

Seeing Through “The Veil of Perception”*

Abstract

Suppose our visual experiences *immediately* justify some of our beliefs about the external world, that is, justify them in a way that does not rely on our having independent reason to hold any background belief. A key question now arises: which of our beliefs about the external world can be immediately justified by experiences? I address this question in epistemology by doing some philosophy of mind. In particular, I evaluate the proposal that, if your experience E immediately justifies you in believing that P, then (i) E has the content that P, and (ii) E’s having the content that P is fixed by what it’s like to have E. I start by clarifying this proposal and showing how it can be defended. I then argue against the proposal and develop an alternative. The discussion shows what role visual consciousness plays (and doesn’t play) in the justification of perceptual beliefs.

Introduction

This paper will examine how the nature of perception constrains the nature of our epistemic access to the world. I will start by sketching a classic dialectic in the history of philosophy. We will see how a similar dialectic arises in contemporary thought about perception, and we will see how it should be resolved.

According to Hume, everyday opinion about perception

is soon destroyed by the slightest philosophy, which teaches us, that nothing can ever be present to the mind but an image or perception, and that the senses are only the inlets, through which these images are conveyed, without being able to produce any immediate intercourse between the mind and the object (1748/2000, section 12).

This is a statement of *indirect realism*. On this view we do not have direct perceptual awareness of objects in the external world. Rather, if we are perceptually aware of ordinary things at all, we are so aware only by being perceptually aware of other entities such as “images”, “ideas”, or “sense-data”. Indirect realism is defended by a distinguished roster of philosophers, arguably including Descartes, Locke, and Russell.

* *Acknowledgments omitted.*

It is natural to object to indirect realism on epistemological grounds. In particular, one might think that, if we are perceptually aware of ordinary things only by means of being perceptually aware of other entities such as “ideas”, then our experiences do not give us reason to believe that ordinary things exist. We can find an expression of the worry in Berkeley, who frames it in terms of knowledge:

But though it were possible that solid, figured, moveable substances may exist without the mind, corresponding to the ideas we have of bodies, yet how is it possible for us to know this? (1710/2008, section 18)¹

A standard response to Berkeley’s worry focuses on the epistemic role of further factors in addition to experience. In setting out the response I will focus on justified belief rather than the case of knowledge. The key idea is that our experiences do give us reason to believe that particular external things exist, insofar as reference to those things figures in the best explanation of how our experiences arise, or insofar as our experiences are otherwise supplemented by background beliefs. As Bertrand Russell puts it,

... every principle of simplicity urges us to adopt the natural view, that there really are objects other than ourselves and our sense-data which have an existence not dependent upon our perceiving them (1912: 24).

Whether or not Russell’s reply provides a way in which perceptual beliefs are justified, it presumably does not provide the only way in which perceptual beliefs are justified. Imagine you are looking at a lemon and you demonstrate *it* (not an idea or sense-datum), forming a belief you express by saying “that exists”. Do you need to rely on your reason to hold other beliefs to reasonably form so simple a belief as that? A further challenge for indirect realism is whether it can allow for perceptual beliefs to be non-inferentially justified, that is, justified by experience alone. That is the best version of the traditional “veil of perception” worry.

Russell and other indirect realists actually can handle the best version of the traditional worry. In maintaining that our perception of external things fails to be direct, they need not maintain that our epistemic access to the external world is mediated by background beliefs. Perception is one thing, the justification of perceptual belief is quite

another. The mediation of perception by ideas or sense-data does not require the mediation of justified perceptual belief by background beliefs. Berkeley is thus mistaken when he writes that

As for our senses, by them we have the knowledge only of our sensations, ideas, or those things that are immediately perceived by sense, call them what you will . . . this the materialists themselves acknowledge (1710/2008, section 18)

The same mistake can arguably be found in Russell, when he reasons that

. . . the real table, if there is one, is not the same as what we immediately experience by sight or touch or hearing. The real table, if there is one, is not *immediately* known to us at all, but must be an inference from what is immediately known (1912: 11).

For better guidance through the terrain, we should instead follow G.E. Moore, who writes that

The mere direct apprehension of certain sense-data is quite a different thing from the knowledge of any proposition; and yet I am not sure that it is not by itself quite sufficient to enable me to know that pencil exists (1953: 125).²

This paper will develop the better response to the worry about a “veil of perception”. My aim however is not to vindicate indirect realism. I will instead pursue the response in a parallel dialectic, one which comes up in contemporary debate about consciousness between philosophers such as Michael Tye and Sydney Shoemaker. In the course of advancing their debate in the philosophy of mind, I will take on more general questions in epistemology, about the epistemic role of facts about what it is like to have an experience, and the epistemic role of facts about what experiences represent.³

In section 1 of the paper, I will introduce the contemporary debate in the philosophy of mind and show how the “veil of perception” objection can be stated in it. Section 2 will develop the case in favor of the objection, section 3 will show that the objection fails. In section 4, I will conclude with a positive explanation of how indirectness in perception can go along with non-inferential justification.

1. Consciousness and Representation

To see how the “veil of perception” worry arises in current philosophy of perception, we first need to introduce a debate about consciousness and representation.

I will take it for granted that our visual experiences have *contents*, where, at a minimum, a visual experience has the content that P only if it is accurate only if P.⁴

Our visual experiences also have *phenomenal character*, where two experiences have the same phenomenal character just in case what it’s like to have one is the same as what it’s like to have the other.⁵

A much debated question now arises about the relation between the phenomenal character of a visual experience and its content: what content of a visual experience, if any, is shared by every experience with the same phenomenal character? To address this question, we may introduce the term “phenomenal content” in the following way:

(Definition of Phenomenal Content): For any experience E and any content C, C is a *phenomenal content* of E just in case every experience with the same phenomenal character as E has C.⁶

The question in current philosophy of perception may now be put as follows: what are the phenomenal contents of visual experience? This question arises for those who would aim to give reductive accounts of what experiences are in terms of what they represent, such as Tye (1992) or Dretske (1995), as well as for those with more moderate views which need not be reductive, such as Siewert (1998) or Chalmers (2004).⁷

For example, consider the intense debate about whether two visual experiences can have the same phenomenal character, and yet represent different color properties. Such a case would arise if there can be an “inverted spectrum without illusion”, where a subject has an experience with the conscious character of our experiences of yellowness, even though her experience represents blueness rather than yellowness.

Can such a case indeed arise? According to philosophers such as Block (1990), Shoemaker (1994), or Chalmers (2004), the answer to the question is “yes”. According to philosophers such as Tye (1994) or Byrne (2001), the answer to the question is “no.”

The dialectic about indirect realism should inform the debate about consciousness and representation. To introduce the challenge, we can take Sydney Shoemaker as a

proxy for Hume, and Michael Tye as a proxy for Berkeley. According to Shoemaker (1994), when someone has an experience with the phenomenal character of our experiences of yellowness, that does not suffice for the representation of yellowness. However, having such an experience does suffice for the representation of a distinct “appearance property” associated with yellowness, such that normal subjects are aware of yellowness by being aware of that appearance property. Here is what Tye (2000) says in response:

if colors are seen by seeing other qualities, not themselves colors, then the fact that a seen object has the qualities it is directly visually experienced as having affords no epistemic guarantee that it has the color the subject of the experience takes it to have or indeed that it has any color at all. That again seems very counterintuitive. . . The general problem here is that distinguishing between the experienced character of a color and the color itself effectively draws a veil over the color (103).

Tye’s objection is a demand for an epistemic guarantee. Since I take it be controversial whether our experiences afford us any certainty about how the external world is, I’ll instead develop the objection in terms of whether our experiences give us *justification* for our color beliefs.

Here is one objection in the vicinity (I have reserved discussion of Tye’s own objection for a footnote).⁸ First, if Shoemaker’s view is true, we lack direct perceptual awareness of colors in having our color experiences. That is to say, if we have perceptual awareness of colors at all, we have that awareness at best by having perceptual awareness of other properties which are not themselves colors.⁹ Second, if we are not directly aware of colors in having our color experiences, our experiences do not have color contents as phenomenal contents. But our experiences only give us justification to believe that P when they have the phenomenal content that P. Therefore, if Shoemaker’s view is true, our color experiences do not justify our color beliefs.

