting from a cross-breeding of two ideas” (Sellars 1997: 21): that an agent can be in a state of knowledge and subject to rational authority by being the presence of an object, whilst at the same time have at their disposal no prior conceptual resources or capacities with which to be able to tell that something is a reason for something else. I suggest that we give up the idea that it is the presence of reasons that provides for their rational authority. There is an alternative way to characterise the conditions that provide for the possibility of moral knowledge. Dancy suggests one such alternative. His idea is that a particularist moral epistemology should not pivot around experience but around thought.

The moral epistemology outlined in *Ethics Without Principles* gives central importance to what it means for us to “think in terms of reasons” (Dancy 2004: 146). Thinking in terms of reasons is to think in terms of relations of normative significance. Thinking in terms of reasons plays a transcendental role in our moral thought and reasoning; it is a framework within which a particular reason has, in part, normative purchase in the way that it does and without which we could not enjoy sensitivity to or knowledge of any particular reasons. We must be able to think in terms of reason in order to be rationally responsive to any particular reason. In this sense, then, the capacity to think in terms of reasons is a condition of knowing what is a reason for what or that here is a reason to  $\varphi$ , and is something enjoyed by an agent

with conceptual capacities and who is able to respond rationally to a reason when she comes across one.

The idea that I want to stress here is this. The transcendental role that thinking in terms of reasons plays is one in which subjectivity is inalienably implicated. We think in terms of reasons. The conceptual capacities brought to bear in moral thinking are capacities possessed by agents embedded in the world. The capability of agents to think in terms of reasons is something that is achieved through participation in structured conditions that are already normative and is something that agents learn to do. The Myth of the Moral Given obscures the thought that a backdrop of conceptual activity is presupposed by particular moments of reason discernment, and in so doing, it blocks the insight that appreciating moral reasons is parasitic on the ability to think in terms of reasons. One consequence of abandoning the Myth of the Moral Given is to deny that the foundations of moral knowledge are constituted by self-authenticating atomistic experiences. This is one reason why, in *Ethics Without Principles*, Dancy denies that moral knowledge is a matter of experiencing reasons and claims that knowing is a matter of judgement.

#### IV

Recall that metaphysical moral particularism is a doctrine about the holistic nature of reasons, whether reasons are theoretical or practical. This global account of the nature of reasons is influential in the present context because a particularist epistemology aspires to be likewise global in scope. Our capacity to appreciate reasons is not restricted to the ethical domain. We appreciate reasons to believe that the pillar box is red as well as appreciate moral reasons to act in such and such a way. A commitment to a global account of what our ability to appreciate reasons consists in should be inclusive with regard to the different sorts of reasons that are available. In consequence, Dancy claims that a *sense*-based account will be inadequate. He explains that:

though we can indeed discern reasons . . . our ability to do so is not sensory; it is not sensibility that issues in the recognition of reasons (though sensibility may be required along the way). It is rather our capacity to judge that is at issue (Dancy 2004: 144).

The discernment in question here is a skill; an achievement in way that so-called ordinary perception is not. The skill in discerning reasons is an appreciation that there is something to be said for *x* in light of *y* and this is matter of judging that things are thus and so (Dancy 2004: 144). Exercise of this skill presupposes that we are thinking in terms of reasons and knowledge of the sort that this favours that response is *a fortiori* not something we can enjoy just by “gazing at it in a receptive frame of mind.” (Dancy 2004: 142). Recognition that here is a reason, then, is not just a vertical matter of being passively impressed by an aspect of the world. A condition of being able to discern and have knowledge of moral reasons is not a

matter of experiencing or being able to individuate “epistemological atoms” (Dancy 2004: 149); this could return us to the Myth of the Moral Given.

Possessing the right sort of conceptual resource to judge that things are thus and so here in terms of reasons requires knowledge of the conditions which are appropriate for telling that there is a reason for such and such. To speak loosely we need a horizontal competence that will be sensitive to the epistemic relevance of counterfactuals, for example, if we are to exercise some vertical competence with regard to knowing, as a matter of fact, that here is a reason to  $\varphi$ . So, the picture of what it is to know a present moral reason is not a mongrel conception because there is no requirement for a present reason to be rationally self-standing and “sufficient unto itself” (Dancy 2004: 150) or to be some unmoved mover of moral knowledge.

