Many philosophers find the following principle compelling:

(IND) If two perceptual experiences are indistinguishable for the subject of them then the two experiences are of the same conscious character.

Accepting this principle constrains the kind of account one can give of perceptual experience. I am interested in a view of perception which is committed to the rejection of (IND), which I shall label, naïve realism. Rejection of the principle is associated in particular with so-called ‘disjunctive theories of perception’.¹ These views claim that it is simply mistaken to suppose that there need be anything more in common across veridical perceptions and delusive experience other than the fact that all of these states of mind may be indistinguishable for the subject who has them, in some or all respects. When we talk of appearance in general, on the disjunctive view, we should take this to mean no more than either that one has a genuine perception of something, or that one is deluded in some respect, and it is to one as if one had such a perception. Naïve realism, as I present the position, is committed to a form of disjunctivism, as we shall see. So, in this paper, I shall be concerned with the question of what a naïve realist ought to say in response to a defender of (IND).

In general, it is a sound methodological principle to assume that two things which can’t be told apart are relevantly similar until one finds reason to overturn that assumption. The naïve realist will be someone who thinks that just such reason can be found for distinguishing between veridical perceptions and illusory or hallucinatory ones. But the support for (IND)

goes beyond the endorsement of just such a methodological rule: many philosophers seem to find it inconceivable that appearances, or conscious states could be other in their nature than to fit with (IND). They will suppose that there is something incoherent about the naïve realist’s denial of (IND).

As we shall see, they are wrong to suppose that the denial of (IND) is incoherent. The threat of incoherence arises only where someone supposes that if there is any sense in which two things are indistinguishable, then they must seem the same, and that this holds even for the sense in which to have a certain phenomenal experience is for things to seem a certain way to you. But whatever our attitude to (IND) itself, we need to mark a distinction between how things seem epistemically, and how things seem phenomenally. Among many reasons that one can give for that distinction, the firmest is the problem of the non-transitivity of discrimination: two colour samples may seem the same as each other, when compared as a pair, but only one may match a third sample. In order to avoid inconsistency, the sense in which the experiences of the colour samples in the initial case seem the same can only relate to the epistemic sense of seeming.\(^2\)

However, even if the rejection of (IND) is not incoherent, it would be a mistake to ignore the kind of strong intuitive support that it has. Even if one has an otherwise compelling argument to show that one should endorse a view of appearances inconsistent with (IND), it is not clear that the correct response to this argument is to reject (IND) rather than reject some premiss in the argument to the conclusion inconsistent with (IND). In order to defend the rejection of (IND) we need first to have a better understanding of the kind of grounding that it can have. This is the task I undertake in this paper.

The claim has a long history within so-called arguments from illusion as the basis of generalising some claim from an agreed instance of illusion to all perception. H.H. Price, for example, took what he called 'the Phenomenological Argument’

\(^2\) We shall return to the issue of indiscriminable but distinct qualities below. For other reasons to insist on a contrast between ‘epistemic’ seeming and ‘phenomenal’ seeming, see F. Jackson, *Perception*, (Cambridge: Cambridge University Press, 1977), Ch.2 and Fred Drestke, *Naturalizing the Mind*, (Cambridge, MA: MIT Press, 1995), Chs. 1, 3 & 5.
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to be the more significant form of argument from illusion, in contrast to the ‘Causal argument’ which looks to the causes of our perceptions.³

As often as philosophers have explicitly appealed to the thought that where there is subjective indistinguishability there must be sameness of consciousness, other philosophers have rejected the move. Austin, for example, dismisses the appeal in *Sense & Sensibilia*.⁴ Frank Jackson, in what is otherwise a rare defence of sense-data in recent philosophy, rejects the appeal to indistinguishability.⁵ However, as I shall argue later, such dismissals of the assumption themselves miss the force underlying (IND).

The paper divides into three sections: in the first part I explain why a naïve realist needs to endorse a disjunctive theory of appearance, and what aspect of a common element approach it needs to reject. In the second part of the paper, I diagnose how a common element view may be argued for on the basis of subjective indistinguishability. In the final part of the paper, I suggest an underlying motivation for that argument, and hence a diagnosis that the naïve realist can offer of the obstinate intuitions that support the argument.