There is a natural response to this objection, just as there was in the case of Berkeley. One can insist that, even if Shoemaker’s view is true, our experiences still give us justification for our color beliefs, namely thanks to a further contribution from the good standing of background beliefs (Kriegel 2002). At a minimum, it is a mistake to say that our experiences only give us justification to believe their phenomenal contents. Suppose you see a newspaper on your doorstep on a snowy day, and form a belief that

your paper has been delivered despite the storm. Here your experience justifies your belief thanks to the standing of background beliefs, even though it is no content of your visual experience that [your paper has been delivered despite the storm].

As before, however, the response is ultimately unsatisfying (although the point that perceptual justification can outstrip perceptual content should be taken on board by all). Imagine again you are looking at a lemon and you demonstrate it, this time forming a belief you express by saying “that is yellow”. Can’t such a belief be justified by experience alone?

The best “veil” objection in the vicinity is not in terms of justification *simpliciter*. The best objection is instead in terms of the notion of *immediate* justification (Pryor 2005). Your experience gives you immediate justification to believe that P just in case it gives you justification to believe that P, and does so in a way that is not in virtue of your having justification for other beliefs. For example, if you are in severe pain, your pain plausibly gives you immediate justification to believe you are in pain. Your pain gives you justification to believe you are in pain, and your having reason to hold other beliefs plays no role in giving you that justification to believe that you are in pain.¹⁰

Notice that the notion of immediate justification is a structural one. If your experience only gives you non-immediate justification to believe that P, that does not yet mean that you must consciously infer that P from other beliefs to form a justified belief that P. If your experience gives you non-immediate justification to believe that P, that means your experience gives you justification to believe that P only in a way which relies on your having justification in place for further beliefs. The key point is about the structure of justification rather than the psychology of belief formation.

We can now formulate the central premise of the better objection as follows:

(The Content Constraint): If your visual experience E gives you immediate justification to believe some external world proposition that P, then it’s a phenomenal content of E that P.

According to this proposal, the phenomenology of our experiences fixes certain contents of the experiences, and only those contents are fit to be the contents of beliefs

immediately justified by experiences. I take the Content Constraint to be plausible. In any event, we will soon survey the case in its favor in more detail.

The rest of the objection will continue much as before. If the Content Constraint is true, Shoemaker's view will entail that our experiences do not give us immediate justification for color beliefs. But this consequence of the view is plausibly false. There is a sharp difference between the way your newspaper belief is justified, and the way your color belief is justified. The difference is plausibly a matter of the kind of justification you enjoy for each belief, where you enjoy immediate justification for the color belief although not for the newspaper belief. The objector will conclude that Shoemaker's view is false since it rules out that we have immediate perceptual justification for color beliefs.

Summing up, the old "veil of perception" worry arises in the contemporary debate about consciousness and representation, and the best articulation of the worry is in terms of the Content Constraint.

The Content Constraint is significant because of its role in the philosophy of mind, but it is also important because of its role in epistemology. Consider the following classic question: which of our beliefs can be immediately justified by experiences? My belief that something is white is a good candidate to be immediately justified by experience, my belief that something is a white light switch bought on Sunday is a poor candidate to be immediately justified by experience. But what principled distinction is there between those beliefs which get to be immediately justified by experiences and those which don't? Call this question the scope question.

The scope question is especially pressing for foundationalists, who hold that the epistemic standing of any (justified) empirical belief must rest on immediately justified perceptual beliefs. The scope question is also crucial for those who endorse a Moorean response to skepticism, according to which our experiences themselves justify us in rejecting skeptical hypotheses about our experiences. But the question arises for anyone who allows that our experiences immediately justify some of our beliefs about the external world (more soon about those who deny our experiences ever do such a thing).¹¹

An important hint to answering the scope question brings in the role of consciousness in the epistemology of perceptual beliefs. Compare a subject who enjoys

conscious visual experience of a ball, and a blind-sighted subject who does not have conscious visual experience of a ball, but who nevertheless registers the presence of a ball in non-conscious informational processing, and who is willing and able to make judgments about whether or not a ball is present. The matter is controversial, but I take it that the sighted subject has more justification to believe that there is a ball in front of him than the blind-sighted subject, and I take that the sighted subject has more justification for his belief due to the visual phenomenology he enjoys (see e.g. Johnston 2006). The “perceptual beliefs” of blind-sighted subjects are not justified in the same way as our perceptual beliefs, and not to the same degree as our perceptual beliefs. Given that visual phenomenology is part of the source of the justification of our perceptual beliefs, it is reasonable to expect that phenomenology in some way constrains the question of which beliefs are immediately justified by experiences. In particular, it is reasonable to expect that they will bear some special relation to the phenomenology of our visual experiences.

The Content Constraint is a simple proposal about what relation a perceptual belief must bear to phenomenology to be immediately justified by an experience. It should be of interest to any epistemologist as an answer to the scope question. And it should be attractive to any epistemologist who privileges the role of consciousness in perceptual justification.

There is of course a different proposal about which beliefs get to be immediately justified by experiences:

(The Weaker Constraint): If your visual experience E gives you immediate justification to believe some external world proposition that P, then it’s a content of E that P.

This proposal is even simpler and weaker because it abandons the notion of phenomenal content. It is a less useful starting point for this reason as well---it will not help us develop the debate about consciousness and representation. We will also see that the Weaker Constraint is no better an ending point either. We will see that an experience can give one immediate justification to believe that P when the experience does not have the content that P at all, let alone the phenomenal content that P.

By evaluating the Weaker Constraint in what follows, we will do further important work in epistemology---we will take on the question of the extent to which representational facts about experiences constrain epistemic facts about experiences.

We will soon evaluate the Content Constraint and the Weaker Constraint, both for the benefit of philosophy of mind and of epistemology. In order to do so effectively, however, we first need a better understanding of the Content Constraint.

First, on the reading I have in mind, the Content Constraint proposes a requirement for one to gain immediate justification from an experience to increase one's confidence or credence at all. The claim is not merely that, for an experience to give one enough immediate justification to believe outright that *p*, the experience must have the phenomenal content that *p*. The requirement proposed is instead more general, about what it takes for one to gain immediate justification from an experience to increase one's credence at all. To see why this version of the claim is important, consider that the immediate justification we get from experiences could play a role in the rationalization of our actions, whether or not experiences give us enough immediate justification for outright beliefs.

Second, let me explain the important restriction of the Content Constraint to external world propositions. We should make this qualification because an experience can immediately justify you in believing that you *have* the experience, whether or not it is a phenomenal content of the experience that you have the experience.¹²

The restriction to external world beliefs is not ad hoc. There is an important difference between the external and internal world cases. Even when one lacks justification to endorse the content of an experience, say because one has information that the world isn't the way it seems to be, one may remain perfectly justified in believing that one has the experience.¹³

The next point of clarification to stress is that the Content Constraint proposes a necessary condition, not a sufficient condition, for an experience to immediately justify a belief. The proponent of the claim need not be committed to the following quite different proposal:

(Converse Content Constraint): Necessarily, if some external world proposition that P is a phenomenal content of S's experience E, then E gives S immediate justification to believe that P.

One important upshot is that the Content Constraint can be combined with extreme externalist views in the epistemology of perception, according to which an experience immediately justifies one in believing that p only if one is in the factive mental state of seeing that p. Another important upshot is that one can use the Content Constraint to argue that something is a phenomenal content, but one cannot use the thesis to argue that something is not a phenomenal content. One might of course want to use epistemic considerations to conclude that something is not a phenomenal content. For example, one might argue that experiences do not have "high level" phenomenal contents such as the content that something is a pine tree, by insisting that our experiences never give us immediate justification to believe such contents. To make such an argument one needs the Converse Content Constraint rather than the Content Constraint.¹⁴

Finally, let me acknowledge it's controversial whether our experiences ever immediately justify us in holding beliefs about the external world. According to philosophers such as Crispin Wright (2000) and Stewart Cohen (2002), our having reason for background beliefs always comes into play when experiences justify beliefs about the external world. On this sort of view, the Content Constraint will at best be vacuously true.

We could in fact formulate something like the Content Constraint without assuming that experiences ever immediately justify beliefs. According to just one alternative formulation, if an experience gives one justification to believe that p, and the only background beliefs that come into play are from some privileged set, then the content that p is a phenomenal content of the experience. For example, one might think (but would not have to think) that the privileged set only includes a priori justified beliefs, and that it excludes a posteriori justified beliefs such as one's beliefs about newspaper deliveries and the like.

