Synthese (2020) 197:155–183
https://doi.org/10.1007/s11229-018-1744-5

Towards a phenomenological conception of experiential justification

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Received: 13 July 2017 / Accepted: 22 February 2018 / Published online: 2 March 2018

Abstract The aim of this paper is to shed light on and develop what I call a phenomenological conception of experiential justification (PCEJ). According to this phenomenological conception, certain experiences gain their justificatory force from their distinctive phenomenology. Such an approach closely connects epistemology and philosophy of mind and has recently been proposed by several authors, most notably by Elijah Chudnoff, Ole Koksvik, and James Pryor. At the present time, however, there is no work that contrasts these different versions of PCEJ. This paper not only bridges this gap, but also reveals problems in current versions of PCEJ. Consequently, I argue for a new version of PCEJ that focuses on what is given within experience and not on how what is given pushes me towards believing something.

Keywords Experiential justification · Phenomenology · Dogmatism · Phenomenal conservatism

1 What is PCEJ?

There is little doubt that there is experiential justification, i.e., justification provided by experiences. My perceptual experience that there is a black laptop in front of me, my logical intuition[1] that $\sim(p \wedge \sim p)$, my mathematical intuition that $2+2=4$, my moral intuition that there is a prima facie duty not to kill, my moral perception that

[1] Currently, it is hotly debated whether rational intuitions should be regarded as rational experiences or rather as mere beliefs. Since our focus in this paper is on perceptual experiences, we do not have to engage in this discussion.

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the hoodlums' burning the cat is morally wrong, and my epistemic intuition that in Gettier's first example Smith does not know that the person who will get the job has ten coins in his pocket, all seem to have (more or less) justificatory force with regard to the respective propositions.[2]

But what is it that makes experiences justifiers; why do they have justificatory force? According to the approach I shall clarify and develop in this paper, certain experiences gain their justificatory force from their distinctive phenomenology. I call such a conception of experiential justification a phenomenological conception of experiential justification (PCEJ). More precisely, the claim is

> PCEJ: Certain experiences have a distinctive, justification-conferring phenomenology and if an experience E has such a justification-conferring phenomenology with respect to proposition *p*, E provides immediate prima facie justification for believing that *p*.

This approach is "phenomenological" in a twofold sense. On the one hand, it puts a focus on the way things appear to us within experience and by doing so links an experience's justificatory force to its phenomenology; on the other hand, such an approach can be found in the phenomenology of Edmund Husserl.[3] Here some clarifications are necessary.

Clarification 1: By an experience's *phenomenology* I understand its phenomenal character, i.e., "what it is like subjectively to undergo the experience." (Tye 2015, Sect. 1).[4]

Clarification 2: All (types of) experiences have some phenomenology, but not every experience has a justification-conferring phenomenology.

Clarification 3: PCEJ does not claim that every (type of) experience is a source of immediate justification.

[2] I would like to point out that in this paper only for the sake of simplicity I write as if experiences had propositional content. What I presuppose is that certain experiences can non-inferentially justify beliefs. Many philosophers hold that this can only be true if experiences have conceptual contents. I want to remain neutral on this issue. Thus, when I write, for instance, that one has a perceptual experience that there is a tree in the yard, what I should write is that one has a perceptual experience of a tree in the yard. This experience, however, justifies the belief *that* there is a tree in the yard and the easiest way to describe this process is by treating experiences as if they were propositionally structured.

[3] Cf., e.g., Husserl (1982, pp. 36, 44, 2008, p. 342 f). Some current analytic proponents of PCEJ, such as Elijah Chudnoff and Jennifer Church are aware of this close connection to Husserl's phenomenology (cf. Chudnoff 2013; Church 2013). For a discussion of Husserl's conception of experiential justification cf. Berghofer (2018).

[4] "It is definitional of experience, as the term is used here, that they have some phenomenal character, or more briefly, some phenomenology. The phenomenology of an experience is what it is like for the subject to have it." (Siegel 2016).

Clarification 4: PCEJ is not even committed to the view that every experience that is a source of immediate justification gets its justificatory force from its distinctive phenomenology.[5]

Clarification 5: An experience E providing *immediate prima facie justification* for believing a proposition *p* means (i) that having E is sufficient for justifiably believing that *p* (the belief that *p* is not in need of epistemic support of anything other than the underlying experience E—thus the justification is immediate, i.e., non-inferential) and (ii) that the justification for believing that *p* could be defeated, for instance by further experience—thus it is prima facie.

Clarification 6: Not all (types of) experiences that have a justification-conferring phenomenology provide the same degree of justification.

As pointed out in clarification 4, PCEJ does not make the stronger claim that an experience E is a source of immediate justification *only* if E has a justification-conferring phenomenology. This means that PCEJ leaves it open as to whether there are experiences that are a source of immediate justification but gain their justificatory force from something other than having a justification-conferring phenomenology. Thus, we have to distinguish PCEJ from

> *Strong* PCEJ: An experience E provides immediate prima facie justification for believing a proposition *p if and only if* E has a justification-conferring phenomenology with respect to *p*.

Personally, I subscribe not only to PCEJ but also to *Strong* PCEJ. This paper, however, is about PCEJ, simply because in current debates one can find elaborate versions of PCEJ that I would like to discuss and to contrast. Furthermore, I am mainly interested in the question of what a justification-conferring phenomenology looks like, and this question is of utmost importance for PCEJ and *Strong* PCEJ alike.

As PCEJ is the claim that *certain* experiences gain their justificatory force from their distinctive phenomenology, the question arises as to what experiences we are talking about. In line with the literature that is relevant to my argument, I will focus on perceptual experiences. PCEJ is internalist in nature and opposed to views that link an experience's justificatory force to externalist factors such as truth or reliability. It ought to be noted that the aim of this paper is not to show how PCEJ is superior to rival conceptions such as reliabilism but to shed light on current versions of PCEJ and to point out how current versions of PCEJ need to be improved.

However, to get some motivation for endorsing PCEJ just think about your everyday perceptual experiences. Most philosophers, whether they are sympathetic to PCEJ or not, agree that when you have the perceptual experience that there is a tree in your yard, then you are (prima facie) justified in believing that there is a tree in your yard. It

[5] One might argue that some experiences such as, for instance, perceptual experiences gain their justificatory force from their distinctive phenomenology, while others such as introspective experiences gain it from their reliability or infallibility. Such a view would still be a commitment to PCEJ but not to *Strong* PCEJ as specified below.

also seems to be uncontroversial that perceptual experiences like this tree experience have a distinctive phenomenology that distinguishes them from other mental states like thinking, believing, imagining, or wishing. You can close your eyes and *think about* a tree in your yard, you might *believe that* there is a tree in your yard, and you can *imagine* or *wish that* there is one, but when you open your eyes and see a tree in your yard, this experience is *phenomenologically clearly different* from the aforementioned mental states.[6]

Of course, this does not show that PCEJ is true or that it is superior to rival conceptions of experiential justification, but it should suffice to indicate why it is a straightforward answer to the question of what it is that makes experiences justifiers, especially if you have internalist intuitions. The most convincing arguments in favor of PCEJ, in my opinion, stem from anti-externalist thought experiments such as the new evil demon problem and BonJour's case of Norman the clairvoyant or Lehrer's Mr. Truetemp.[7] Even if such thought experiments are usually not intended to support PCEJ specifically (but rather an internalist conception of epistemic justification in general), PCEJ seems to provide the most straightforward explanation for the intuitive appeal of such cases.

Consider the so-called new evil demon problem that can be traced back to Lehrer and Cohen (1983) and has been refined, among others, by Silins (2014). The basic idea is that phenomenologically indistinguishable experiences provide the same degree of justification for the same beliefs. Let us call this idea *Phenomenological Internalism*.

> *Phenomenological Internalism*: If two experiences are exactly alike phenomenologically, then they are alike justificationally, e.g., they justify the same beliefs to the same degree.[8]

PCEJ, clearly, is the perfect fit for *Phenomenological Internalism*.[9]

Current versions of PCEJ can be found in Bengson (2015), Chudnoff (2011, 2013), Church (2013), Koksvik (2011), and Pryor (2004). They all agree that certain experiences are justifiers due to their distinctive phenomenology, but differ in their respective definitions of this distinctive phenomenology. Presently, there is no work that contrasts their respective versions of PCEJ and to my knowledge there is not even a work that

[6] This, of course, does not prove that PCEJ is true, but it shows that PCEJ is a straightforward and intuitively plausible approach towards experiential justification and that determining an experience's distinctive phenomenology is of great epistemological importance even if PCEJ might turn out to be false.

[7] Cf. Smithies (2014) for how such arguments are supposed to undermine reliabilism but fit well with a conception of justification that closely connects epistemology and philosophy of mind.