Naïve Realism, Disjunction & Common Elements

1. ‘Naïve realism’, as I shall use the term, is a theory of what the nature of veridical perception is; I bracket here a concern with whether there are in fact any actual examples of veridical perception. For any conscious state of mind there is something that it is like for the subject to be in that state—each such state of mind contributes to the character of one’s stream of consciousness. What it contributes, the ‘what-it-is-like’ properties of that state, we may call the conscious character of that state and in the case of perceptual experiences, I shall use interchangeably the term ‘phenomenal character’. According to naïve realism, the actual objects of perception, the external things such as trees, tables and rainbows, which one can

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perceive, and the properties which they can manifest to one
when perceived, partly constitute one’s conscious experience,
and hence determine the phenomenal character of one's
experience. This talk of constitution and determination should
be taken literally; and a consequence of it is that one could not
be having the very experience one has, were the objects
perceived not to exist, or were they to lack the features they are
perceived to have. Furthermore, it is of the essence of such
states of mind that they are partly constituted by such objects,
and their phenomenal characters are determined by those
objects and their qualities. So one could not have such a type of
state of mind were one not perceiving some object and correctly
perceiving it to have the features it manifests itself as having.

Such a theory of appearance is put forward on the
grounds that it gives an accurate description of how the
subject’s situation strikes her when consciously perceiving. For
example, at present I can see the Genoa lighthouse. Focusing
on the tower, I can note its distinctive shape and colouring;
turning my attention inward, and reflecting on the character of
my looking at the tower, I can note that the tower does not
disappear from the centre of my attention. The tower is not
replaced by some surrogate, whose existence is merely internal
to my mind, nor are its various apparent properties, its shape
and colours, replaced by some merely subjective qualities. So
my perceiving is not only a way of providing me with
information about an external world, when my attention and
interest is directed towards action and the world; in its very
conscious and so subjective character, the experience seems
literally to include the world.

This naïve realism can be contrasted with two broad
alternative approaches to experience. According to a subjectivist
tradition, most commonly put forward in the form of a sense-
datum theory of experience, one’s experience is constituted by
an awareness of entities whose existence and nature is
dependent on that awareness, and the phenomenal character of
that experience is just determined by those entities and their
qualities. When I look at the tower, and reflect on my
experience, there is within my experience some surrogate for the
tower with qualities that correspond to those that I am informed
that the tower has. Few philosophers now endorse such
subjectivism, particularly in the pure form which seeks to
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explain all aspects of the phenomenal character of experience by appeal to such subjective entities and their qualities.¹

Naïve realism should also be contrasted with another approach which has become more dominant in discussion of perception recently, the intentional approach to perception. This view will agree with the naïve realist that, when we attend to our experiences of the world we find the external objects of perception and their manifest qualities. But the view will deny that these objects are constituents of the experience, or that their actual natures determine the phenomenal character of experience. Rather, this view assimilates the case of perceptual experience to that of judgement or belief. We should think of experience as having some form of representational content, which admits of correctness or incorrectness. That content is specified by reference to the objects and their qualities which would be present were the content correct, but it is the representational content and not the objects represented which determines the phenomenal character of experience. In effect, the intentional approach agrees with the naïve realist about what is ‘before the mind’, namely the external objects of perception, but it disagrees with it about the manner in which the objects of perception are before the mind. The naïve realist thinks of this relationally: the objects are part of the relational state of affairs which comprises perceptual experience. The intentional theorist denies this relational character: experience is rather quasi-relational: it has a character such that it is as if the objects of perception are before the mind, but they are not required to be so in order for one to be in this state.²


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This should make clear quite why the argument from illusion is such a threat to the naïve realist, as here defined. If I am merely hallucinating the lighthouse—for example, if I am taking part in an experiment which involves the stimulation of my visual cortex—, then there need be no such appropriate object in existence for it to be a part of my experience. So the naïve realist account of perceptual experience cannot be correct for the case of hallucinatory experience, and more generally cannot be directly applied to any case of delusiv experience, such as illusions where one does perceive an external object, but misperceives it as other than it really is. If we suppose that such cases involve the same type of mental state, perceptual experience, as veridical perception, then that will directly contradict the naïve realist account even of those cases. We can see both subjectivist and intentional theories as shaped by the need to accommodate the possibility of illusions or hallucinations. For the subjectivist, the mind-dependent surrogates for the objects of perception are guaranteed to exist whenever one is brought to have the appropriate experience, so there is no risk that an experience might occur without its candidate constituents. For the intentional theory, objects and their qualities can be before the mind in a way which does not require their actual existence, they merely need to be represented by the state of mind, and hence it should be possible to have an experience of the sort which, when one is veridically perceiving is the presentation of certain external objects, even when no such appropriate objects exist.