Lesson: our discussion does need to be in terms of some notion which is narrower than that of justification, but our discussion actually need not require that experiences immediately justify some beliefs about the external world. For the sake of simplicity,

however, I've formulated the Content Constraint in terms of immediate justification, and I'll continue to run the discussion in terms of immediate justification.

2. The Case for the Content Constraint

We've already encountered one defense of the Content Constraint: given that consciousness plays a role in the justification of belief, the contents of experiences fixed by what it's like to have them are the best candidates to be the contents of the beliefs immediately justified by visual experiences. We'll see what's wrong with this argument in the next section, when we will encounter good candidates for immediate justification which are bad candidates to be phenomenal contents. Before doing so, however, we should survey further reasons to believe the Content Constraint. It's important to understand what might motivate someone to accept the claim.

We may call the first argument the *internalist* argument, since it relies on the following strong internalist thesis in epistemology:

(Phenomenal Epistemic Internalism): If A and B are phenomenally the same, then A's visual experience gives her immediate *prima facie* justification to believe that P just in case B's visual experience gives her immediate *prima facie* justification to believe that P.

If two people are the same with respect to consciousness, their conscious point of view on the world is the same. The idea here is that, if their conscious point of view on the world is the same, then the *prima facie* justification they enjoy from their experiences should be the same as well (it's allowed that the *prima facie* justification available to one person might be defeated by background information not available to the other).

The strong internalist thesis will appeal to those who wish to give consciousness a very large role to play in epistemology. According to the thesis, the facts about what it's like to have your experiences are enough to fix the facts about what your experiences give you immediate (*prima facie*) justification to believe. If someone differs from you in terms of what her experience gives her immediate justification to believe, she will have to

differ from you with respect to consciousness, it will not be enough for example to differ simply in terms of reliability.

I'll just grant for the sake of argument that the internalist view is plausible---later we'll see good reason to reject it---and will focus on how to get from it to the Content Constraint. It's most straightforward to do so by supposing that the Content Constraint is false, and then showing that the internalist view must be false if the Content Constraint is false.¹⁵

The first step of the argument is straightforward, since it simply describes what must be the case if the Content Constraint is false. If the Content Constraint is false, then it is possible that there be someone S1 and someone S2 who meet all of the following conditions:

S1 has immediate justification from her visual experience to believe that p
what it is like to have S2's visual experience is the same as what it is like to have S1's
S2's visual experience does not have the content that p.

There must be such a case if someone is to be immediately justified by her experience in believing a content that is not a phenomenal content of her experience---the person will have to have a phenomenal duplicate who lacks an experience with that content.

The second step of the argument is that, if S2's visual experience does not have the content that p, then S2 does not have immediate justification from her visual experience to believe that p. On this line of thought, in general, a visual experience gives one immediate justification to believe (an external world) proposition that p only if the experience has the content that p. This claim will be attractive to those who privilege the role of representation in the epistemology of perception. In what follows we will see good reason to reject the second premise, but for now let's grant that it is true.

These two steps get us to the claim that, if the Content Constraint is false, then it is possible for there to be someone S1 and someone S2 such that their visual experiences do not give them immediate justification to believe the same propositions, even though what it is like to have their experiences is the same. The counterexample to the Content Constraint will be a counterexample to the internalist thesis in epistemology. The upshot is that, if Phenomenal Epistemic Internalism is to be true, the Content Constraint must be

true as well. According to the fan of the Content Constraint, since we have good reason to believe the internalist thesis in epistemology, we have good reason to believe the Content Constraint itself.

We've now set out the internalist argument. In section 3, we will see that it is doubly unsound: (1) phenomenal duplicates can differ with respect to what they have (*prima facie*) immediate justification to believe and (2) one can be immediately justified by an experience in believing a proposition about the external world that is not a content of the experience at all. In section 4, I will set out a broader view which gives a principled explanation of how there can be counterexamples to the extreme internalist thesis.

The internalist argument just set out is quite abstract. To make the case for the Content Constraint vivid, it should be helpful to consider a more concrete example. The strategy here is to leave behind the general internalist thesis, and try to bring out the plausibility of the Content Constraint by looking closely at a specific case. I'll focus on color contents, and consider whether our experiences could immediately justify us in believing color contents even if color contents are not phenomenal contents. Considering this case will also give us a sharper understanding of how one might use the Content Constraint to argue that color contents are phenomenal contents.

Suppose that

You are looking at a green patch in optimal visual and epistemic conditions
You are immediately justified in believing that something is green
something is green is not a phenomenal content of your experience.

Could it be that all of these claims are jointly true?

On the classic way of thinking, if **something is green** is not a phenomenal content of your experience, that's because a certain "inverted spectrum" scenario is possible (Shoemaker 1982). In this situation, someone has an experience phenomenally the same as yours (call it a "green feeling" experience). However, (to simplify) this person's experience is accurate with respect to color just in case something is red, whereas yours is accurate with respect to color just in case something is green.¹⁶

Now consider that, if you are immediately justified in believing that something is green by your experience, then your twin is immediately justified in believing that something is red by her experience. This conditional is plausible because it seems that nothing privileges your belief that something is green over your twin's belief that something is red. Neither of you has defeating information that the other lacks. And we can set up the case so that your experiences are both reliable guides to the colors of things (this is in fact how inverted spectrum scenarios are standardly set up).

Presumably you in fact are immediately justified in believing that something is green by your experience. So your twin will then be immediately justified in believing that something is red by his or her experience, given the symmetry between you in terms of defeaters and reliability. But I take it to be implausible that the sort of experience you have when you look at a *green* patch in good conditions can immediately justify another person in believing that something is *red* (for related discussion see Johnston 2006).¹⁷

One might of course disagree with this verdict about the cases (I do so myself on reflection, although I agree it is plausible on the face of things). If you disagree with the verdict, however, please make sure you are not doing so for either of the following bad reasons. First, one might point out that a green-feeling experience can provide a person with justification to believe that something is red, as when someone is informed that she has been fitted with lenses which will make red things look green. This point is correct but irrelevant, given that it concerns non-immediate justification. Second, one might say that, for any condition which is reliably correlated with an experience, the experience gives one immediate justification to believe that the condition obtains. This reliabilist proposal of a sufficient condition for perceptual justification is not correct, whether or not there is some reliabilist necessary condition for perceptual justification. Our experiences are reliably correlated with our brain states, but our experiences do not give us immediate justification for any beliefs about which brain states we are in.

I take it that the question of what to say about cases of spectrum inversion gives us some reason to say that our color beliefs are immediately justified only if color contents are phenomenal contents. This will be enough to underwrite an epistemic objection to those who allow for an inverted spectrum without illusion, such as Shoemaker or Chalmers. Moreover, an inverted spectrum type case arguably can be

constructed for any content of an experience which is not fixed by what it's like to have the experience. If this further assumption is correct, there's reason to believe that the Content Constraint itself is true.

A final argument to consider relies on a connection between immediate justification and direct awareness. The core idea is that, if an experience is to immediately justify one in a belief which predicates a property, then one must have direct perceptual awareness of the property in having the experience. That is, one must be aware of the property in having the experience, but not only by means of being aware of some other property.

Unlike the previous arguments, this one only directly applies to predicative contents (we'll discuss the case of objects later). The argument at best establishes that, if an experience immediately justifies one in ascribing a property F to an object, then every experience with the same phenomenal character represents Fness. The argument is still interesting and worth considering, especially since it develops the sort of worry expressed by Tye about Shoemaker's views on color representation.

The first premise of the argument is that, if you are immediately justified in believing that something is F by a visual experience, then you are directly aware of Fness in having the visual experience. To see why someone might make this claim, first suppose you are only indirectly aware of Fness in having your experience. Here one might think that, to be aware of Fness by being aware of some other property, the standing of your background beliefs must bridge the gap between the two. Recall Russell's thought that if the real table is not "immediately known" to us (i.e. not an object of direct awareness), then it "must be an inference from what is immediately known" (1912: 11)." But if your awareness of Fness is mediated by the standing of your background beliefs, you arguably do not have *immediate* justification to believe that something is F. Now suppose instead that you are not aware of Fness at all in having your experience. Here it is even harder to see how your experience could immediately justify you in believing that something is F. If you are not aware of Fness in having your experience, why should your experience immediately justify you in believing that something is F rather than in believing something else?