[8] This formulation is parallel (but not synonymous) to Conee and Feldman's definition of mentalism: "If any two possible individuals are exactly alike mentally, then they are alike justificationally, e.g., the same beliefs are justified for them to the same extent." (Conee and Feldman 2004, p. 56).

[9] Again, it is not the objective of this paper to defend PCEJ or *Phenomenological Internalism*. This example is only meant to be a motivation for PCEJ and in what follows we shall aim at illuminating how current versions of PCEJ need to be improved.

identifies them as being unified in their commitment to PCEJ.[10] This paper seeks not only to bridge this gap, but also to reveal that a justification-conferring phenomenology is characterized by how it presents its objects and not by how it makes you feel about what is presented.

2 Different versions of PCEJ

In the twenty-first century, the roots of PCEJ can be found in Michael Huemer's principle of phenomenal conservatism (PC), first formulated in Huemer (2001).[11] According to Huemer's PC, prima facie justification for beliefs about the external world, the inner world, mathematics, ethics and so forth, is easily accessible:

> PC: "If it seems to *S* as if *P*, then *S* thereby has at least prima facie justification for believing that *P*." (Huemer 2001, p. 99)

Huemer's PC has become very popular, and even opponents of PC tend to agree that seemings are mental states that should be a focus of epistemological investigations. But what is a seeming and what features does it exhibit? The attempt to analyze the notion of "seeming" turns out to be extremely difficult. There is some agreement among phenomenal conservatives that seemings are sui generis propositional entities (cf. e.g. Huemer 2007; Tucker 2010). Sui generis means that seemings are irreducible. They especially cannot be reduced to beliefs or inclinations to believe. Tucker calls this the experience-view: "A seeming that P is: […] An experience with the content P or a sui generis propositional attitude that P." (Tucker 2013, p. 3) The main reason in favor of the experience-view stems from examples called "known illusions." Most popular are the Müller-Lyer illusion and the stick in the water. "It might seem to me that the half-submerged stick is bent, even though I don't believe that it is. Indeed, it might seem to me that the stick is bent even though I *know* it isn't." (Tucker 2013, p. 4) In such cases I have the seeming that *p*, but due to the fact that I know that *p* is not the case, I neither believe that *p* nor am I inclined to believe that *p*.

The most distinctive feature of seemings, however, is that they present their contents as true. "The real difference between seemings and other states that can incline one to believe their contents is that seemings have the feel of truth, the feel of a state whose content reveals how things really are." (Tolhurst 1998, pp. 298–299) In this context Huemer speaks of the "forcefulness" of seemings, whereas Tucker prefers

[10] It is to be noted that Teng (2016) discusses different versions of what she calls dogmatism. In this context she introduces the "Phenomenal Thesis" that is very close to my PCEJ. The main difference between Teng's and my work is that she is not concerned with contrasting different versions of dogmatism/PCEJ and evaluating the respective benefits and shortcomings (Teng 2016, p. 6).

[11] An anonymous referee of this journal has pointed out that the term "roots" is misleading as the position is much older and can already be found in Chisholm. I use the term roots because, for reasons specified below, I do not regard Huemer as a clear proponent of PCEJ but Huemer's PC can be seen as a first step towards PCEJ. Also, I agree that similar thoughts can be found in Chisholm (and in Husserl and surely in many other previous philosophers). It would go beyond the scope of this paper, however, to discuss this in more detail.

the term "assertiveness." Tucker offers the following definition of a seeming's phenomenology: "The phenomenology of a seeming makes it feel as though the seeming is 'recommending' its propositional content as true or 'assuring' us of the content's truth. The phenomenological character of assertiveness comes in degrees." (Tucker 2010, p. 530) As we shall see, these basic approaches to a phenomenological analysis of what it means to have a seeming are problematic and open the door to various counterexamples. Characterizations such as "feel of truth" and "forcefulness" suggest that what counts primarily is how an experience makes one feel about its content. Phenomenal conservatives are eager to point out that seemings must not be confused with beliefs or inclinations to believe and while the examples they provide show what they have in mind, the phenomenological analyses they offer fail to provide a guiding principle of how to distinguish justification-conferring experiences from non-justification-conferring experiences. They fail to provide a phenomenological analysis of how to distinguish a so to speak empty experience that merely makes one feel that its content is true, from an experience in which its content is given in a presentive manner to the experiencing subject. The claim I want to defend in this paper is that what counts epistemically is what is given within experience and not how one feels about what is given. We shall see that the main problem for phenomenal conservatives is that they cannot account for this distinction.

However, let us return to the examples phenomenal conservatives provide in order to clarify the notion of seeming. The most common types of seemings are perceptual, introspective, memory based, and intellectual seemings. When I see my black laptop in front of me, it visually seems to me that there is a black laptop. This is an example of a perceptual seeming. When I realize that $2+2=4$, it intellectually seems to me that $2+2=4$. According to proponents of PC, rational intuitions are intellectual seemings. Moreover, they typically claim that there are crucial similarities between intellectual cognition and sensory perception, in that seemings like $2+2=4$ should be regarded as a form or a product of intellectual seeing.

As I interpret Huemer, seemings have a distinctive phenomenology. This means that Huemer's PC agrees with PCEJ that certain justification-conferring experiences are unified by their distinctive phenomenology. The reason I do *not* interpret Huemer as a proponent of PCEJ is that he never explicitly states that seemings are justifiers *due to their phenomenology*. For him, being a seeming is sufficient for having justificatory force, but he does not hold that a seeming has justificatory force qua having this distinctive seeming-phenomenology. We have to distinguish the following questions:

Q1: What makes certain experiences justifiers, i.e., why do they possess justificatory force?

Q2: Why should we hold the view that certain experiences are justifiers?

Huemer is primarily concerned with Q2 and his main argument is his self-defeat argument, according to which arguing against PC is necessarily self-defeating (cf. Huemer 2007).[12] We, however, are interested in Q1.

There are a number of possible answers to Q1. It is illuminating to take a closer look at James Pryor's perceptual dogmatism. By dogmatism, Pryor understands the claim that

> Dogmatism: Immediate (yet underminable) justification is possible. (Cf. Pryor 2013)

Pryor is a perceptual dogmatist, he holds that immediate (yet underminable) perceptual justification is possible. In specifying his version of perceptual dogmatism, Pryor elucidates:

> Some of us favor an internalist view of perceptual justification that ascribes the justificatory power to the quality of our perceptual phenomenology. […] Other stories are also possible. And those stories need not always be internalist. A reliabilist or a disjunctivist about perceptual justification can also claim that justification to be immediate yet underminable. (Pryor 2013, p. 96 f.)

Elsewhere, Pryor illuminates:

> Some will argue that experiences as of P justify you in believing P because they make that belief *irresistible*, and it can't be the case that you ought not believe what you can't help believing. Others will argue there's something distinctive about *the concepts* we employ in our perceptual beliefs, which makes those beliefs epistemically appropriate responses to our experiences. I'm not sympathetic to either of those approaches. My view is that our perceptual experiences have the epistemic powers the dogmatist says they have because of what the *phenomenology* of perception is like. I think there's a distinctive phenomenology […] (Pryor 2004, p. 356 f.)

This means that Pryor ascribes the justificatory force of perceptual experiences to their distinctive phenomenology. Thus, Pryor is a proponent of PCEJ. He claims that certain experiences, namely perceptual experiences, are justifiers due to their distinctive phenomenology. More precisely, Pryor holds that

> Pryor: Perceptual experiences have "a distinctive phenomenology: the feeling of *seeming to ascertain* that a given proposition is true. This is present when the way a mental episode represents its content makes it feel as though, *by* enjoying that episode, you can *thereby just tell* that that content obtains." (Pryor 2004, p. 357)

[12] This argument is highly controversial and even proponents of PC have dismissed this argument (cf. Tucker 2013, p. 9, fn 22; Lycan 2013, p. 299, fn 8). Tucker (2010) holds that PC should be endorsed not because of Huemer's self-defeat argument, but due to its explanatory power as several philosophical problems can be solved by subscribing to PC. While I agree with Tucker that viewing certain experiences as justifiers is the correct epistemological position and should be endorsed for various reasons, we still do not know *why* certain experiences are justifiers.

The following authors all agree that certain experiences gain their justificatory force from their distinctive phenomenology, but they differ in their respective characterizations of this distinctive phenomenology.