Dancy draws an analogy between our judgements that things are similar and our judgement that affords knowledge of basic moral facts. Consider a case where there are 4 objects; a house and a block of flats designed by one architect and a house and block of flats designed by another. Suppose we want to know whether the houses are more similar to each-other than the flats. What is the nature of our ability to assess and attain knowledge of such similarities? Dancy explains that:

In order to answer this question, we need a posteriori knowledge of the independent natures of the four buildings; but that knowledge is not itself enough. Nor would it be enough to have listed the points of similarity and dissimilarity on either side of the two comparisons. The difficulty is that some similarities are more telling than others. No list of points of similarity will suffice for a judgement about which of those points is the most telling in the present comparison. The matter is reserved for judgement, perfectly properly, and that judgement is one for which there is no method; but such judgements can yield knowledge (Dancy 2004: 148).

One point to the analogy between knowledge of basic reasons and knowledge of similarities is to show how such episodes of knowledge are not related to experience in a direct way, unlike cases where our knowledge that  $p$  is positively grounded in experience. In the example, assessment of relevant knowledge claims—of whether two buildings are more or less similar to another two buildings—is not based or grounded on sense experience in the way that knowledge of the “independent natures” of the buildings is (Dancy 2004: 148). Judgement that  $a$  is similar to  $b$  is structurally different from the judgement that  $p$  where this judgement is solely based on or is grounded in ordinary experience. Sense experience may well be required in both cases. But whilst perhaps necessary and sufficient in the cases of knowledge of the buildings it is not sufficient for knowledge of their similarity. Now, this analysis is Humean to the extent that no amount of experimental reasoning could possibly be adequate to know some relation: the relation that  $x$  caused  $y$ , or that  $a$  is similar to  $b$ , for instance. In spite of this sometimes at least we know that  $a$  and  $b$  are similar and knowing that is a matter of judgement in a way that knowing the independent natures of the buildings is not, or at least does not have to be. So, what is it that makes one similarity judgement more or less correct than another? Presumably there is something that explains why one is better and presumably we

need some account of what it is to know similarities if the analogy with knowledge of basic moral facts is to hold.

According to Gareth Evans, relations of similarity claimed of objects when expressed in utterances of the form ‘*x* looks like *y*’, are akin to ascriptions of secondary qualities to objects in the following sense. Similarities and secondary qualities hold of objects in virtue of the effects they have on human beings (Evans 1982: 292). Evans explains that when a relation of similarity is claimed of two or more objects the relation is “a *reaction* which those things occasion” in a perceiver (Evans 1982: 293). Similarities, then, would not appear in what Bernard Williams would call an “absolute conception” (Williams 1985: 139) of the world because they are constitutively perspectival; only creatures who inhabit the relevant “similarity space” (Evans 1982: 293) could think and speak about objects which are more or less similar. Likewise, secondary qualities figure in the thought and speech of only those creatures who do or can experience them. It is a conceptual truth that what it is to be a similarity, like what it is to be red, makes essential reference to the manner in which they are experienced by us. The concepts ‘similarity’ and, say, ‘red’, are phenomenal and experience-dependent and thus cannot be grasped by creatures devoid of the capacity to have things appear to them as red or have things appear to them as similar.

It could be argued that the experience-dependent nature of similarities threatens the tenability of Dancy’s proposed analogy. Recall that one purpose of the analogy was to demonstrate that knowledge of basic moral facts is not dependent on experience. An objection could be that if similarity is a phenomenal concept, then there is a conceptual connection between what it is to be a similarity and what it is to experience the similarity. Thinking in terms of similarity, then, is in some sense analytically connected to experience. However, as it stands, this sort of objection is not sufficient to count decisively against Dancy’s analogy. It may be true that similarity judgements, like moral judgements, are experience-dependent. Nevertheless, this does not license the claim that similarity judgements are like experience-based judgements proper. Dancy wants to resist the thought that moral judgements are solely based on purely empirical episodes of reception. So, the claim that experience is an irreducible element in what it is to make judgements of similarity, is not to claim that experience is exhaustive in this respect.

One pressing question here is whether in the case of knowing similarities our capacity to judge plays a constructive role. Suppose that in the case of our capacity to make judgements based on experience (e.g., that the independent nature of one of the four buildings is thus and so) our judgements track the facts of the matter. In the case of knowing similarities there are no facts of the matter of *this* sort to track. In order to defend the thought that our capacity to judge is a relevantly different sort of capacity from the capacity to sense, it is natural to suppose that the objects of similarity judgements enjoy a relevantly different mode of existence. If it is the case that similarity judgements do not simply track independent facts,

then the correctness conditions to which such judgements are subject will differ from those that pertain to judgements based on experience.