The second premise of the argument draws a connection between direct awareness of properties and phenomenal content. If you are directly aware of Fness in having your experience, then your experience must represent Fness, along with every experience phenomenally the same as yours.

The two premises get us to the following conclusion: if you are immediately justified in a color belief by an experience, then the predicative color content of the experience must be fixed by its phenomenology. More generally, if you are immediately justified by a visual experience in a predicative belief, then the predicative content of experience must be fixed by the phenomenology of the experience. This claim is in the vicinity of the Content Constraint, although the Constraint is of course itself more general.

Now that we've seen why one might believe the Content Constraint, I'll turn to arguments against it. In the course of developing objections to the claim, we'll also see exactly where the arguments in its favor went wrong.

3. The Case Against the Content Constraint

I'll now present a series of problem cases for the Content Constraint, and a series of failed attempts to revise the claim to avoid the problems. My conclusion is that nothing in the vicinity of the claim is true.

Remember that the Content Constraint, as currently understood, gives a necessary condition for one to gain immediate justification to increase one's confidence or credence at all. We can see that this version is false by seeing that that the following claim is true:

(Incompatibility): It's possible that one's visual experience E gives one immediate justification to believe that P and gives one immediate justification to believe that Q, where it's impossible that [P and Q].

In the cases I have in mind, one gets some immediate justification to raise one's credence in various competing hypotheses about the scene, each of which is a good candidate for fitting the content of one's experience.

For example, suppose that a card is flashed before your eyes with 11 large dots on it, in enough time for you to have a visual experience of it, but without enough time for you to carefully count the number of dots. Here you do not have justification to believe outright that there are exactly 11 dots on the card. Instead, you have justification to increase your credence that there are exactly 11 dots on the card, and you also have justification to increase your credence that there are exactly 10 spots on the card. Now there is no special reason to say that your justification is non-immediate here. In this type of case, I take it, you acquire some immediate justification to raise your credence that there are exactly 11 dots on the card, and you also acquire some immediate justification to raise your credence that there are exactly 10 dots on the card.

Notice I have not yet discussed the content of your visual experience. If what I have said so far about your credences is correct, we actually can avoid controversial questions about what exactly your experience represents. So long as the content of this particular experience is consistent, your experience will lack phenomenal content corresponding to each of your credences about the exact number of dots of the card. I take it to be uncontroversial that the content of this particular experience is consistent, whether or not there are some experiences with inconsistent content such as that involved in the Waterfall Illusion. Given that the content of the dots experience is consistent, regardless of what else is true about the content of the experience, the Content Constraint will be false.

We can argue in similar ways by considering cases in which you estimate the exact colors of things, their exact heights, their exact distances, and so on. In each case, you gain immediate justification to increase your credence in multiple propositions which cannot all be true. So long as the content of these experiences remains consistent, the propositions immediately justified by the experience will outrun their content.¹⁸

Of course one might resist the argument against the Content Constraint.

According to the most important line of response, your experience does not give you immediate justification to believe highly specific propositions which are incompatible with each other, but instead only to believe a less specific proposition. On a cartoon version of the objection, you gain immediate justification to believe that there are

either 10 or 11 or 12 dots on the card, but you do not gain immediate justification to believe any propositions which are incompatible with each other.

Here is one challenge for the line of response. In order for the suggestion to save the Content Constraint, the disjunctive proposition in question needs to be a phenomenal content of your experience.

One difficulty is whether the phenomenal content of your experience is properly captured in quantitative terms at all. If the phenomenal content of your experience “doesn’t count”, so to speak, we will have a counterexample to the Content Constraint if any numerical proposition is immediately justified by the experience. So even if your experience only immediately justifies belief in a disjunctive numerical proposition, or in the hedged proposition that there are roughly 10 dots on the card, that would still be enough to have a counterexample to the Content Constraint.

Even setting the difficulty about quantitative content aside, the disjunctive proposition that there are 10 or 11 or 12 dots on the card is arguably not a phenomenal content of the experience. If you had an experience with the same phenomenal character as the previous one, when presented with a card with 10 dots rather than 11 on it, your experience might well fail to be veridical with respect to the number of dots on the card. The difference between there being 10 and 11 dots on the card is after all a large scale difference, a difference we can reasonably take the content of your experience to bear on. Contrast a case in which the location of an object changes by one micron, while the phenomenal character of your experience remains the same. The micron case does not involve any change in the veridicality of your experience, but the dot case is very different. Now if your card experience did have the disjunctive phenomenal content, your experience would be veridical with respect to the card’s either having 10 or 11 or 12 dots on it. So your experience arguably does not have the disjunctive content as phenomenal content. Rather than saving the Content Constraint, then, the suggestion threatens to provide a different counterexample to the Content Constraint.

Of course, there are different ways to develop the suggested line of response. Another idea is that you gain immediate justification to believe that *that is thus*, where the proposition in question is not explicit in any way about the number of dots on the card. The claim is again that you only have non-immediate justification to believe that

the card has exactly 10 dots, only non-immediate justification to believe that the card has exactly 11 dots, and so on.

Here is another challenge for the response (it arises for the previous version of the response as well). The challenge brings out an important point about how “immediate justification” is to be understood.

Let’s grant that your experience merely has the content that *that is thus*. The question remains of why your justification to believe that the card has exactly 10 dots should fail to be immediate. The natural answer is that you have justification to believe that the card has exactly 10 dots only to the degree that you have justification to believe that, if that is thus, then the card has exactly 10 dots. Call this thesis the *ceiling thesis*.

The ceiling thesis does not give the response the support it needs.

Suppose E gives me justification to believe that P (to degree n) only if I have justification to believe that Q (to degree n). This condition is actually not sufficient for E to fail to give me immediate justification to believe that P, for it may be that E is itself the source of my justification to believe that Q as well as to believe that P. For example, my pain gives me justification to believe I am in pain only if I have justification to believe I have a sensation, but my pain is itself the source of my justification to believe that I am in pain as well as the source of my justification to believe I have a sensation.

I maintain we have the same type of structure in the dots case. Just as your experience is plausibly what justifies you in raising your confidence that that is thus, your experience is plausibly what justifies you in raising your confidence that, if that is thus, then there are exactly 10 dots on the card. The ceiling thesis plausibly is correct. But the ceiling thesis allows for you to have immediate justification to believe that there are exactly 10 dots on the card.

It may well be that your credence that there are exactly 10 dots on the card is somehow psychologically downstream from your credence that *that is thus*. But your justification for believing the downstream proposition can remain immediate for all that. And this epistemological question about the character of your justification is the critical one, rather than any psychological question about how your level of confidence is formed.¹⁹

In sum, I take the dots example to show that the Content Constraint is false.

The present case against the claim is important for a further reason. Recall the following claim in the vicinity of the Content Constraint:

(The Weaker Constraint): If S's visual experience E gives S immediate justification to believe some external world proposition that P, then it's a content of E that P.

This weaker claim leaves out the demand for phenomenal contents. However, our current case shows that this weaker claim is false. Since your experience gives you immediate justification to increase your confidence in each of two inconsistent propositions, while itself having consistent content, even the Weaker Constraint is false. This point is important in its own right---one might easily be tempted to accept the Weaker Constraint. The point is also important as far the defense of the Content Constraint itself is concerned. The first argument for the Content Constraint we considered assumed that the Weaker Constraint is true. We can now see that this argument is unsound.

The case suggests a further point about perceptual justification. In it, your experience gives you immediate justification to raise your confidence in each of several incompatible propositions, without giving you enough immediate justification to believe any of them outright. Now assume that one of the propositions is indeed a content of the experience. If this assumption is true, then an experience can have the content that P, without giving you enough immediate justification to have an outright belief that P. This point would be an important caution against overstating the epistemic powers of experiences.

In response to the case just set out, a proponent of the Content Constraint might then naturally retreat to the following claim:

(The Content Constraint II): If a visual experience E gives you enough immediate justification to have an outright belief that P, then it's a phenomenal content of your experience that P.

By concerning outright belief alone, the new formulation avoids the previous examples.