> Church: Certain experiences are self-justifying due to their phenomenology of objectivity (cf. Church 2013, chapter 1 and Sect. 4 in chapter 4).
>
> Koksvik: Perceptual and intuitional experiences singlehandedly justify belief due to their phenomenology of objectivity[13] and phenomenology of pushiness (cf. Koksvik 2011, p. 209).
>
> Bengson: "[C]ertain mental states provide prima facie justification for corresponding beliefs" due to their "presentationality," i.e., their presentational character (Bengson 2015, p. 741).[14]
>
> Chudnoff: "If your perceptual [or intuitional] experience representing that p justifies you in believing that p it does so because it has a certain phenomenal character," namely a "presentational phenomenology with respect to p." (Chudnoff 2013, p. 37)

All these positions are versions of PCEJ as they claim that certain experiences are justifiers simply due to their distinctive phenomenology. They are all *different* versions of PCEJ as they define this distinctive phenomenology differently. Bengson, Chudnoff, Church, and Koksvik differ from Pryor as the latter restricts PCEJ to perceptual experiences, while the former hold that PCEJ is also true for intuitional experiences. In the following, I will contrast Koksvik's version with Chudnoff's and by doing so I aim to reveal problems with both views and to deliver a novel and more promising version of PCEJ.

The reason why I focus on the approaches of Koksvik and Chudnoff is that their phenomenological analyses of what a justification-conferring phenomenology looks like are especially detailed but on the opposite side of the spectrum concerning the requirements an experience must fulfill in order to possess a justification-conferring phenomenology. Thus, contrasting their approaches allows me to best highlight the benefits of my own approach according to which it is phenomenology of givenness (cf. Section 4) that makes certain experiences justifiers. I take it that my conception of phenomenology of givenness is intermediate in strength between Koksvik's and Chudnoff's. Finally, it ought to be pointed out that this basic common idea of PCEJ that certain experiences justify by virtue of their distinctive phenomenology establishes an intimate and novel connection between epistemology and philosophy of mind.[15]

[13] It should be noted that Church and Koksvik have developed their respective concepts of "phenomenology of objectivity" independently from each other and that these concepts differ in important details.

[14] In Bengson (2015) it is rather clear that "presentationality" is meant to be an experience's characteristic phenomenology, and with respect to Bengson's earlier works, Koksvik elucidates, "That the 'presentationality' of perception and intuition is intended as (at least partly) a phenomenal feature is perhaps not one hundred percent clear from the texts, but Bengson has confirmed this interpretation of his view in conversation." (Koksvik 2011, p. 187, fn 212)

[15] In this context cf. Smithies (2014), who argues for the epistemological significance of "phenomenal consciousness."

3 Epistemic desiderata: problems for current versions of PCEJ

Current versions of PCEJ suffer from shortcomings that can be linked to epistemic desiderata any version of PCEJ must be able to fulfill. In particular, we want our version of PCEJ to (1) account for the fact that experiential justification comes in degrees; (2) avoid the embarrassment of ascribing justificatory force to "empty seemings;" and (3) provide an account of a justification-conferring phenomenology that is phenomenologically adequate and does not amount to an overintellectualization of what it is like to have, for instance, perceptual experiences.

In this section, I shall show how Koksvik (and phenomenal conservatives in general) have problems with fulfilling the first two desiderata and how Chudnoff has trouble with the third one. In the next and final section, I will argue for a novel, intermediate version of PCEJ by highlighting how it can fulfill these desiderata.

3.1 Degrees of justification

One characteristic feature of justification, be it inferential or non-inferential, perceptual or intuitive, is that it comes in degrees. Thus, any version of PCEJ has to explain how different experiences can provide different degrees of justification. For PCEJ is the claim that certain experiences gain their justificatory force from their distinctive phenomenology, this means that this justification-conferring phenomenology needs to be defined in such a way that it can come in degrees too. Different experiences can differ in the degree of justification they provide because they can differ in their respective phenomenology. Experiences do not either have or not have a justification-conferring phenomenology, they can have it in a more or less pronounced way. The more pronounced, the more justification they provide.

To highlight how an experience's justificatory force depends on the quality of its phenomenology, Koksvik gives the following example.

> **Blizzard:** Ann is standing stationary on a flat, snow-covered plain in a blizzard. The wind is whipping snow around in all directions, and no features of the landscape are visible. Ann can barely see her own knees, and she cannot see the tips of her skis. Someone approaches very slowly from the direction in which Ann is looking. At first she is completely unable to distinguish the approaching person from patterns randomly forming and dissipating in the snow. As the person approaches, Ann's perceptual experience changes, the human figure gradually appears more and more clearly. (Koksvik 2011, pp. 187, 223)[16]

It is beyond doubt that Ann's justification increases as this person in front of her approaches and "appears more and more clearly." Any plausible conception of experiential justification must be able to account for examples like this. Koksvik argues that Pryor's phenomenological conception of perceptual justification does not. Remember, Pryor claims that the distinctive justification-conferring phenomenology of perceptual

[16] Although my focus is on perceptual experiences, I would like to point out that Koksvik gives an analogous example to point out that intuitive justification also comes in degrees (cf. Koksvik 2011, p. 238 f.).

experiences consists in "the feeling of seeming to ascertain that a given proposition is true" so that by having this experience you can "just tell that that content obtains." Koksvik calls this "'the phenomenology of seeming able to *just tell*'" (Koksvik 2011, p. 222), and objects that in **Blizzard** Ann has *some* justification that a person is approaching "well before Ann's experience takes on the character of seeming able to just tell that there is." (Koksvik 2011, p. 223) More generally, he criticizes that Pryor's version of PCEJ is "ill-suited" to account for the fact that "justification is a matter of degree." (Koksvik 2011, p. 227)

This criticism seems justified as it is hard to see how this phenomenal character of seeming able to just tell that something is true can increase or decrease and hence appropriately depict experiential justification. While I agree with Koksvik that Pryor's concept cannot explain the occurrence of different degrees of perceptual justification, I am not convinced by Koksvik's own explanation of why experiential justification comes in degrees.

As we have seen, Koksvik explains the justification-conferring character of perceptual and intuitional experiences by their phenomenology of objectivity and phenomenology of pushiness. He illuminates: "An experience has phenomenology of objectivity when its purporting to be about the way things are, objectively speaking, is itself an aspect of its character. It has phenomenology of pushiness when its pushing its subject to accept its content is itself an aspect of its character." (Koksvik 2011, p. 260) The fact that perceptual justification comes in degrees is explained by the fact that the "[p]henomenology of pushiness comes in degrees." (Koksvik 2011, p. 243) Hence, our focus will be on this second aspect, the phenomenology of pushiness.

What does Koksvik mean by saying that this feature of pushing its subject to believe something "is itself an aspect of" such an experience's character? I think that his conception of pushiness can be formulated in the following way:

> *Phenomenology of pushiness*: When you have an experience with content C and by having this experience you are pushed to accept C, this experience has phenomenology of pushiness.

This is also what proponents of phenomenal conservatism such as Michael Huemer and Chris Tucker seem to have in mind when they talk about the "forcefulness" or "assertiveness" of seemings. Obviously, Koksvik's claim that the phenomenology of pushiness comes in degrees is true. By having an experience, you can be pushed more or less towards believing its content.

Note that this is also precisely the way Huemer accounts for degrees of justification. Justification comes in degrees because the "strength" of seemings comes in degrees. Accordingly, in his *Ethical Intuitionism* Huemer says

> Some appearances are *stronger* [my emphasis] than others-as we say, some things are 'more obvious' than others-and this determines what we hold on to and what we reject in case of conflict. […] Things can become complicated when many different beliefs and/or appearances are involved, but the basic principle is that

> we are more inclined to accept what *more strongly seems* [my emphasis] to us to be true. (Huemer 2005, p. 100)[17]

Huemer and Koksvik both link an experience's justificatory force to how strongly this experience pushes one towards believing its content or, respectively, to how strongly it seems to one that its content obtains. As we shall see, this means that their respective conceptions of experiential justification suffer from the same shortcoming.

To see this, let us again consider Koksvik's Blizzard example. The closer the person in front of Ann gets, the more clearly this person appears to Ann, the more she is pushed towards believing that there is a person in front of her, and the more she is justified in believing so. This seems to be a totally plausible story of how perceptual justification works. However, we have to keep in mind that according to Koksvik an experience's justificatory force is entirely determined by its phenomenology of pushiness. As the person in front of Ann approaches, Ann's justification does not increase because the person "appears more and more clearly," but solely because Ann is more and more pushed towards believing that there is a person approaching.

But what if, for whatever reason, a person is never pushed by clear and distinct experiences but only by vague and obscure ones? Say, for instance, a person approaches Ann*. The closer the person gets, the more clearly this person appears to Ann*, and the less Ann* is pushed towards believing that there is a person in front of her. Does Ann*'s justification really diminish as the person in front of her approaches? Is Ann*'s justification, based on vague and obscure appearances, equal in strength to Ann's justification, based on clear and distinct appearances (assuming, of course, that they are both equally pushed by their respective appearances)?

In my opinion, the main problem for Koksvik (and phenomenal conservatives) is that there is no necessary link between how a specific object/content is *given* to me within experience and how strongly I am pushed towards believing this content.[18] Different people can have appearances of the same clarity and distinctness and yet differ significantly in how they are pushed by these appearances.[19] However, being extremely pushed by an experience that lacks clarity and distinctness seems irrational and unjustified.