According to Evans, the nature of similarity claims is such that they can be regarded as something other than judgements:

It is essential to this way of looking at similarity, and a general feature of a conception of a quality as a secondary one, that the reaction which the object occasions in human beings can be regarded as something other than a judgement (Evans 1982: 292).

Judgements are possible only if they could be in error and so if utterances of the form ‘*x* looks like *y*’ are merely expressions of reactions it can seem difficult to explain how they could possibly be mistaken.

Evans claims that, with regard to the analogy between similarity and secondary qualities, the most important way in which we are entitled to speak of error and thus to rehabilitate some use for the notion of judgement is “the control provided by the reactions of other people” (Evans 1982: 294). The utterance that ‘*a* is similar to *b*’

constitutes a judgement about the world when it is issued subject to the control of human agreement—when the speaker is prepared to acknowledge he is wrong by withdrawing his remark in the face of an incapacity to get others to agree with him, to see things his way (Evans 1982: 294).

So:

something will objectively look like something else if it strikes people as like that other thing. . . .  
*b* is objectively more like *a* than is *c* if and only if *b* strikes people as more like *a* than *c* does (Evans 1982: 292).

Judgement, in contrast to mere reports of how things seem, is dependent on the rational constraints provided by like-minded others. Put like this, whatever else judging that things are similar amounts to it signals that an agent is subject to a mind-independent normative authority. Thus, a subject who is not responsive to whether her utterances diverge or otherwise from her fellows, who is not responsive to and in command of what this means, fails to inhabit the space of similarities.

We could say that our capacity to make judgements about basic moral facts is genuinely exercised only when these judgements are subject to a normative authority external to the mind of the judge. Translated into the framework sketched earlier with regard to the Myth of the Moral Given, the objective purport of moral judgements is not manufactured on the basis of a more primitive level of awareness. It is a mistake suppose that inner facts about how things seem can rationally support knowledge claims about the way things are. In terms of our ability to assess similarities the judgement that ‘*x* looks similar to *y*’ is not inferred from awareness of more basic facts. Likewise in the moral case, a judgement that here is a reason to  $\phi$  is not inferred from awareness of more basic facts. Dancy suggests

that agents can ‘directly discern’ the overall rational import of a circumstance (Dancy 2004: 149). Yet describing knowledge of moral circumstances as ‘direct’ is not another form of presentism. Knowledge that there is a reason requires knowledge of “which conditions are conducive or antipathetic to sound moral judgment” (Dancy 204: 149). Direct discernment does not involve being struck by “situations unrolling before our eyes” (Dancy 2004: 147); it is an achievement which requires an understanding of those conditions under which normative objects and their normative relations are discernible at all. Judgement concerning what is a reason for what is not a matter of submitting to the authority of the present case.

In Dancy’s analogy knowledge of basic moral facts is like our knowledge that things are similar. They are alike because experiential content, although important, cannot exhaust the account of what knowledge consists in. Although we have experience of, for example, the independent natures of the *relata* the relevant relation between them is not just one more object capable of being sensed. Similarity judgements and judgements concerning basic moral facts are not just analogous in terms of the epistemological status and role of empirical content. Knowledge of the conditions under which sound moral knowledge is best effected is knowledge that cannot be gleaned entirely from the present case.

According to Dancy’s model, although it is possible to directly discern reasons, subsequent knowledge is dependent on a network of rational relations that structure the conditions under which direct discernment is possible. One objection here could claim that this concedes that particular judgements are not self-standing. If judgement is dependent on a structure that is independent of a particular case that structure could, potentially, be articulable in principles. Read in a way relevant to our present concerns, knowledge of the conditions conducive or antipathetic to sound moral judgement could be expressed in a principled way. So, knowing about the conditions under which moral cases are similar is also logically presupposed by judgement on particular occasions. Overall, this sort of objection expresses the thought that if two moral cases are similar then judgement of the one is conceptually connected to judgement of the other.