We can see what's wrong with the new formulation by considering judgments of comparative similarity. Consider my judgment, when looking down at a plate, that some shape before me resembles a circle more than an ellipse. Or consider my judgment, when looking at the clear sky, that [that color is more similar to purpleness than that color is similar to yellowness] (Johnston 1992, Byrne 2005a). These are propositions about the external world. The first one requires that there is in fact a shape in front of me, the second concerns what color properties are like rather than merely what my own experiences are like (even on dispositionalist views of color, claims about colors are not just claims about one's mind). In each case, a visual experience can give me enough justification to have an outright belief in the comparative proposition, without background beliefs figuring in the way I get the justification from my experience. Moreover, in such cases the comparative proposition is a poor candidate to be a content of my experience, let alone a phenomenal content of my experience (Byrne 2005a, section 6). Of course, the claim about what content one's experience has could be disputed, but I take it to be plausible (in a footnote I present a further example).²⁰

Sometimes reflection on your experience can make a proposition about the external world obvious to you, without the standing of your background information playing a justifying role, even when the proposition is not a phenomenal content of the experience. Once again, moreover, an experience sometimes immediately justifies you in believing a proposition about the external world which isn't a content of your experience at all.

There's a further version of the Content Constraint I will now evaluate. It's meant to take account of the complication that your experience can justify you in believing a content that your experience doesn't even have:

(The Content Constraint III): If S's experience E gives S enough immediate justification to have an outright belief that P, then any experience with the phenomenal character of E is fully accurate only if it is the case that P.

This formulate is compatible with the examples considered so far. To argue that it is not ad hoc, one might emphasize that it also accommodates views on which the contents of

experiences are different entities from the contents of beliefs (Evans 1982). For example, one might think that the contents of experiences are sets of possible worlds and the contents of beliefs are not sets of possible worlds (this view is mentioned although not endorsed by Byrne 2005b). Or one might think that experiences do not have contents which are truth-apt at all (Burge 2003). So the new formulation, arguably unlike the previous formulations, respects a broad range of views about the contents of experiences and the contents of belief. This arguably gives us reason to prefer the formulation.²¹

A disadvantage of the new formulation is that it is false.

The main difficulty comes up from the central case of demonstrative beliefs about one's environment. For example, suppose I'm looking at a beachball, and I form a belief in the proposition **that is round**, on the basis of my visual experience. It's very plausible that I'm immediately justified in believing the proposition by my visual experience, and in particular that the experience gives me enough immediate justification to believe the proposition outright. It doesn't seem that my experience only immediately justifies me in a belief that *something* is round, from which I must somehow transition to get to the demonstrative proposition. To bring out why this is plausible, consider a rendition of Moore's proof of the external world as starting with the belief that "this is a hand". What would be objectionable here is that Moore could legitimately appeal to such a premise to raise his confidence in the existence of the external world, not that he could have immediate justification from his experience to believe the premise. The complaint would not be that he must start from "something is a hand" rather than "this is a hand".

We now have a counterexample to the new formulation of the Content Constraint. If **that is round** is a phenomenal content of my experience, then for any experience with the conscious character of mine, that experience is fully accurate only if **that is round** is true, since the experience will have **that is round** as a content as well. But this condition is not met. Consider someone confronted with a numerically different beachball which looks just the same as mine. The beachball I am looking at has nothing to do with the accuracy of his experience, even though what it's like to have the experience is the same as what it's like to have mine.²² In particular, it can be that (i) **that is round** is false and (ii) the other person's experience of a different beachball is entirely accurate. If the other person's experience is fully accurate, and **that is round** is false, **that is round** is not a

content of his experience. Given that he is a phenomenal duplicate of me, **that is round** is not a phenomenal content of my experience.

Since my experience does give me immediate justification to believe **that is round** outright, the third version of the Content Constraint is mistaken.

The case of demonstrative beliefs is extremely important. For one thing, it provides further evidence against the two previous formulations. This does not mean that the previous cases are now idle---there are now multiple strands of evidence against the previous formulations of the Content Constraint. Also, since experiences arguably do have singular contents such as **that is round**, the current case is not effective against the Weaker Constraint, which said that our experiences give us immediate justification only to believe their contents.²³ We need the earlier cases to show that the Weaker Constraint is false.

The case of demonstrative beliefs also undermines the thesis of Phenomenal Epistemic Internalism, which roughly said that the experiences of phenomenal duplicates immediately justify them in the same beliefs. We can now see that the thesis is wrong. People can be phenomenally the same even though they are immediately justified in holding different demonstrative beliefs (our earlier cases were not suited to make this point).

One might of course try to refine the Content Constraint in some further way. But I don't see any way to save the thesis that is not ad hoc, nor any revision which would allow the thesis to play to the role of being a guide to the phenomenal contents of experience. We have good reason to believe that the Content Constraint is false, and that every important thesis in the ballpark is false as well.

4. The role of phenomenology

It's one thing to show that you can be immediately justified by an experience in believing an external world proposition that is not a phenomenal content of the experience. It's another to explain how this is possible. In particular, it's quite another thing to explain how it is possible for experiences to immediately justify us in believing demonstrative contents even if demonstrative contents are not phenomenal contents, or to

explain how it is possible for experiences to immediately justify us in color beliefs even if color contents are not phenomenal contents. In this section I will take on the positive explanatory task. Of course, we saw other counterexamples to the Content Constraint in the previous section, but I'll focus on color and demonstrative beliefs. They are after all among the most fundamental of our beliefs about the external world.²⁴

There's a lot of controversy about whether color contents in fact fail to be phenomenal contents of experiences---in this section I will simply assume that color contents are not phenomenal contents. One of my main aims is to outline what you should say about the epistemology of the inverted spectrum without illusion, assuming that you follow philosophers such as Shoemaker and Chalmers in allowing for such cases at all. My aim in particular is to show what the *moderate representationalist* should say about the epistemology of such cases, where the moderate representationalist allows that some content in the vicinity of color content is fixed by phenomenology, even though color contents themselves are not (more soon about the details of the position).

My driving idea is that immediate justification is tolerant of non-epistemic forms of mediation. In particular, in the terminology I will use here, we can be immediately justified by experiences in believing *indirect* contents of experiences. A content that P of an experience is indirect if the experience has the content that P, and has the content that P at least in part in virtue of having some other content that Q. For example, I take it that color experiences have general color contents such as **something is red**, as well as determinate color contents such as **something is red₂₁**, and I take it that color experiences have the former in virtue of having the latter. One way to bring this out is to consider that looking red₂₁ is a way of looking red: everything which looks red₂₁ looks red and looks red in virtue of looking red₂₁.

The key point is that indirect contents of experiences are contents that experiences have by way of having other contents.

I should give more detail before proceeding further. The example of general and specific color contents may be misleading in some respects. In the case of color contents, having the content that **something is red₂₁** is arguably a sufficient condition for having the content that **something is red**, and one might think that both contents are phenomenal contents. However, I do not hold that, whenever a content *c*₂ of an experience derives

from a content $c1$ of the experience, having $c1$ is a sufficient condition for the experience to have $c2$. The crucial point is that, when a content $c2$ of an experience derives from a content $c1$ of the experience, part of what makes it the case that the experience has $c2$ is that it has $c1$.

The central idea I will work with is that

(Content Mediation): When an experience has the indirect content that P, an experience can immediately justify you in believing that P even if it is not a phenomenal content of the experience that P.²⁵

This is not yet to say that, whenever your experience has the indirect content that P, the experience gives you immediate justification to believe that P. It's unclear whether you always have immediate justification (be it only prima facie justification) to believe the contents of your experiences. The main point is that you sometimes have immediate justification to believe non-phenomenal indirect contents of experiences.

To pave the way towards my conclusion, I'll first argue that we can be immediately justified by an experience in believing that P when the experience has the indirect content that P. Immediate justification can extend to indirect contents of experience.

I take it that one can be immediately justified in believing that something is red. Certainly, the proponents of the Content Constraint can't quarrel with me here, at least if they want to use the thesis to infer that hue contents are phenomenal contents. However, I also take it that, when one's experience represents something as being red, it ordinarily does so by representing the thing as having some more determinate shade such as red21. In such cases one can be immediately justified in believing that P, even though the proposition that P is an indirect content of the experience.

The case shows that one can be immediately justified by an experience in believing a proposition that is an indirect content of the experience.²⁶ Of course, it's controversial whether color contents fail to be phenomenal contents. So we don't have a clear counterexample to the Content Constraint.

Our example does help us to diagnose another problem with the case for the Content Constraint. The final argument for the claim assumed that, if one's experience

immediately justifies one in believing that something is F, then one is directly aware of Fness. This is a mistake. I am aware of the redness of the thing only by being aware of the more specific redness of the thing, and yet I can still be immediately justified in believing that the thing is red. So the final argument for the Content Constraint is unsound.