3.2 Empty seemings

As we have mentioned above, according to Huemer's principle of phenomenal conservatism (PC) *every* seeming is a source of justification. If it seems to me that p, then I have prima facie justification for believing that p (cf. Huemer 2001, p. 99). Perhaps the most common objection to PC is that it is too liberal in asserting that *every* seeming has justificatory force. This sort of objection has particularly been championed by Markie (2005). Here Markie gives two alleged counterexamples to PC, which means that he

[17] It should be mentioned that Huemer uses the terms "seemings" and "appearances" synonymously.

[18] For a similar criticism of Huemer's PC cf. Hopp (2016, p. 192).

[19] To be sure, even the very same person can have (and often has) appearances of the same clarity and distinctness and yet be pushed very differently by these appearances (for instance, if there is wishful thinking involved).

aims at providing thought-experiments in which seemings occur that cannot rationally be regarded as a source of justification. Popular examples are seemings that are caused inappropriately, for instance by wishful thinking or by cognitive malfunctions.

> *Cognitive Malfunction*:
>
> Suppose that I perceive the walnut tree in my yard, and, having learned to identify walnut trees visually, it seems to me that it is a walnut tree. The same phenomenological experience that makes it seem to me that the tree is a walnut also makes it seem to me that it was planted on April 24, 1914. Nothing in the phenomenological experience or my identification skills supports things seeming this way to me. There is no date-of-planting sign on the tree, for example. Cognitive malfunction is the cause of its seeming to me in perception that the tree was planted on that date. (Markie 2005, p. 357)

In this example, a visual experience is accompanied by two seemings with very different contents.

> S1[20]: "This tree is a walnut."
>
> S2: "This tree was planted on April 24, 1914."

Intuitively, one is only justified in believing S1 but not S2. However, if S2 is a seeming but no justifier, then PC is refuted.[21] Using Koksvik's terminology, we may say that both S1 and S2 have phenomenology of pushiness (and phenomenology of objectivity). Since only S1 is a justification-conferring experience, Koksvik's version of PCEJ is refuted. This is why the version of PCEJ we are looking for should be able to avoid being forced to ascribe justificatory force to empty seemings such as S2.

By an empty seeming, I understand an experience whose phenomenal character is exhausted by making it seem that p (i.e., having phenomenology of pushiness with respect to p), without p being given or presented within this experience.[22] In Sect. 4, I will argue that the justification-conferring phenomenology we are looking for is phenomenology of givenness. Thus, we can define an empty seeming as an experience that makes it seem to one that p without having phenomenology of givenness with respect to p (i.e., an experience that has phenomenology of pushiness but no phenomenology of givenness with respect to p). Since we are discussing perceptual experiences, it

[20] In the following, "S1" (or "S2") refers either to the mental state – seeming 1 – that has a specific content or to the content itself.

[21] One might argue that Huemer could escape that counterexample by insisting that the mental state S2 is not really a seeming or at least not a seeming in the sense he uses this term. However, this only reveals one major shortcoming of his conception, namely the lack of a detailed *phenomenological* analysis of what a seeming is supposed to be. For such a demand of a phenomenological analysis cf. Wiltsche (2015) and Audi (2013). Furthermore, we shall see that Huemer and Tucker explicitly hold that empty seemings as they occur in cases of blindsight are seemings (and thus a source of immediate prima facie justification). I will point out that such a view is unacceptable if you have internalist sympathies.

[22] In this context Chudnoff and DiDomenico use the term "mere seemings" (Chudnoff and DiDomenico 2015). I totally agree with their claim that "[m]ere seemings have no epistemic significance." (Chudnoff and DiDomenico 2015, p. 546). This claim may be the most important difference between Chudnoff, DiDomenico, and me on the one hand and phenomenal conservatives and Koksvik on the other.

suffices for the moment to understand by an empty seeming a seeming that lacks the typical perceptual phenomenology with respect to its content.

In *Cognitive Malfunction*, your perceptual experience has a typical perceptual phenomenology with respect to propositions such as "There is a tree" or "The tree is a walnut." The seeming that the walnut was planted on a specific date, however, is an empty seeming. It lacks the typical perceptual phenomenology with respect to its content. If our intuitions are correct and this empty seeming has no justificatory force with respect to its content, then PC is refuted. This shows that any promising conception of experiential justification (including any promising version of PCEJ) must be able to avoid ascribing justificatory force to empty seemings.

Since Huemer and Koksvik, unfortunately, do not respond to Markie's *Cognitive Malfunction*, one might object that it is unclear whether they would view such empty seemings as seemings at all. Luckily, however, there is another, more down-to-earth example that is discussed by Huemer and other phenomenal conservatives such as Tucker. This is the phenomenon of blindsight. Tucker describes this phenomenon as follows:

> Subjects who have a damaged visual cortex often emphatically report that they cannot see anything within a certain region of their visual field. Nonetheless, such subjects often show remarkable sensitivity (though less than properly functioning humans) to such things as motion, the orientation of objects, and the wavelength of light within their reported 'blind spot'. These subjects are typically surprised to discover their success, thinking that they were making random guesses. (Tucker 2010, p. 530)

The point is that Tucker and Huemer hold that blindsighted people have seemings about what is going on in their blind spots and that these seemings provide some prima facie justification (Tucker 2010, p. 530 f; Huemer 2013, p. 333). They claim that these seemings only have little justificatory force because they are weak (i.e., their phenomenology of pushiness is not very pronounced). There are three things to note. Firstly, these seemings are empty seemings. By definition, they lack typical perceptual phenomenology. Secondly, a plausible version of experiential justification must deny that such seemings can provide any immediate justification (about what is going on in one's blind spots). Thirdly, even if a person's blindsight seemings were very strong in the sense of having a very pronounced phenomenology of pushiness, these seemings would still be incapable of providing immediate justification.

Of course, if you know that your blindsight seemings are reliable, then you have some justification for believing their contents, but this justification is not immediate justification but rests on your background knowledge. Blindsight examples are very similar to BonJour's case of Norman the clairvoyant, and it is obvious to me that internalists who deny that Norman has immediate justification for believing his prophecies must also deny that blindsight seemings are a source of immediate justification. Here my account clearly differs from Huemer and Tucker and in Sect. 4 we shall see how my version of PCEJ can avoid such problems by simply pointing out that empty seemings do not possess phenomenology of givenness.

3.3 Phenomenological adequacy

The third and final desideratum which I discuss is different in its scope from the aforementioned two in that it particularly pertains to versions of PCEJ. *Any* conception of experiential justification must be able to account for degrees of justification and must be able to avoid ascribing justificatory force to empty seemings. But it is first and foremost proponents of PCEJ that must provide an analysis of a justification-conferring phenomenology that is phenomenologically adequate. By phenomenological adequacy, I mean that the analysis should adequately describe what it is like to undergo the experience in question. For perceptual experiences, this means that our analysis should adequately grasp what it is like to have a perceptual experience. What we want to avoid is an overintellectualization of what it means to have a perceptual experience. The account we are looking for should be capable of explaining why when an ordinary person has a perceptual experience of a table in front of her, this person has immediate justification for believing that there is a table in front of her.

We may say that empty seemings and overintellectualization are the Scylla and Charybdis of PCEJ. On the one hand, the analysis of the justification-conferring phenomenology of perceptual experiences should be strong enough to avoid being forced to ascribe justificatory force to empty seemings. On the other hand, the requirements such a phenomenology must fulfill should not be too strong since we also want to avoid a counter-intuitive restriction of the scope of perceptual justification. To put it differently, the justification-conferring phenomenology of perceptual experiences should be analyzed such that there are requirements that ordinary perceptual experiences are and empty seemings are not capable of fulfilling.

If empty seemings are not ruled out, the requirements are too weak. This is the shortcoming of PC and Koksvik's version of PCEJ. However, if too many cases are ruled out in which we have the intuition that the experiences in question are capable of providing immediate justification, the requirements are too strong. In this subsection, I shall argue that Chudnoff's version of PCEJ suffers from this second shortcoming.

Of all current proponents of PCEJ, Chudnoff gives the most detailed account of what the justification-conferring phenomenology of certain experiences is supposed to consist in. With respect to perceptual experiences, Chudnoff argues for the following three claims:

"The phenomenal dogmatist view of perceptual justification developed in the last section consists of three claims:

(DPJ^R) If it basically perceptually seems to you that p, then you thereby have some prima facie justification for believing that p.

(Phenomenalism$_P$) If your perceptual experience representing that p justifies you in believing that p it does so because it has a certain phenomenal character.[23]

(Presentationalism$_P$) If your perceptual experience representing that p justifies you in believing that p, then it does so because it has presentational phenomenology with respect to p."[24] (Chudnoff 2013, p. 94)

The analogous claims are made for intuitional experiences (Chudnoff 2013, p. 94). By stating that (perceptual and intuitional) experiences justify due to their phenomenal character, Chudnoff subscribes to PCEJ. Presentationalism clarifies that perceptual and intuitional experiences justify those contents with respect to which they have presentational phenomenology.[25] The question, of course, is what does it mean that an experience has presentational phenomenology?