Metaphysical moral particularism, like the atomism about reasons which it seeks to debunk, makes claims about the modal nature of reasons. Crudely, radical particularism about reasons defends the metaphysical thesis that nothing about the fact that a consideration functioned as a reason to  $\phi$  implies that it must function in that way again. Epistemologically speaking nothing about our knowledge that a consideration functioned as a reason to  $\phi$  implies that we know how it must function on a different occasion. Nevertheless, it is an incontrovertible fact about moral thinking and discourse that, in trying to find out what is morally relevant in particular circumstances, we draw on morally relevant knowledge that cannot arise from scrutinising the present case at hand. We may think in terms of similarities and seek to achieve knowledge of an object case by trying to clarify the ways in which it is similar or dissimilar to other cases.

Dancy explains that in trying to find out what matters in a circumstance morally speaking, agents may indirectly appeal to the way things were or the way they might be on other occasions.

[O]ur judgement can be informed, and indeed defended, by seeing the way in which a feature functions in situations that resemble the present one in various ways . . . Argument between two people who differ on the way to see the present case can make progress as each brings to bear other situations that are both appropriately different from and also appropriately similar to the one before them (Dancy 2005).

There need be no principles that play a substantial role in this process; no principles that articulate the conditions under which moral cases are similar and which structure the dimensions of similarities to be taken as salient independently of judgement (see Dancy 2004: 131).<sup>2</sup> Recognising the role that similarity judgements can play in our moral thought is, I think, an important aspect in avoiding the Myth of the Moral Given. Revealing similarity relations between this case here and other cases actual or otherwise is crucial for moral discourse. In addition it is part of what it is to think in terms of reasons at all.

What is the relation between our 'indirect' appeal to similarities and the 'direct' nature of our discernment of basic moral facts? We should resist a conception according to which the indirect appeal to similarity relations between moral cases is parasitic on the ability to directly discern moral saliences. Failure to do so could encourage the thought that the ability to directly discern normative facts is basic, and that the ability to think in terms of similarities is a useful skill only under certain conditions; when people disagree, say. Dancy rejects the claim that, when engaged in dispute, particularists "are reduced to saying 'I see it this way'" (Dancy 2005). A particularistic account of moral argumentation can emphasise the role of similarity judgements. Such an account must demonstrate, however, that such judgements are not rationally constrained by principles codifying the conditions under which cases are similar. Further, similarity judgements are not logically independent of moments of direct discernment. Similarity judgements are not episodes of indirect discernment. If they were, that would threaten the tenability of Dancy's analogy between our knowledge of basic normative facts and our knowledge of similarities.

Thinking in terms of reasons in a way that draws upon the nature of similarity judgements retains a distinctive particularist understanding of moral knowledge. The fundamental status of similarities should not be construed as a concession to a form of generalist constraint on moral thought and discourse. Holism in the theory of similarities suggests that the valence of such similarities, so to speak, resists context-free codification in principles. The constraints on what is similar and why are contextually grounded and available to agents who are actually or potentially in command of the rational relations that constitute candidate similarities. A form of conceptual connection between two cases revealed by a similarity can be granted,

without this compromising the denial of an atomistic metaphysics. The primitive status of the relations which can constitute the object of knowledge renders problematic the central tenets of atomistic empiricism.

The Myth of the Moral Given threatens if we fail to give due weight to the status and role of basic relations that underpin the possibility of participating in moral thought and reasoning. Successful participation need not be calibrated by analysing the extent to which concrete judgements satisfy the normative constraints provided by external principles. Part of what it is to possess and effect a capacity to judge is provided for only by skills inherited from and contributed to practice. The incoherence of the Myth of the Moral Given, and the mistake of insisting that the rationality of moral thought need be underwritten according to a principles-based account, can be avoided by mobilising a skills-based defence of what it is to possess the capacity of judgement. Providing an adequately substantive articulation of what this picture of judgement amounts to is beyond the scope of the present paper. Nonetheless, a judgement-centred account of moral knowledge seems likely to satisfy the demand that a framework of moral reasoning is free from an atomistic metaphysics, and free from an atomistic epistemology.