A naïve realist may instead respond to the challenge by denying the claim that experience is a common element among veridical perception, illusion and hallucination. Here, for example, is John McDowell recommending just such a move:

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*Experience* (Cambridge: Cambridge University Press, 1992); T. Burge, ‘Vision and Intentional Content’, in R. van Gulick and E. LePore, edd., *John Searle and his Critics* (Oxford: Blackwell, 1993); F. Dretske, *Naturalizing the Mind*, (Cambridge, MA: MIT Press, 1995). Note that as I use the term, an intentional theory of perception supposes that experiences admit of correctness or incorrectness. Some philosophers (eg. John McDowell) who deny this would still call experience ‘intentional’, appealing to the idea that something is given to the mind in experience, even if it cannot be other than how it is given.
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...an appearance that such-and-such is the case can be either a mere appearance or the fact made manifest to someone... the object of experience in the deceptive cases is a mere appearance. But we are not to accept that in the non-deceptive cases too the object of experience is a mere appearance, and hence something that falls short of the fact itself... appearances are no longer conceived as intervening between the experiencing subject and the world. 

Although the naïve realist is forced to admit that his account of experience will not apply directly to the case of illusion or hallucination, he will insist that these are just different cases from veridical perception, and so do not bear on the correctness of his view concerning them. But what exactly is the naïve realist forced to claim here when he denies that experience is a common element?

2. The disjunctive claim itself should be viewed as something which is strictly neutral between views which assume that experience is a common element and those which deny it. Our starting point is the thought that one can be in states of mind which make true claims that it seems to the perceiver as if there is a tree before her, or it looks to her as if there is such a tree, when she is not perceiving a tree, and may be perceiving nothing at all. Such claims will be true in the situations explicitly marked out by the disjuncts of the disjunctivist's claim: when it looks to S as if there is a tree before her, then either

(P) There is a tree before her which looks to S to be so

or

(D) It is to S merely as if this was so.

For a common element view these disjuncts capture the relevant situations in which S will be having a visual experience of a tree, so they should accept the truth of the claim. The disagreement between the views comes rather at the point when we try to say

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more than just this. If one accepts that experience is a common element, one will suppose that the disjunction is true because there is some state which is present in both cases. This is something that the disjunctivist wishes to deny, but what exactly is being denied here?

Clearly the disjunction is intended as an exclusive disjunction: so one might think of it, from the disjunctivist’s point of view, as indicating two radically different types of states of affair. There is the one in which the ‘the fact [is] made manifest’ to the perceiver, and the situation in which the perceiver has a ‘mere appearance’. These two radically different situations are yoked together in a report of how things seem to the subject through their indistinguishability, and that is what is expressed by the disjunction.

However, as Tim Williamson has recently pointed out in a discussion of knowledge, this is perhaps not the best way of viewing the disjunctivist’s intention. For, if the delusive disjunct is to be a distinctive state of affairs, then we need to ask what distinguishes it from the situation described by the disjunction, where we are indifferent to the differences between the disjunctions? Here, it should be noted that the naïve realist has no general positive account of delusive experience.

Rather, the intent is to avoid having to apply to such states of mind the same account as that to be offered of veridical perception: at best, then, these states of affairs are gathered together as forming a mental kind through being indistinguishable from the parallel cases of veridical perception. But, of course, mere indistinguishability will not be sufficient to single out mere appearances as forming a distinctive class: for veridical perceptions are simply in virtue of identity, indistinguishable


11 Indeed, the naïve realist ought to resist any attempt to give such a general account, for reasons that go beyond our present discussion. Briefly, one has should accept that the proximate causes of a veridical perception are the same as those which can bring about an hallucination: if such causes are sufficient to bring about a certain type of mental state, hallucination; then they should suffice even in the case of veridical perception, so whatever occurs when one hallucinates will also occur when one perceives. The naïve realist can block this by denying that there is any general kind of mental state for which those immediate causes are sufficient.
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from veridical perceptions, so all seemings and not just mere appearances meet the indistinguishability criterion.