According to Chudnoff, "[t]he relation that seems to me to best illuminate what presentational phenomenology is like is truth-making. So:

What it is for an experience of yours to have presentational phenomenology with respect to p is for it to both make it seem to you that p and make it seem to you as if this experience makes you aware of a truth-maker for p." (Chudnoff 2013, p. 37)

Thus, for Chudnoff, in order for an experience E to have presentational phenomenology with respect to p, there are two conditions that have to be fulfilled: E has to be a seeming with respect to p and E has to be a seeming with respect to a truth-maker for p. Chudnoff clarifies what this is supposed to mean by discussing another counterexample to Huemer's PC raised by Markie (2005).

Wishful thinking:

Suppose that we are prospecting for gold. You have learned to identify a gold nugget on sight but I have no such knowledge. As the water washes out of my pan, we both look at a pebble, which is in fact a gold nugget. My desire to discover gold makes it seem to me as if the pebble is gold; your learned identification skills

[23] While this entails a commitment to PCEJ, it is to be noted that Chudnoff's Phenomenalism is significantly stronger than PCEJ. PCEJ states that certain experiences gain their justificatory force from their distinctive phenomenology. Phenomenalism implies that having a certain phenomenal character is *the only way* perceptual and intuitional experiences can (immediately) justify you in believing something. PCEJ, by contrast, only states that having a certain phenomenal character is *sufficient* for providing (prima facie) justification.

[24] Note that Presentationalism implies that presentational phenomenology is the *only* justification-conferring phenomenology a perceptual or intuitional experience can have. One might object (a) that different types of experiences (e.g., perceptual vs. intuitional experiences) can differ in their type of justification-conferring phenomenology, (b) that different experiences of the same type, e.g., different perceptual experiences, can differ in their type of justification-conferring phenomenology, or (c) that even one and the same experience can have more than one justification-conferring phenomenology.

[25] Recently, Chudnoff has made the distinction between epistemic egalitarianism and epistemic elitism. Egalitarianism holds that an experience that provides immediate justification, immediately justifies all of its contents. Elitism denies this (cf. Chudnoff 2016). (Strictly speaking, Chudnoff here only talks about *perceptual* experiences, but from other works and personal conversation it is clear that Chudnoff endorses epistemic elitism also for intuitive experiences). I believe that this is an important distinction and like Chudnoff I subscribe to epistemic elitism.

> make it seem that way to you. According to (PC), the belief that it is gold has *prima facie* justification for both of us. Yet, certainly, my wishful thinking should not gain my belief the same positive epistemic status of defeasible justification as your learned identification skills. (Markie 2005, p. 357)

Such cases of wishful thinking are very popular counterexamples against internalist conceptions of justification.[26] Huemer responds by biting the bullet and pointing out that an experience's justificatory force is not affected by its etiology: "When the subject is unaware of an appearance's etiology, that etiology is irrelevant to what it is rational for the subject to believe." (Huemer 2013, p. 344) While I agree with Huemer that, in principle, the etiology of an experience cannot determine the experience's justificatory force, I believe that this example poses a problem for Huemer. If it does not seem to the novice that he is visually aware of distinctive features that distinguish a gold nugget from an ordinary yellow pebble, the novice's seeming is an empty seeming that should not be regarded as a source of immediate justification (more on this in Sect. 4).

Let us now turn to Chudnoff's response to Markie's example. According to Chudnoff, a human being's visual experience can *never* immediately justify the belief of seeing gold because when we look at a gold nugget "we are not, and do not even seem to be, visually aware of something like the hidden molecular structure in virtue of which the nugget is gold." (Chudnoff 2013, p. 91) Remember, Chudnoff claims that an experience is a source of immediate justification only if it has presentational phenomenology with respect to some proposition. And for an experience to have presentational phenomenology with respect to p, there are two conditions that have to be fulfilled: The experience has to be a seeming with respect to p and it has to be a seeming with respect to a truth-maker for p. Now we know that, for Chudnoff, an experience can be a seeming with respect to a truth-maker for the claim that some nugget is a gold nugget only if this experience seems to make you "visually aware of something like the hidden molecular structure in virtue of which the nugget is gold."

Obviously, Chudnoff's conception of experiential justification differs significantly from Huemer's and Koksvik's in that Chudnoff's conception is much more demanding. To both these counterexamples against Huemer and Koksvik that we have discussed (*Cognitive Malfunction* and *Wishful Thinking*), Chudnoff could respond that they are not counterexamples to his conception as in such examples it only seems to you that p, but it does not seem to you as if your experience makes you aware of a truth-maker for p.

On the downside, however, Chudnoff's conception seems to be overly demanding. Is it true that by looking at a gold nugget your experience can never justify you in believing that this is a gold nugget or that by looking at your car's speedometer your

[26] However, proponents of internalism have also argued that Huemer's PC is particularly vulnerable to such objections. Audi, for instance, complains that Huemer cannot exclude cases "in which one already believes p wholly on the basis of a desire that it be true and lacks an intuition (or other basic ground) that it is true." (Audi 2013, p. 200) In this context Audi indicates that the problem with such seemings is the lack of the distinctive phenomenal character that is typically associated with justification-conferring experiences (Audi 2013, p. 189).

experience cannot justify you in believing that your car is moving at a certain speed (Chudnoff 2013, p. 92) or that by looking at your girlfriend your experience cannot justify you in believing that this is your girlfriend (Chudnoff, personal conversation)?[27] There are four objections Chudnoff's analysis of presentational phenomenology must face.

Objection 1: Chudnoff's discussions of specific examples such as *Wishful Thinking* suggest that Chudnoff's conception is overly demanding in that it leads to a counter-intuitive restriction of the scope of immediate perceptual justification.

Objection 2: On the other hand, however, considering the precise definition of presentational phenomenology, one might wonder whether Chudnoff really succeeds in delivering a conception of a justification-conferring phenomenology that can exclude empty seemings such as in *Cognitive Malfunction* and *Wishful Thinking*. For Chudnoff, an experience E has presentational phenomenology with respect to p if and only if E makes it seem to you that p and makes "it seem to you as if this experience makes you aware of a truth-maker for p." (Chudnoff 2013, p. 37) But what if both seemings are empty in the sense that it seems to you, for instance, that the tree was planted on a specific date and it seems to you that your seeming is a truth-maker for this? Or it seems to you that the pebble in front of you is a gold nugget and it seems to you that the pebble's color is a truth-maker for this.[28]

Objection 3: We have seen that in order to allow for degrees of experiential justification, a justification-conferring phenomenology must come in degrees. Chudnoff's definition of presentation phenomenology suggests that an experience's justificatory force is linked to the strength of the seemings involved. In Sect. 3.1, however, we came to the conclusion that this leads to severe problems.

Objection 4: Is Chudnoff's conception of presentational phenomenology phenomenologically adequate? Does perceptual phenomenology really involve the seeming awareness of truth-makers? If I have a perceptual experience of a black laptop in front of me, does it seem to me that I am aware of a truth-maker for the proposition that there is a black laptop in front of me? The same prob-

[27] It is to be noted, however, that in such cases Chudnoff is always talking about *immediate justification provided by experience*. Chudnoff does *not* claim that in such cases you are not justified in believing the respective propositions, but only that your justification rests on background knowledge about how gold nuggets can be discerned from yellow pebbles, about how speedometers work and about how your girlfriend looks. Thus, strictly speaking, Chudnoff does not restrict the realm of justification at all but only the realm of immediate justification provided by experience.