The ability to engage in similarity judgements is interdependent with the ability to directly discern basic normative states of affairs. We need not categorise the former as an ability exercised only in conditions of 'dispute'. The point is about the conditions for moral thinking. Thinking and judging in terms of similarities is a fact about our moral practice. It is also an ability that can help deflate the charge that particularist epistemology is structurally akin to the presentism of atomistic empiricism. A naïve perceptualist account of moral knowledge apparently forecloses moral discussion and criticism because it allegedly rests on nothing more than discrete and inarticulate moments of discernment. Against this, the possibility of making similarity judgements is grounded in a holistic metaphysics of reasons which is intrinsically relevant to moral epistemology. One of the criticisms against a particularist account of knowledge is that it fails to provide an adequate account of moral deliberation and argument. Thinking in terms of the way things might have been, or could be, is not just a useful pedagogical device; it is part of the metaphysics of moral epistemology and of what being in the game of giving and asking for moral reasons consists in.

### Concluding Remarks

In Dancy's hands, moral particularism is an application to the ethical domain of a distinctive theory about the nature of reasons. A moral epistemology that respects this metaphysics can look problematic. Particularists who trade explicitly or otherwise on a perceptual model of moral knowledge, it has been suggested, imply that agent's can do no more than try and scrutinise each moral case that comes along



hoping to extract everything relevant to possessing knowledge on that basis alone. McDowell warns that a “stress on appreciation of the particular” can be misread as advice to “pontificate about particular cases” (McDowell 1998: 72). This is not what particularism recommends. I have suggested that we resist the thought that particularism must conceive of the present moral case as epistemologically basic. This presentism, especially when in tandem with the demand to avoid ‘looking away’ to moral cases on different occasions, can be a source for the Myth of the Moral Given. The epistemology of *Ethics Without Principles* places our capacity to judge as central. This is an important advance for particularism and it suggests that the status and role of the subject is now crucial. Providing an account of exactly what particularist moral judgement amounts to is one of the challenges that particularism faces. Such an account is not likely to be persuasive, however, if subjectivity and the source of judgement are factored-out of any metaphysics of moral reasons.<sup>3</sup>

### Notes

1. For a helpful discussion of the variety of particularist positions, see McKeever and Ridge 2005.
2. See Luntley 2002 for discussion of how a Wittgensteinian account of ‘seeing the similarities’ could be relevant to particularism.
3. Thanks to David Bakhurst, Jonathan Dancy, and Michael Ridge for helpful comments and questions on a version of this paper presented at the 2005 Bled conference. This paper has benefited from the thoughts provided by an anonymous referee, and from conversations with Tim Thornton.

### References

- Dancy, J. 1983: ‘Ethical Particularism and Morally Relevant Properties’ in *Mind* 92/368 530–547.
- Dancy, J. 1993: *Moral Reasons*, Oxford: Blackwell.
- Dancy, J. 2000: ‘The Particularist’s Progress’ in Hooker, B. and Little, M. (eds.) 2000.
- Dancy, J. 2004: *Ethics Without Principles* Oxford: Oxford University Press.
- Dancy, J. 2005: ‘Moral Particularism’, *The Stanford Encyclopedia of Philosophy (Summer 2005 Edition)*, Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/sum2005/entries/moral-particularism/>>.
- Evans, G. 1982: *The Varieties of Reference* Oxford: Oxford University Press.
- Hooker, B. and Little, M. (eds.) 2000: *Moral Particularism*, Oxford: Oxford University Press.
- Hume, D. 1993: *An Enquiry Concerning Human Understanding*, Indianapolis: Hackett Publishing Company.
- Luntley, M. 2002: ‘Particularism, Patterns and Seeing the Similarity’ *Philosophical Papers* 31/3 271–291.
- McDowell, J. 1996: *Mind and World*, Harvard: Harvard University Press.
- McDowell, J. 1998 *Mind, Value, and Reality*, Harvard: Harvard University Press.
- McKeever, S. and Ridge, M. (2005) ‘The Many Moral Particularisms’, in *Canadian Journal of Philosophy* 35/1 83–106.

- McNaughton, D. 1988 *Moral Vision*, Oxford: Blackwell.  
O'Neill, O. 1996 *Towards Justice and Virtue: A Constructive Account of Practical Reasoning*,  
Cambridge: Cambridge University Press.  
Sellars, W. 1997 *Empiricism and the Philosophy of Mind*, Harvard: Harvard University Press.  
Williams, B. 1985: *Ethics and the Limits of Philosophy*, London: Fontana Press.

Received: September 2005

Revised: February 2006

*Benedict Smith*  
*Department of Philosophy*  
*University of Durham*  
*50 Old Elvet*  
*Durham*  
*England DH1 3HN*  
*United Kingdom*  
*b.w.smith@durham.ac.uk*