If we cannot find a property distinctive of all mere appearances which makes them so, then it would seem as if there is no distinctive class of mere appearances, but rather a contrast between appearance, which is present whether one is perceiving or not and veridical perception. This seems to leave us with appearance, equivalent to mere appearance, as a common element after all.

Williamson suggests that in the case of knowledge, what is important is to stress what is peculiar to the case of knowledge, and to resist the thought that the common element, in this case belief, forms a significant part of one’s state of knowing. When we look to the explanatory role of the two states, according to him, knowing will play a distinctive role separate from, and more fundamental than, the one ascribed to belief. So the mere fact that there is some state in common between cases of genuine knowledge and cases of mere opinion, does not show that all that is true of the mental state in cases of knowing must also be true in a corresponding case of mere opinion.12

For some of the purposes that disjunctive theories of appearance have been put to, Williamson’s suggestion is an apt one. For example, Paul Snowdon puts forward a form of the disjunctive theory to undermine a strategy of argument used to support the causal theory of perception; for that argument what matters is whether perceptions of objects can be factored into an internal component, the perceptual experience, and some further condition which makes the difference between genuine perception of an object and mere matching hallucination.13 But, the move would be an unhappy one for the purposes of the naïve realist. Williamson’s suggestion is consistent with (but does not strictly demand) a view on which the subjective component of one’s mental life, all aspects of what it is like for one to as one is, are comprised of the common states, beliefs

and appearances, while the states present in only certain cases, knowledge or perception, while of explanatory importance in other realms, play no role in determining conscious life.

Clearly this would be inconsistent with the aim of naïve realism. This seeks to give an account of phenomenal consciousness, and hence the disjunctive account is intended to have a direct bearing on one’s account of what it is like for the subject to be perceiving. In contrast to Williamson’s suggestion, therefore, the naïve realist form of disjunctivism needs to deny that appearances, in the sense of a common element, has any autonomous status within one’s mental economy (in contrast to Williamson’s example of belief, which arguably does have just such a status). That is to say, according to the disjunctivist, the case of veridical perception has a fundamental explanatory role with respect to explaining what it is like for one to perceive and also for what it is like merely to have an indistinguishable illusion or hallucination. In such states being indistinguishable for the subject from veridical perception, their conscious character will strike a perceiver the same way if she reflects on it as will a conscious perception. So it will seem to her as if she in the situation of consciously perceiving. Even in the case of conscious perceiving, it will seem to the perceiver as if she is in such a situation. But in that situation the explanation of how things seem to her will coincide with how they are—we can appeal to the fact that the situation is indistinguishable from perceiving, but since it is a case of perceiving there is no need to do so. By contrast, in any case of perfect illusion or hallucination, we can explain its character by reference to the case of veridical perception, and we cannot give an explanation of what it is like except by implicit reference to the kind of veridical perception from which it is indistinguishable.\footnote{This is to reject Dancy’s suggestion that ‘there may be available a more direct characterization of the second disjunct, and in a totally explicit version of the theory it would indeed be characterized in that better way’ (op. cit. p.436). On the view offered here, one can only characterise the delusive case relationally, by what it is indistinguishable from.}

This puts us in the position to state more exactly what the naïve realist needs to deny, and where the intuitive pull of indistinguishability presses home. The naïve realist need not deny that there is a common mental state to perceiving and perceptual delusion, which state can be picked out by appeal to
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subjective indistinguishability, for it will be consistent with this, that any such state picked out will have a nature which is unavoidably explained by reference to a non-common element, that is it will be explained by reference to some case of veridical perception.

On the other hand, we can also state more clearly the threat from subjective indistinguishability. That challenge is just the thought that, if something really is an essential aspect of the conscious or phenomenal character of an experience, then what is true of it should be true of any state of mind indistinguishable from it for the subject: for what more can there be to the character of conscious states of mind than a subject can herself discern when she reflects upon them?