[28] With respect to objection 1 and objection 2, it should be pointed out that in those passages in which Chudnoff does not invoke the notion of a truth-maker, his analysis of a justification-conferring phenomenology is very close to the one I will bring forward in the next section (cf. Chudnoff and DiDomenico 2015, p. 545).

lem can be raised for intuitional experiences such as that 1 is smaller than 10.[29]

It is fair to say that Chudnoff's talk of truth-makers raises important interpretative questions. Concerning objection 4, it is helpful to take a closer look at Koksvik's examination of Chudnoff's position. Koksvik (2011) discusses three possible interpretations of Chundoff's conception of presentational phenomenology. According to the first two interpretations, Chudnoff's position is quite the same as Huemer's and Koksvik's. These interpretations are untenable as can be seen when Chudnoff discusses concrete examples such as *Wishful Thinking*. Chudnoff's position is remarkably stronger which manifests itself in Chudnoff's requirement of a seeming awareness of a truth-maker. Here is Koksvik's third interpretation of Chudnoff's talk of truth-makers:

> But there is a third interpretation, according to which Chudnoff is making a much stronger assertion. On this interpretation, when a person has the intuition that *p*, it seems to her that she is in contact with—aware of—some truth-maker for *p*, and moreover, of the fact that it makes *p* true. This strikes me as so obviously phenomenally inadequate that I am tempted to simply point to the interpretation, and set it aside as too implausible. It is just false that I seem to be aware of a truth-maker for *p* when I have the intuition that *p*. It is even more obviously false that I seem to be aware of the truth-maker as a truth-maker. What would it be like to seem to be in contact with a truth-maker for a mathematical claim as a truth-maker for the claim? That depends, obviously, on what mathematical claims are *about*. But we do not get information about the nature of mathematical objects that directly from our intuition. If it seemed to me that I was in contact with 'an item that makes *q* true', should I not be able to say *something* about the properties that 'item' has? But I am not; nothing like that goes on in intuition at all. It simply seems to me that two plus two equals four. (Koksvik 2011, p. 195)

Interestingly enough, of all three interpretations offered by Koksvik, this one, according to which Chudnoff defines the justification-conferring phenomenology of intuitional experiences in a way that is rejected by Koksvik as being "obviously phenomenally inadequate" and is simply set aside by him as too implausible, best resembles Chudnoff's view. One thing to note is that Chudnoff does not want to suggest that to be experientially justified you need to have the *concept* of a truth-maker:

> I should note, however, that I do not think that its seeming to you as if you are aware of a truth-maker for *p* requires that you have the concept of a truth-maker. I am using the concept to pick out a kind of phenomenal state, but I am not

[29] Unfortunately, this cannot be the place to discuss rational intuitions in greater detail. However, when Koksvik criticizes Chudnoff by saying that "[i]t simply seems to me that two plus two equals four" (Koksvik 2011, p. 195), the broader context of this statement reveals that Koksvik is in danger of conflating intuitional experiences that have a justification-conferring phenomenology with gut feelings or strong beliefs. Thus, while Chudnoff's requirement of a seeming awareness of a truth-maker might be too strong, Koksvik's focus on phenomenology of pushiness leads to a conception that is too weak and cannot differentiate between what is intuited and what is merely strongly believed. As a side note, I would like to point out that Chudnoff's strong requirement of a seeming awareness of a truth-maker better fits the phenomenology of rational intuitions than it fits the phenomenology of perceptual experiences.

> attributing possession of it to those who are in phenomenal states of this kind. (Chudnoff 2013, p. 37)

However, it seems to me that Koksvik has a point in arguing that Chudnoff's insistence on the (seeming) awareness of a truth-maker is misleading.

Defining a justification-conferring phenomenology in a way that allows fulfilling all epistemic desiderata except phenomenological adequacy does not tell us anything about the justificatory force of perceptual experiences if it turns out that perceptual experiences fail to meet the defined requirements. In the next and final section, I will expound my own version of PCEJ. I argue that it is phenomenology of givenness that best captures the distinctive justification-conferring phenomenology of perceptual experiences. Furthermore, I shall highlight how my version can fulfill the epistemic desiderata spelled out in this section.

4 Phenomenology of givenness

4.1 The basic idea

The first step in clarifying my conception of "phenomenology of givenness" is by giving examples, and while I agree that in general clarifying a notion by providing a proper conceptual analysis is preferable to doing so by giving examples, I fear that in this case the former is no viable alternative as it is an impossible task.[30] One promising way of shedding light on what it means to be given, is to contrast mental states that exhibit phenomenology of givenness with mental states that do not. Dewalque (2015) has called this the *compare-and-contrast* strategy (Dewalque 2015, p. 185).[31] The implementation of such a strategy can also be found in the works of all the proponents of PCEJ we have discussed (cf. especially Bengson 2015, pp. 717–720; Chudnoff 2013, p. 30; Church 2013, pp. 25–38; Koksvik 2011, pp. 197–201).

One way of elucidating what givenness is supposed to mean, at least with respect to perceptual experiences, is by talk of seeming awareness of the experience's object, i.e., what your experience is intentionally directed at. An experience E has the phe-

[30] With respect to the notion of "seeming," Michael Huemer gives two reasons why he has never tried to give a proper analysis. "One reason I have not tried to do so is that as far as I can tell, philosophical analysis has never succeeded. Despite the popularity of the school of linguistic analysis in twentieth-century philosophy, I cannot name a single analysis of any philosophically interesting term that has not been refuted." (Huemer 2013, p. 328) Secondly, he points out that being unable to give a proper analysis of x does not imply not understanding the meaning of x. We easily understand the words we use in daily life, despite the fact that no one has ever offered us a proper definition of them (cf. Huemer 2013, p. 328). While I do not necessarily agree that "philosophical analysis has never succeeded," I agree that such an analysis is often impossible and, fortunately, expendable.

[31] I want to point out that Dewalque does not use the term "phenomenology of givenness" and he also does not explicitly subscribe to the claim that certain experiences are justifiers due to their distinctive phenomenology (PCEJ). However, he states that he uses the compare-and-contrast strategy for "connecting the epistemological problem of perception (under what conditions do perceptual experiences warrant perceptual beliefs?) to the phenomenological problem (what makes our perceptual experiences the experiences they are?)." (Dewalque 2015, p. 184 f.) Thus, Dewalque shares the basic idea that epistemological and phenomenological issues are intrinsically linked and it seems to me that he would agree that certain experiences (namely perceptual experiences) are justifiers due to their distinctive phenomenology.

nomenal character of seeming awareness with respect to the object O (or proposition *p*) if E makes it seem to you that you are aware of O. If your visual experience has phenomenology of givenness concerning the proposition that there is a table in front of you, you seem to be visually aware of a table in front of you. I say *seem* to be aware in order to indicate two things. Firstly, not only veridical experiences but also illusions and hallucinations can have this phenomenal character. If you have a perfect hallucination of a table in front of you, it seems to you that you are aware of a table in front of you. Secondly, if you seem to be aware of O, you are intentionally directed towards O as O. This means if it seems to you that there is Clark Kent, you are intentionally directed towards Clark Kent, not towards Superman. Literally speaking, you might be aware of Superman, but your experience has the phenomenal character of seeming awareness only with respect to Clark Kent not Superman. In short, by having a perceptual experience it does not merely seem to one that *p*, but it seems to one that one is perceptually aware of *p*.

The quality of phenomenology of givenness comes in degrees. With respect to perceptual experiences, it is natural to cash this out in terms of clarity and distinctness. Say, you are approaching a person. The closer you get, the clearer and more distinct the person is given to you. There is an increase in distinctness because the closer you get, the more distinctive characteristics of this person are given to you. At first, you seemed to be aware of a tall figure with short hair wearing glasses and a red shirt. Now you additionally seem to be aware of the person's facial characteristics, the color of the hair, the motif on the shirt, etc. There is an increase in clarity because the closer you get, the clearer you can see the figure and its characteristics.

Bengson (2015) makes an illuminating distinction between merely contentful, merely representational, and presentational mental states. Desiring that *p*, hoping that *p*, imagining[32] that *p* are merely contentful states (cf. Bengson 2015, pp. 716, 718). Such mental states do *not* have phenomenology of givenness because the objects of these states are not given within these states.[33] When you hope that there is a book in front of you, this does not mean that you are aware or seem to be aware of a book. The object of this state, the book, is not given within this mental state. Representational mental states are states that are contentful *and* "represent the world as being a certain way, namely the way the world would be if their content were true." (Bengson 2015, p. 716) According to Bengson, beliefs are such representational states. To be more precise, beliefs are *merely* representational. Merely representational states do *not* have phenomenology of givenness. When you believe that there is a book in front of, this does not mean that you are aware or seem to be aware of a book. The object of this state, the book, is not given within this mental state.

Presentational states, in Bengson's terminology, are contentful, representational states that "do not simply represent the world as being a certain way; in addition, they present the world as being that way." (Bengson 2015, p. 716) Instances of such

[32] It should be noted, however, that while it is true that when I imagine that *p*, this imaginative experience does not have phenomenology of givenness with respect to *p*, one might argue that it has phenomenology of givenness with respect to the proposition "it is possible that *p*." This paper, however, is not the place to discuss the epistemic significance of imaginations.

[33] To be sure, Bengson does not use the term "phenomenology of givenness".

acts are perceptual and intuitional experiences. When you have the perceptual experience that there is a book in front of you, you are aware or at least seem to be aware of a book. The experience's object, the book, is given to you within experience. So, by phenomenology of givenness, basically, I mean what Bengson has called an experience's "presentationality" or "presentational character." One reason I call an experience's justification-conferring phenomenology "phenomenology of givenness" and not "presentational phenomenology" is that Chudnoff has used the latter term for his conception of a justification-conferring phenomenology.