That argument rests on another important mistake. The argument is driven by the thought that, if one is indirectly aware of Fness in having an experience, then one is aware of Fness in having the experience only because of one's having independent reason to believe some proposition concerning Fness. This is a mistake because indirect awareness need not be dependent on the status of background beliefs. To take an example from the object case, you might be aware of an object in front of you by being aware of its surface. This does not mean that your awareness of the object is epistemically mediated by the standing of any background beliefs (Jackson 1977, chap. 1).

Direct awareness is one thing, immediate justification is quite another. An experience can give one immediate justification for a belief concerning x even if one is not directly aware of x in having the experience.

We haven't yet said enough to reach my main conclusion, since it could be that all indirect contents of experience are nevertheless phenomenal contents of experience. We need to see how we could be immediately justified in believing an indirect content of an experience, even when that content is not a phenomenal content of the experience.

To answer the question I will first outline an existing view according to which demonstrative and color contents are indirect, and I will then describe some of the epistemological virtues of the view. Let's call the view the "neo-Fregean" view.

The first stage of the view assigns phenomenal contents to experiences which are both "neo-Fregean" and in one sense "object-independent" (see Chalmers 2004 for the most relevant version of the view).²⁷ The best way to understand the view is to work with examples. Since it's too controversial and difficult to pin down complete phenomenal contents of experiences, I will work with simplified examples which are good enough to give a feel for the view. To take a toy example in the color case, then, a phenomenal content of a reddish experience would be the condition *is a typical cause of*

reddish experiences, satisfied by redness in our world, and satisfied by greenness in other worlds. To take a toy example in the object case, a phenomenal content of a Tweedlish experience would be the condition *the object causing this experience*, satisfied by Tweedledum in one case, and by Tweedledee in another case. No doubt more must be added to capture the phenomenal contents of experiences---one problem is there are too many or too few satisfiers of the conditions outlined above. Still, I take it that the sketches above will at least be components of the final story.²⁸

On the second stage of the view, experiences standardly have non-phenomenal contents which are determined by their neo-Fregean phenomenal contents. The neo-Fregean contents are conditions on extension, and at least some non-phenomenal contents of experience consist of those objects and properties which satisfy the conditions on extension (assuming that something does satisfy the conditions on extension). Since neo-Fregean phenomenal contents play a specificational role, we can think of them as “modes of presentation”. In turn experiences will have non-phenomenal contents which consist of satisfiers of the relevant specifications. In particular, color contents and demonstrative contents will be non-phenomenal contents of experiences, contents experiences have in part in virtue of their specificational phenomenal contents.²⁹

There are of course a number of refinements and problems of the neo-Fregean view of perceptual content. I set aside those general issues. Crucial here are the virtues of the neo-Fregean view with the present project.³⁰

First, the neo-Fregean theory spells out a clear way in which a content of an experience could be indirect. In particular, the theory supplies us with a relation between contents which suffices for one content to be had in part in virtue of another. The relation in question is causal and satisfactorial. More precisely, when an experience has some neo-Fregean content, and the constituents of some proposition P satisfy the (partly causal) conditions laid down by the neo-Fregean content, then the experience will have the content that P. For example, when a color satisfies the condition on extension laid down by the predicative phenomenal content of a color experience, the experience will have the color content partly in virtue of having the phenomenal content it does. And when an object satisfies the condition on extension laid down by the object-oriented

phenomenal content of an experience, the experience will have the object-oriented content in partly in virtue of having the phenomenal content it does.

Second, and crucially, the neo-Fregean theory allows for both color and demonstrative beliefs to be immediately justified. The key feature of the view is that, when a neo-Fregean content of an experience is the base for a non-phenomenal content of the experience, your reason to hold background beliefs need not play any role in determining the non-phenomenal content of your experience. The relevant work is done instead by your embedding in your environment, and in particular your causal relation to your environment. So now consider what happens when you have an experience with a certain phenomenology, and you take the experience at face value. When you take the experience at face value, you end up endorsing whichever non-phenomenal content it has. In one setting, you might endorse the proposition that **that1 is red**, and in another setting (where you have an experience with the same phenomenal character) you might endorse the different proposition that **that2 is green**. Which proposition you end up endorsing, however, can be a matter of how you are related to your environment rather than a matter of what background beliefs are independently justified for you. Here the causal element of the phenomenal content plays a critical role, by allowing your experience to acquire different non-phenomenal contents in different environments, without the mediation of your reason to hold background beliefs. There is therefore no barrier here to saying that you are immediately justified in the belief you form by endorsing your experience.

If one allows that experiences immediately justify external world beliefs, one should allow that experiences can immediately justify beliefs which are formed simply by taking the experiences at face value. On the neo-Fregean approach I have in mind, even though demonstrative and color contents fail to be phenomenal contents, demonstrative and color beliefs can still be formed simply by taking experiences at face value. So the proponent of this neo-Fregean view is in a good position to allow that experiences immediately justify color and demonstrative beliefs, and the neo-Fregean theorist has a good explanation of how they can do this.

Third, the neo-Fregean theory is general, applying both to the case of predicative content and to the case of object-oriented content. What's less obvious is that here we have an advantage of the theory over the rival sort of view pioneered by Sydney

Shoemaker, on which the (predicative) phenomenal content of a color experience is a special kind of property rather than a mode of presentation that might fail to be a property. (It is not mandatory to deny that modes of presentation are properties, but it is easier to get a contrast with Shoemaker if we do).³¹ According to Shoemaker, when a normal subject looks at a ripe tomato in normal conditions, and a spectrally inverted subject looks at a lime in normal conditions, there is a property represented by both of their experiences. This property is not a color but instead an “appearance property” in some way individuated by the phenomenology of their experiences (I leave open exactly how to construe “appearance properties”, Shoemaker has made various proposals about this over the years).³²

Shoemaker’s moderate representationalist view has the resources to account for the immediate justification of color beliefs by color experiences. He can say that we are aware of colors by being aware of appearance properties, and he can say that our indirect awareness of colors allows for the immediate justification of our color beliefs. The indirect awareness in question need not depend on justified background beliefs, so he is in as good a position as the neo-Fregean to say that color beliefs are immediately justified by color experiences.

The disadvantage of Shoemaker’s view is that it doesn’t say anything about the equally important case of demonstrative judgments. The neo-Fregean theory does. So the neo-Fregean theory has the advantage of applying in a wider range of cases than Shoemaker’s theory.³³

A fourth virtue of the neo-Fregean view is that it preserves a justifying role for phenomenology, despite allowing that experiences can immediately justify contents which do not supervene on phenomenology. The rough idea is that, when the modes of presentation which figure in the phenomenal content of an experience are the same as the modes of presentation which figure in a judgment, the experience may immediately justify one in holding the judgment (given the absence of defeaters and so on). The phenomenology of the experience fixes a mode of presentation of a given object and of a given property. When you think of the object and property in the way they are presented to you in your visual experience, you will other things being equal be immediately justified in ascribing the property to the object. What matters is the sameness of the

mode of presentation which figures in the experience and in the judgment. Thus, if two different thinkers are phenomenally the same, and different objects and properties satisfy the same modes of presentation, different judgments will be immediately justified by the same phenomenology.

One might object that the view leaves open exactly how the phenomenal character of an experience plays a justifying role. In particular, as developed so far, the view leaves open the possibility that a blind-sighted subject enjoys the phenomenal contents of my color experiences without enjoying their phenomenology (it's written in to the definition of "phenomenal content" that it supervenes on phenomenology, not that it requires phenomenology). So the neo-Fregean view could allow that a blind-sighted subject is justified in the way and to the degree that conscious subjects are.

In response, I don't think we should expect views about the contents of experience to explain the justifying role of phenomenology. If experiences and beliefs may share their contents, the point is especially clear, since beliefs plainly don't play the same justifying role as experiences. Even if experiences and beliefs never share their contents, however, there is still every reason to expect the nature of the conscious *attitude* involved in conscious experience to play the central justifying role. The crucial point here is that the neo-Fregean view respects the justifying role of phenomenology.³⁴

I have no proof of the theory just outlined. But I am aware of no other theory which has the advantages just described. At a minimum, we have a novel argument in favor of the view that experiences have neo-Fregean phenomenal contents: it explains how experiences can immediately justify us in believing propositions that aren't phenomenal contents of the experiences. In particular, given how plausible it is that experiences immediately justify demonstrative contents, and how implausible it is that demonstrative contents are phenomenal contents, we have an argument at least for a neo-Fregean treatment of demonstrative contents of experiences.