Discrimination & Phenomenal Content

3. How then would an appeal to subjective indistinguishability show that there can be no more to conscious experience than what is common among veridical perception, illusion and hallucination? Indistinguishability and sameness of mental state interact in a complex way, and the strands of argument need to be distinguished. We need to take into account both a subject’s powers of discrimination with respect to the objects she perceives, and separately her powers of discrimination among her own mental states. A failure to separate these two questions, I suggest, underlies some arguments for indistinguishability as a criterion of sameness of mental state, and some over-swift dismissals of the claim.

To have the power of discrimination is to be able to tell whether two things are the same or different. We can discriminate properties or qualities, as when I can tell whether the vase is red or blue, and we can discriminate individuals, I can tell that the person on my left is distinct from the person on my right. Such capacities are tied to relevant circumstances of application, and we can also tie them to methods of discrimination: so we can talk, for example of whether two objects are observationally discriminable by a subject, restricting ourselves to a concern with whether the subject can tell two things apart just by the use of her senses, without relying on any background information she may otherwise have.
Discrimination is a form of knowledge: if one does discriminate two things then one knows that they are different. So, like all knowledge, discriminatory knowledge is subject to tests of reliability, and hence as symptoms of this we are liable to test whether someone can really discriminate two things dependent on certain counterfactual situations, and not merely by relying on what is actually the case.\footnote{See T. Williamson, \textit{Identity & Discrimination}, (Oxford: Blackwell, 1990), Ch.1.}

We can discriminate among objects and properties in the world and among mental states and their properties within our own minds. Both forms of discrimination are relevant to the question before us now. For, one may claim that at least for some mental states, a subject’s powers of discrimination among objects and properties in the world determine identity conditions for the mental states which embody those powers of discrimination.

With respect to perceptual states of mind, this thought is closely associated with the idea that there are observational concepts, and that the phenomenal content of perceptual experience is properly expressed only by such concepts. On an intentional theory of perception, we can take this talk of content in the technical sense of observational content; but that will not apply to either subjectivism or naïve realism. The intuitive idea here does not need to be restricted to the intentional theory, and we can talk here more broadly in the sense of content of consciousness: the thought is that the phenomenal character of experience is constrained by the discriminatory powers a subject has in virtue of their powers of perception.\footnote{For two recent accounts of observational concepts see C. Peacocke, \textit{Sense & Content}, (Oxford: Clarendon Press, 1983), Ch.4, and \textit{Thoughts: An Essay on Content}, (Oxford: Blackwell, 1986), Ch.1; and J. Fodor, ‘Observation Reconsidered’, reprinted in \textit{A Theory of Content and Other Essays}, (Cambridge, MA: MIT Press, 1990). I do not mean to endorse the constraint imposed in the text, but just to show that even given this constraint, certain things do not follow. Peacocke is an example of someone who rejects the constraint, as indeed is Dretske in \textit{Naturalizing the Mind}.}

With this constraint in place, we may suppose that a subject can only experience things as a certain way to the extent that she can discriminate them from other things or from other states of affairs. Consider a familiar example, someone who is
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red/green colour blind cannot discriminate samples of red things from samples of green. Because they cannot discriminate solely by how the surface looks, whether a sample is red or green, we should suppose that their experiences do not have the content that a sample is red, nor a content that a sample is green; at best such experiences would have a content which is indifferent between these two colours. Note that it would not change things were we to suppose that the colour-blind perceiver lives in an area which lacks all red objects, so that the only samples he ever encounters are green, it would still be true that were he to encounter a red object then he would not be able to tell that it was distinct with respect to colour from any of the green objects in his environment.17

This is an example of discrimination of properties, and the corresponding link to the phenomenal character of experience. How does the link fare when we look to discrimination of individuals? Some of our ways of thinking of objects are purely demonstrative, relying on chance encounter, other ways of thinking of objects involve being able to re-identify the object at different times and hence to recognise it on further encounters. An answer to the question needs to address both of these ways of discriminating individuals.