4.2 Clarifications

Calling the justification-conferring phenomenology of perceptual experiences phenomenology of givenness and fleshing it out by talk of seeming awareness of the experience's object may provoke some misconceptions. Thus, some clarifications are in place.

Clarification 1: The terms "givenness" or "given" do not denote anything mysterious, but are used to describe a crucial, well-known feature of our everyday perceptual experiences.

Clarification 2: Illusions and hallucinations also have phenomenology of givenness. If you have a perceptual experience of a table in front of you, what is given to you within experience is a table as perceived from a certain point of view or perspective. Even if this experience is a (perfect) hallucination and it is not true that there is a table in front of you, this does not affect the fact that what is given to you within this hallucinatory experience is a table as perceived from a certain point of view or perspective.

Clarification 3: In a certain sense, the phenomenology of givenness comes in degrees. An object can be given more or less clearly and distinctly, or, to put it differently, an experience's object can be more or less disclosed within experience.

Clarification 4: One reason why it is currently not very popular to talk about what is "given" might be Wilfried Sellars' forceful attack on what he called the myth of the given. The first thing to note is that Sellars would *not* deny that perceptual experiences have a distinctive phenomenology and that we can use the term of givenness in order to denote what is disclosed within experience. "If the term 'given' referred merely to what is observed as being observed, or, perhaps, to a proper subset of the things we are said to determine by observation, the existence of 'data' would be as noncontroversial as the existence of philosophical perplexities." (Sellars 1963, p. 127) The target of Sellars' criticism is perceptual foundationalism. This means that when Sellars attacks the myth of the given, he argues against the following claim: "The doctrine of the given is that any empirical knowledge *that p* requires some (or is itself) basic, that is, epistemically independent, knowledge (*that g*, *h*, *i*, …) which is epistemically efficacious with respect to *p*." (deVries 2015) While I personally subscribe to moderate foundationalism, i.e., foundationalism cum fallibilism, it should be noted that PCEJ is only committed to

the claim that certain experiences justify immediately, not to the stronger claim that all justification rests on such immediate justification.

Clarification 5: The overall phenomenology of a justification-conferring experience might not be exhausted by its phenomenology of givenness. Thus, I do not deny that certain experiences have or can have a phenomenology of pushiness. What I do claim is that such a phenomenology cannot contribute to an experience's justificatory force.

Clarification 6: In the context of an experience's justification-conferring phenomenology, it has become popular to talk about an experience's "phenomenal force" (Pryor 2000, p. 547, note 37). Bengson states that "the presentationality of intuition is arguably clearest in the case of basic logical and mathematical theorems, which, as Kurt Gödel famously observed, sometimes 'force themselves upon us as being true'" (Bengson 2015, p. 719). We have already discussed that Huemer refers to the distinctive phenomenal character of seemings as "forcefulness" and that Tolhurst has characterized it as "the feel of truth." In this context Teng states that perceptual experiences "assure the subjects of the contents' truth" (Teng 2016, p. 6) and that "dogmatists seem to take phenomenal force as analogous to the assertiveness of testimony." (Teng 2016, p. 5) Such characterizations are misleading at best and I would like to point out that what I call phenomenology of givenness is *clearly distinct* from the "assertiveness of testimony." It is *no mere feeling* of truth and it is not forceful in the sense of forcing one *psychologically* to believe its content. It is only forceful in the sense that the presence of the experience's object is given within the experience whether or not the experiencing subject wants to be (visually) aware of this object. When I see a table in front of me, I am not forced to believe that there is a table, I do not simply feel that the proposition "There is a table in front of me" is true, and I am not assured of the proposition's truth in the way I trust the testimony of a reliable person. However, the *presence* of the table is forced upon me in the sense that I am visually aware of the table whether or not I want to be. I do not claim that the aforementioned authors would disagree, but their characterizations and the terminology they use are misleading.

Clarification 7: As my thoughts on this topic and my terminology are strongly influenced by Edmund Husserl, I would like to point out that what I call phenomenology of givenness, Husserl might have labeled phenomenology of self-givenness or phenomenology of originary givennes. By self-givenness Husserl means "that particular form of **givenness** of the **object** wherein the object itself is directly present."[34] (Drummond 2007, p. 188)

To further illuminate the nature and justificatory force of the phenomenology of givenness, let us discuss the epistemic desiderata outlined in Sect. 3 and see how the main objections against Koksvik, Huemer, and Chudnoff can be avoided.

[34] For a critical discussion of how Huemer's PC differs from a Husserlian-inspired epistemological system cf. Hopp (2016). For a more sympathetic phenomenological analysis of PC cf. Rinofner-Kreidl (2013, pp. 46–48) who highlights that the "fidelity to appearances" is a fundamental epistemological conviction shared by Huemer and Husserlian phenomenologists.

4.3 Fulfilling the epistemic desiderata

The first desideratum we discussed was that the justification-conferring phenomenology must be analyzed such that it can account for the fact that experiential justification comes in degrees. Different experiences of the same object can differ in their justificatory force concerning the same proposition, contingent on how pronounced the justification-conferring phenomenology is with respect to the object/proposition. By discussing the example of Ann*, we have illuminated the main shortcoming of Koksvik's version of PCEJ. Ann* is strongly pushed towards believing the contents of vague and obscure appearances but only a little or not at all pushed towards believing the contents of clear and distinct appearances. Clearly, Ann* does not pose a problem for the conception of phenomenology of givenness. According to this conception, what matters is how the object is given within experience and not how strongly one is pushed towards believing a proposition. If Ann* seems to be aware of a human being in front of her, she has immediate prima facie justification for believing that there is a person in front of her. The degree of justification corresponds to how clearly and distinctly the figure is given.

Concerning the threat of empty seemings, we have discussed three examples: *Cognitive Malfunction*, the phenomenon of blindsight, and *Wishful Thinking*. In *Cognitive Malfunction*, the visual experience of a walnut tree makes it seem that (i) the tree is a walnut and (ii) the tree was planted on a specific date. The point is that intuitively one is only justified in believing (i) but not in believing (ii). For Koksvik and Huemer, who hold that an experience's justificatory force is wholly determined by how strongly it pushes one towards believing a proposition, this poses a serious problem. However, there is no problem for our version of PCEJ. We simply respond that the experience has phenomenology of pushiness with respect to (i) and (ii) but phenomenology of givenness only with respect to (i). This experience does not have phenomenology of givenness with respect to (ii) because no specific date of planting is given within experience; you are not, and do not even seem to be, visually aware of a specific date of planting. The tree, its trunk, the color and specific shape of its leaves are all given to you within experience in the sense that you seem to be aware of them. This is not true for a specific date of planting. (ii) is only a representational but not a presentational content of your experience. This can also be seen by realizing that the date of planting cannot be given more or less clearly and distinctly within experience.

The phenomenon of blindsight can also be handled straightforwardly by our conception of phenomenology of givenness. Your blindsight seeming does not have immediate justificatory force because your visual experience does not have phenomenology of givenness concerning your blind spots. Whatever it is that is in your blind spot, you do not seem to be aware of it. You might be able to produce reliable judgments about what is going on in these blind spots and you might be strongly pushed towards believing these judgments, but the objects in question are not given to you within experience. Again, this can be seen by realizing that your blindsight seemings do not possess degrees of clarity and distinctness concerning their contents.

In *Wishful Thinking*, by looking at a yellow pebble it correctly seems to both a novice and an expert that the pebble is a gold nugget. The seeming of the novice is not the product of skill but caused by wishful thinking. This example is difficult to

judge because it is underspecified with respect to how the pebble is presented within experience. Do the novice's and the expert's experiences differ phenomenologically, or are the experiences phenomenologically indistinguishable and the novice and the expert only differ in their respective background knowledge? Does the novice's wishful thinking result in an *illusion* of gold, similar to when one is desperately looking for a loved one and has the illusion that some stranger is the person one is looking for; or is it an empty seeming like when it seems to a gambler that this specific slot machine will win?[35]

An adequate analysis of this case would require answering fundamental questions about the nature of perceptual learning and a full-fledged analysis of the nature of perception. Let me just say that I believe that the novice's perceptual experience cannot have phenomenology of givenness with respect to the proposition that the pebble is gold because the novice cannot have seeming awareness with respect to distinctive features of gold. To put it differently, the experience of the novice lacks the required degree of distinctiveness such that a pebble can be perceptually experienced as gold and as distinct from a mere yellow pebble. When I look at my girlfriend, I seem to be aware of certain characteristics that distinguish my girlfriend from other human beings. Now consider the case of Peter who is unable to distinguish human faces by sight. To Peter, all human faces look the same. If Peter looks at the face of person S, Peter's perceptual experience does not justify him in believing that this is S because Peter does not seem to be aware of any distinctive S-characteristics.