Conclusion

I have formulated a novel problem that faces any view on which color contents or demonstrative contents are not phenomenal contents. These views need to explain why it is a mistake to expect experiences to immediately justify us in believing such contents, or

to explain how it is possible for experiences to immediately justify us in believing such contents after all.

I hope to have solved the problem, by arguing against the assumption that experiences only immediately justify us in believing phenomenal contents, and by setting out a positive model of how experiences can give us immediate justification to believe contents that are indirect. This work gives us proper understanding of the role of visual consciousness in the justification of perceptual belief, and of the role of visual representation in the justification of perceptual belief. Immediate justification is not limited to the phenomenal content of experience, nor even to the content of experience. These points do a service in particular for the moderate representationalist in the philosophy of mind, and for the foundationalist in epistemology.

The problem I have addressed derives from a very old worry in philosophical thought about perception. This is the worry that, if we lack direct perceptual awareness of external objects and properties in having our experiences, then our experiences are incapable of justifying our beliefs about the external world. This worry may be old but it is not sound. One might dismiss it for the standard reason that a state of indirect awareness can give us non-immediate justification. The standard response is unsatisfying, since our experiences presumably can do better. Our evaluation of the Content Constraint has given us a better way with the classic worry about a “veil of perception”. Even if we are only indirectly aware of external objects and properties in having our experiences, our experiences in fact can still immediately justify beliefs about the external world.

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¹ Cf. Thomas Reid, who wrote that “Descartes’ system of the human understanding, which I shall beg leave to call *the ideal system*, and which, with some improvements made by later writers, is now generally received, hath some original defect; that this skepticism is inlaid in it, and reared along with it” (1764/1997: chap 1, section 7)

² I am grateful to the editor of *Mind* for drawing my attention to this passage.

³ It is one thing to have a justified belief that [x exists], where x is in fact a mind-independent ordinary object, and it is another to have a justified belief that [x exists and is mind-independent ordinary object]. My focus is on the former sort of belief rather than the latter.

⁴ The characterization of content I use---merely a necessary condition rather than a sufficient condition---is intended to be acceptable by as wide an audience as possible. As an anonymous referee pointed out, the characterization might be so undemanding as to be acceptable by critics such as Travis (2005) and Brewer (2006); for a response to those critics, see Siegel (forthcoming).

⁵ Here we’re concerned with specifically visual phenomenology, to which I here assume differences in overall phenomenology such as tactile experiences or scratchy throats are irrelevant.

⁶ It’s tempting, but unhelpful, to gloss “phenomenal content” along the following lines:
c is a phenomenal content of experience e just in case it’s impossible for two experiences phenomenally identical to e to differ with respect to having c as a content.

This definition is unhelpful because it predicts that contents which are impossible for experiences to have are phenomenal contents. For example, I assume that no visual experience has the content that 3 is a prime number. So no two phenomenally identical experiences differ with respect to having the content that 3 is a prime number. But it is at best misleading to say that a phenomenal content of each visual experience is that 3 is a prime number.

A further wrinkle: some philosophers such as Stalnaker (2000) deny that interpersonal comparisons of phenomenal character make sense. I won’t set up the discussion in terms which explicitly accommodate that sort of view, but please note that the discussion could be modified to respect the view.

⁷ For sample arguments that experiences have phenomenal contents, see Siewert (1998), Byrne (2001), or Tye (2002).

Notice that phenomenal contents of experiences are not defined as being narrow contents, where a content is narrow if it is not individuated by one’s relations to the environment. For all we’ve said, it might be that the phenomenal contents of experiences are themselves externally individuated (Lycan 2001).

⁸ I take Tye's own objection to be considerably more complex. I take him to insist that, if we do not directly see the colors of things, then we have no entitlement to be certain that the following conditional is true: if a thing has all the qualities such that we directly perceive it to have them, then it has the color we take it to have.

In response, I don't we should expect a guarantee of the kind demanded by Tye. So it's no objection to Shoemaker's view if it entails that there's no such guarantee. To see the point, consider the phenomenon of color constancy, and in particular a light brown table which is apparently partly in shade. We take the table to be uniformly light brown, on the basis of our visual experience, but we can't be sure that the table is uniformly light brown if it has all the qualities we directly perceive it to have. In particular, we can't be sure that the following proposition is false: the table has all the qualities we directly perceive it to have, but the table is actually a darker shade of brown in the apparently shaded parts of its surface.

⁹ On the general notion of direct awareness I take to be in play (drawing on useful work in Stoljar 2004, which in turn draws on Alston 1971),

(Directness): You have direct perceptual awareness of a property F just in case you are perceptually aware of F and you are not perceptually aware of F only by means of being perceptually aware of some property G not identical with F.

Notice, one could say that we see color qualities directly and also by seeing qualities which are not themselves colors, but it's not clear what would support such a view. Also, notice that it's controversial whether we are ever aware at all of qualities in having visual experiences (for useful discussion, see Pautz 2007).

For further useful discussion of how to clarify "direct" and "indirect" perception, see Jackson (1977) or Snowdon (1992).

¹⁰ Notice that our definition of "immediate justification" allows that other background beliefs might be required for you to so much as entertain the content that p. The crucial focus is on what plays a justificatory role rather than any other role.

¹¹ Foundationalism is a view about the overall structure of justification, stating roughly that the justification of each non-immediately justified belief is traceable to that of some immediately justified belief (e.g. Bonjour 1985). One need not hold this view about the overall structure of justification to hold that some beliefs are immediately justified by experiences.

¹² According to philosophers such as Searle (1983), experiences have contents which involve references to the experiences themselves. This is not yet to say that an experience of mine will have the content that *I* am having the experience.

¹³ It's worth noting an upshot of the rationale for the restriction. One might try to invert the traditional problem of knowledge of the external world, by arguing that our knowledge of our own minds is derivative from our knowledge of the external world, as opposed to our knowledge of the external world being derivative on our knowledge of our own minds. Since our knowledge of our own minds is insensitive to the undermining of our knowledge of the external world, the proposed reversal of the traditional view is as bad as the traditional view itself.

¹⁴ A difficulty for the strategy is that the Converse Content Constraint is not clearly true. One type of problem case is that of experiences with contradictory contents. Consider the famous case of the Waterfall Illusion, which can be generated by attending for a while to something that's moving and then looking at something standing still. Let's assume that, in such a case, it's a phenomenal content of your experience that something is both moving and standing still. If that description of the case is correct, it arguably provides a counterexample to the Converse Content Constraint, since you arguably don't get any justification to believe a contradiction in such a case.

¹⁵ It is harder to argue in the other direction, from the Content Constraint to the internalist claim. Consider a view on which an experience gives one immediate justification to believe that *p* only if one sees that *p*. Here it might still be true that an experience gives one immediate justification to believe that *p* only if it is also true that the proposition that *p* is a phenomenal content of the experience. Yet the view will be inconsistent with Phenomenal Epistemic Internalism, assuming that it is possible for someone who sees that *p* to have a phenomenal duplicate who fails to see that *p*. Similarly, consider the view that an experience gives one immediate justification to believe that *p* only if it does not have the content that *p* as a result of one's antecedently believing that *p* (this possibility is discussed in Siegel forthcoming). Here too one could accept the Content Constraint while rejecting the internalist view.

¹⁶ For a detailed survey of different kinds of inverted spectrum cases, with discussion of the uses to which they are put, see Byrne (2006).

¹⁷ One can try to strengthen the argument by considering what's going on in the example if Phenomenal Epistemic Internalism is true.

If Phenomenal Epistemic Internalism is true, then you are not merely immediately justified in believing that something is green, but also immediately justified in believing that something is red. After all, you have an "inverted" twin who is immediately justified in believing that something is red by an experience with the same phenomenal character as yours. So if the internalist thesis is true, then you are also immediately justified in believing that something is red. But it seems plain that, since you are only looking at a lime in normal conditions, you could easily fail to be justified in believing that something is red. Here we have an absurd counterexample to Phenomenal Epistemic Internalism, a case we might reasonably seek to forbid.