Any version of PCEJ is internalist in the sense that it holds that an experience's (degree of) justificatory force is determined by internal factors (namely the experience's phenomenology) and not by external factors such as reliability or truth/veridicality. What distinguishes Koksvik's from my version of PCEJ is that Koksvik subscribes to what I call a psychological internalist conception of experiential justification.

Psychological internalist conception of experiential justification:

An experience's (degree of) justificatory force is determined by how strongly the experience pushes me towards believing a certain proposition.

I deny this claim and aim at linking a perceptual experience's justificatory force to how clearly and distinctly it presents its objects. Due to the popularity of Huemer's phenomenal conservatism, internalist versions of experiential justification, especially those that focus on an experience's phenomenology, are often associated with psychological internalist conceptions, which makes it important to point out that other versions are also possible and that many counterexamples to Huemer and Koksvik can be avoided by championing a version of PCEJ that denies psychological internalism.

I agree with phenomenal conservatives that experiences that exhibit a specific phenomenology should be regarded as justifiers and I am especially sympathetic to Ole Koksvik's claim that such experiences are justifiers *due to* their specific phenomenology, but I do not agree with their psychological internalist conception of experiential

[35] Note that for Huemer the precise phenomenal character of the novice's seeming does not need to be specified because for Huemer every seeming provides prima facie justification.

justification that links an experience's justificatory force to how strongly an experience pushes one towards believing its content, and I am worried as this psychological internalist conception seems to become increasingly popular.[36] As I have tried to show, the main disadvantage of this psychological conception is that an experience's justificatory force is not linked to what is given within experience, but to how what is given makes one feel, or, even worse, to how one feels about what is given, which means that any belief based on experience might be justified if this experience makes one feel a certain way, viz. if it pushes one towards believing its content. This, however, opens the door to compelling counterexamples.

Chudnoff and I share the conviction that empty seemings cannot have justificatory force. Chudnoff's requirement, however, that an experience can only have justificatory force if it makes it seem to one that one is aware of a truth-maker appears to be an overintellectualization of what it means to undergo (perceptual) experiences. If I have a perceptual experience of a black laptop in front of me, I seem to be aware of the laptop and of its blackness, which is why I am justified in believing that there is a black laptop. Since Chudnoff demands that this experience must also make it seem to me that I am aware of a truth-maker for the respective proposition, I argue that my version of PCEJ is phenomenologically more adequate.

Consider the case that by looking at a shiny, yellow nugget your visual experience justifies you in believing that there is a shiny, yellow nugget in front of you. Why are you justified?

Answer 1: You are justified because what is given to you within experience is a shiny, yellow nugget.

Answer 2: You are justified because you seem to be aware of this nugget and of its shininess and yellowness.[37]

Answer 3: Your justification crucially depends on your seeming that what you seem to be aware of (a shiny, yellow nugget in front of you) is a truth-maker for what you believe (that there is a shiny, yellow nugget in front of you).

Chudnoff's way of defining presentational phenomenology suggests that answer 2 is not sufficient and needs to be supplemented by answer 3. Such a demand for (seeming) awareness of a truth-maker as a truth-maker is a very strong claim that I would like to avoid and that can be avoided by my version of PCEJ.

An anonymous referee of this journal has posed the question of whether one could frame the contrast between Chudnoff's presentational phenomenology and my phenomenology of givenness as follows:

[36] Cf., e.g., Brogaard (2014) who states with respect to intuitional experiences: "Personally, I would probably describe the attraction to certain propositions that accompanies intuitions *as a feeling* (which does have a phenomenology) *rather than as a phenomenology*. *The feeling is an urge (or inclination) to believe* merely based on understanding that is so intense that we have a hard time envisaging that others may not feel the same way." (Brogaard 2014, p. 388 f., my emphasis).

[37] I take answer 1 and answer 2 to be basically the same claim.

> PG*: An experience has *phenomenology of givenness* with respect to *p* if and only if the experience seems to make one aware of a state of affairs X, and X is in fact the kind of state of affairs that would make *p* true if it obtained.
>
> PP: An experience has *presentational phenomenology* with respect to *p* if and only if the experience seems to make one aware of a state of affairs X, and also makes it seem as if X is the kind of state of affairs that would make *p* true if it obtained.

This appears to be a plausible and natural way of illustrating the key difference between these conceptions, but it is misleading since it does not fully capture the internalist spirit of phenomenology of givenness and would open the door to counterexamples. Consider the following case:

> State of affairs X: Clark Kent is standing in front of me.
>
> Experience E makes it seem to me that I am aware of Clark Kant standing in front of me.
>
> Proposition *p*: Superman is standing in front of me.

Let us stipulate that I am not aware that Superman = Clark Kent. The problem with PG* is that it entails that in this case E has phenomenology of givenness with respect to *p*. This is not only a counter-intuitive consequence, but it also fails to capture the nature of phenomenology of givenness (cf. 4.1 where such a case is briefly mentioned). Thus, I propose the following analysis:

> PG: An experience has phenomenology of givenness with respect to *p* if and only if the experience seems to make one aware of a state of affairs X, and X corresponds to what is expressed by *p*.

Finally, I would like to point out that a proponent of PCEJ is not committed to providing a full-fledged phenomenological analysis of the respective type of experiences. With respect to perceptual experiences, PCEJ is true if (i) the proposed phenomenology, e.g., phenomenology of givenness, is really part of the phenomenology of perceptual experiences and (ii) the proposed phenomenology is indeed justification-conferring.

It is not required that phenomenology of givenness exhaustively describes the phenomenology of perceptual experiences. This is important because phenomenologists such as Edmund Husserl have pointed out that perceptual experiences do not only have phenomenology of givenness but also phenomenology of co-givenness (Husserl 1982, p. 94). When I look at the red mug of coffee in front of me, I am only directly aware of its front side but there are aspects, features, and even possibilities that are co-given in the sense that I have expectations of how the appearance of the mug changes when I come closer, of what it feels like when I grab it, and what its contents taste like. In the analytic tradition, there have recently been attempts to capture this distinctive character of perceptual experiences. Church, for instance, provides the following example:

> The bird that I am watching (or hearing) at a distance is not just experienced as existing at a particular distance away from my eyes (or ears); rather, it is experienced as existing at the nexus of a very broad range of movements that

> would enable me to see it better, hear it better, touch it with my hand or my face, and so on – possible rather than actual movements (on the part of the bird and on the part of myself).[38] (Church 2013, p. 50)

Exploring the phenomenology of co-givenness in more detail would not only lead to a more thorough understanding of the phenomenal character of perceptual experiences, but may also lead to a more precise analysis of the justificatory force of perceptual experiences. This is because it might be argued that something like the specific date of planting of a tree cannot be part of a perceptual experience's phenomenology because there are no expectations involved of how the appearance of this specific feature would change if I came closer, looked at the tree from different angles, etc. Something similar might be true for the feature of a yellow pebble to be gold.

5 Conclusion

A phenomenological conception of experiential justification (PCEJ) is an approach that closely connects epistemology and philosophy of mind by focusing on an experience's phenomenology. In current debates there exist several elaborate and promising versions of PCEJ, but at the present time there is no work that contrasts these different versions. Here, I have concentrated on Koksvik's and Chudnoff's versions of PCEJ, and by pointing out shortcomings of their diverging conceptions of what a justification-conferring phenomenology looks like, I have made a case for my own version of PCEJ that links an experience's justificatory force to its phenomenology of givenness. My conception, in contrast to Koksvik's, does not amount to a psychological internalist conception of experiential justification as it focuses on what is given within experience and not on how what is given pushes me towards believing some proposition. By discussing several examples, I have highlighted and elucidated the merits of my conception. Chudnoff is in agreement with my criticism of Huemer and Koksvik, but his talk of a seeming awareness of truth-makers makes it hard to follow his reasoning, opens the door to various counterexamples, and appears to be phenomenologically inadequate. While I am confident that my paper succeeds in showing that my conception can best account for the epistemic desiderata specified in Sect. 3, it is beyond doubt that this can only be the beginning of a more detailed and more unifying analysis of experiential justification. What remains to be done, for instance, is to go beyond examples of perceptual justification and to clarify what givenness means in the vast field of intuitional experiences including mathematical, ethical, and epistemic intuitions.

Acknowledgements Open access funding provided by University of Graz. Philipp Berghofer is a recipient of a DOC Fellowship of the Austrian Academy of Sciences at the Department for Philosophy at the University of Graz. I would like to thank Sonja Rinofner-Kreidl, Elijah Chudnoff, and Lu Teng for many enlightening discussions and remarks. Also, I am very much indebted to Marian David, George Heffernan, Walter Hopp, Michi Wallner, Harald Wiltsche, and anonymous referees of this journal for many important clarifications.

[38] It should be pointed out that Church is aware of her affinity to Husserl and explicitly refers to him. Cf. also Madary (2016) for the attempt of providing a full-fledged analysis of visual experiences in a Husserlian spirit.

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