¹⁸ My cases are related to the famous case of the "speckled hen". One classic use of that case is to challenge traditional sense-data theories of perception, according to which if it appears to you that something is *F*, then something that is *F* appears to you. The speckled hen is meant to be a case in which it appears to you that something is many-spotted, without there being a number *n* such that it appears to you that something is *n*-spotted. If the sense-data theory were true, there would arguably then have to be something that is many-spotted, without there being a number *n* such that the thing is *n*-spotted. For further discussion, see Ayer 1940, Jackson 1977, Pautz 2007, or Tye 2009.

A more germane use of the speckled hen is to challenge traditional foundationalist views in epistemology, according to which we have extremely privileged access to our experiences (this application arguably starts with Chisholm 1942). In particular, Sosa (2003) uses the case to argue that beliefs about our experiences can meet foundationalist criteria for being justified, while in fact failing to be justified. Sosa's discussion is the

one in the literature that is closest to my own. One major difference is that he looks at outright belief about experiences, whereas I look at degrees of belief about the external world. Once we consider degrees of belief, this brings into focus that an experience can immediately justify boosting one's credence in a content the experience lacks. A focus on outright belief will not bring out the point.

¹⁹ According to a very different line of objection, the content of your experience is consistent and is determinate with respect to the number of dots on the card, but you have immediate justification to believe only those propositions which are at least compatible with the content of your experience. If the content of your experience is that there are exactly 11 dots on the card, say, you may well be epistemically blameless in raising your confidence that there are exactly 10 dots on the card, but you are not immediately justified in so doing. Notice that, in the cases at hand, you might well fail to have any mediate justification to believe the propositions which are incompatible with the determinate content of my experience. So then the objection would require that you don't have *any* justification to believe the propositions which are incompatible with the determinate content of your experience. But this is too harsh, it does seem permissible to increase your credence in them.

²⁰ To approach the further sort of case, first consider my judgment that something before me resembles Matt Damon more than Ben Affleck. Such an example isn't yet a clear counterexample, since here I might rely on independently justified background beliefs about the ways things look.

But now consider comparative judgments which merely involve a supposition about the ways things look. For example, consider the judgment that something before me is such that, *if this* is the way Matt Damon looks and *that* is the way Ben Affleck looks, then something in the scene looks more like Matt Damon than Ben Affleck. Given that one is making a supposition, rather than relying on independently justified background information about how things look, there's no barrier left to saying that one's experience immediately justifies one in making the judgment. The strategy here is to pack in whatever further information one might have been relying on in the original case. In such cases, it starts to look outrageous to say that the highly complex comparative proposition is a phenomenal content of the experience. Finally, given that the proposition in question still does require that there is something before me, the proposition in question is indeed an external world proposition.

One might object by making the psychological point that one's belief in the conditional is reached by means of performing an inference. I don't think the psychological point is true, but even if it was true, it would not show that one lacks immediate justification. Again, the key notion of immediate justification we need to use is an epistemological notion about the structure of justification, not a psychological notion about the way one forms one's belief.

²¹ The earlier formulations arguably could be combined with the view that experiences have contents which cannot be taken up in judgment or belief. To say that an experience with the content that *p* justifies a belief that *p* is not yet to say that the experience and the belief share any particular content. Compare: to say that one knows that *p* and believes that *p* is not yet to rule out that knowledge is a relations to facts rather than propositions, and belief is a relation to propositions rather than facts.

It's much less clear, however, how the earlier formulations could be combined with the specific view that experiences don't have truth-evaluable contents (Burge (2003)). A disadvantage of the new formulation is that it is harder to use in disputes about whether color contents are phenomenal contents. If we are immediately justified in color beliefs by color experiences, and the new principle is true, it follows that experiences have contents which are entirely accurate only if certain color contents are true, not yet that experiences have color contents as phenomenal contents.

Another disadvantage is that, given its distance from the earlier formulations, it's unclear how the arguments for the earlier formulations support the current claim.

²² One might deny this (natural) assumption, but I can't see any good reason for doing so. The motivating idea is only that you could have phenomenally identical experiences of qualitatively similar but distinct things. In relying on this idea, we need not assume the questionable view that, if you are not in a position to know that two experiences have different phenomenal characters, then they have the same phenomenal character. The idea that differences in phenomenal character must be accessible to the subject is criticized effectively in Williamson (2000), but the arguments there do not in any way support the view that there are no phenomenally identical experiences of distinct things.

²³ For my main purposes, it is crucial that my experience fails to have **that is round** as a phenomenal content, but it may well be that my experience has **that is round** as a non-phenomenal content. For discussion of whether experiences ever have singular contents, see Burge (1991), Davies (1992), Soteriou (2000), and Martin (2003).

²⁴ We saw a variety of cases against versions of the Content Constraint, and I doubt that there's any uniform explanation of what's going on in all of them. For example, an account of the dots cases will involve the consideration that experiences can justify partial beliefs in incompatible propositions, but an account of the further cases won't involve that consideration.

²⁵ We should not propose that

if your experience immediately justifies you in believing that p, then your experience either has the phenomenal content that p, or the indirect content that p.

This proposal implies that an experience immediately justifies you in believing that p only if it has the content that p. We've already seen counterexamples to this claim, as in our discussion of how an experience with consistent content can immediately justify several credences in propositions which are inconsistent.

²⁶ For potential dissent from the point, see Pryor (2000), where he writes that "Perhaps we have immediate justification for some of the things our experiences non-basically 'represent', too. (I doubt that, but I am not going to defend these doubts here) (n. 38)."

²⁷ See also Thompson (2007, forthcoming).

²⁸ For much more worked out proposals about phenomenal contents, see Thompson (forthcoming) and the appendix to Chalmers (2005). Each of these proposals is developed by considering judgments about the veridicality of experiences in various scenarios in which an experience might be found.

²⁹ It's crucial that the phenomenal contents of experiences in question are object-independent, so that they can be shared by people who perceive different individual

objects or fail to perceive any objects at all. However, we can remain neutral about whether all people who are intrinsically the same are also the same with respect to phenomenal contents (it may well be that I have an intrinsic duplicate who fails to have the same phenomenal content as me).

³⁰ In particular, one might worry that the causal contents highlighted in the text are too sophisticated to reflect the phenomenal character of experiences. Given my earlier claim that similarity relations between colors are not the subject matter of color experiences, the worry is especially relevant (thanks here to the editor of *Mind*).

I endorse Chalmers' detailed response to the worry, defended and developed in his (2005).

³¹ There's a further point we can now make about one of the arguments for the Content Constraint. The direct awareness argument for the claim made the assumption that, if some property does not figure in the phenomenal content of an experience, then one cannot be directly aware of the property in having the experience. This assumption is not clearly correct. If a neo-Fregean view is correct in saying that modes of presentation are not themselves properties, this assumption is wrong. On the neo-Fregean view, a color could fail to figure in the phenomenal content of an experience, while still being such that one is aware of it without being aware of it by being aware of any other *property*.

³² Shoemaker (1994, 2000, 2001, 2003). A nice discussion of his views can be found in Egan (2006). I should emphasize that I'm bracketing Shoemaker (2006), which is a more radical departure from his previous views.

³³ One might of course extend Shoemaker's theory to account for the epistemology of demonstrative judgments. For example, one might start by emphasizing that one can be aware of an object by being aware of its properties [*acknowledgement omitted*]. I think the major disadvantage of this approach, relative to the neo-Fregean approach, is that it gives a less rich role for the conscious character of an experience to play in the explanation of why an experience has the demonstrative content it does. A more esoteric complication is that, contrary to what one might think, you can be visually aware of the property of a thing without being visually aware of the thing the property is a property of. Consider this variation on a case from Siegel (2006): you are looking at the sky towards a skydiver, who is hurtling towards you in a suit that exactly matches the sky's shade of blue, with no edge contrast with the sky. Here you arguably fail to see the suit. Nevertheless, I take it you still do see the suit's blueness (it would be obscure otherwise why you experience the relevant region of the sky as uniformly blue). So it's not clear how to develop the suggestion that we are aware of things by being aware of their properties, in a way which would provide a good story about the epistemology of demonstrative perceptual beliefs.

³⁴ For useful discussion of what attitude might be involved in visual experience, see Siegel (forthcomingb). For useful discussion of why contents alone won't explain how experiences justify beliefs, see Martin (2001).