With respect to the latter, there is some plausibility to the thought that we do not recognise an object purely through our phenomenal encounter with it. Were I to encounter an exact double of my mother, then that double would look the same to me as my mother would have done in that situation, and hence I would have been inclined to take the double to be my mother. This should not seem a surprising conclusion: in general we keep track of objects not only through their appearance, but also with some grasp of their passage through space and time relative to ourselves. That latter type of knowledge which helps ground recognition is itself not purely experiential, so we should expect that where we restrict ourselves to phenomenal discrimination, recognition drops out of the picture.18

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17 Here I am abstracting away from any concern with the context-sensitivity of which are the relevant counter-factual situations to contrast the actual case with.

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Things are different where we consider mere demonstration. In general, a subject is able to demonstrate an object or feature in her environment where that object is made salient for her, that is where she can focus her attention on it as an object. Now one’s ability to do this does not depend on any ability which is directed at one particular object, being sensitive to its history, as a recognitional capacity may require; rather it is of the form of a general ability to pick out whatever can be made salient to one on an occasion. So if we wish to test whether someone has that capacity, we need to consider counterfactual situations in which the object is still present to see whether even in those situations, the subject can single the object out. For example, if the photon from the fifteenth sheet of paper in a densely packed ream prompts the thought, ‘That sheet contains sheer nonsense’, we can consider whether I have genuinely singled out the fifteenth sheet of paper purely perceptually, by considering counterfactual situations in which I am prompted to the same thought, but the relevant cause is the fourteenth or sixteenth sheet. We may also consider counterfactual situations containing objects other than the one the perceiv er is actually singling out, in order to determine whether the perceiv er can exercise the same general capacity with respect to them; that is, we are interested in whether I can single out whatever is the fifteenth sheet, and not really whether I can single out this sheet from any other sheet which might also have happened to have that position in the ream. Since the capacity in question is not tied to a particular object, there would seem to be no requirement that the subject should be able to tell when a different object is being singled out.

If this is right, then no argument which simply appeals to the subject’s powers of discrimination in relation to the external world could show that individuals cannot figure within the phenomenal character of experience. Nevertheless some philosophers have certainly asserted that this is so. For example, both Colin McGinn and Martin Davies have attempted to push this line of argument. McGinn claims:

...when we are describing the content of an experience we should not make singular reference to the object of the experience...In

the constraint—it is a matter of some dispute whether recognitional capacities can ‘colour’ the character of experience; and the issue is closely related to that of the experience of non-observational kinds.
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fact it seems right to uphold a stronger thesis about experiential content: that an accurate description of the phenomenological content of experience will employ only general terms to specify how the experience represents the world. 19

McGinn’s and Davies’s reasons for this are much the same. Davies gives the following reason:

...in the case of perceptual content, it is plausible that if two objects are genuinely indistinguishable for a subject, then a perceptual experience of the one has the same content as a perceptual experience of the other. The source of this plausibility is the thought that the perceptual content of experience is a phenomenal notion: perceptual content is a matter of how the world seems to the experiencer... If perceptual content is, in this sense, “phenomenological content”... then, where there is no phenomenological difference for the subject, there is no difference in content. 20

But this is simply a non sequitur. First, if we consider the link between powers of discrimination and content, all will agree that for the qualities that either object has, the perceiver is unable to discriminate them, and the experience will have the same content. With respect to the particular objects themselves, the subject will be able to discriminate each either if she is able to single each out from among the objects in her environment. Ex hypothesi she can do that as well, so powers of discrimination would again ground the assignation of a content relative to the particular object perceived. So it seems as if we can grant all of McGinn’s and Davies’s assumptions, yet simply deny their conclusion. 21

One might respond on McGinn and Davies’s behalf that no mention has yet been made of the subject’s powers to discriminate among her own mental states, and that this may


21 Note though, given the disjunctivist conception of hallucinatory experience, such experiences will lack particular content in contrast to perceptions—an hallucination of an apple will be indistinguishable from both of the twin apples, and since, by the hypothesis above only indistinguishability can fix the character of purely delusive experience, no particular can figure in the positive characterisation of the illusion.
supply the needed additional premiss. It is doubtful that any additional force will be added here: we should at the level of mental states be able to make the same distinction between discrimination of properties and discrimination of particulars. With respect to properties of the mental states, both sides will agree that the experiences are of the same type: with respect to the qualities of the objects perceived, both experiences present the objects as having the same qualities. McGinn and Davies in addition want to say that both experiences are the same in being general in character, presenting the claim that some object has the qualities in question. But their target need not deny that the experiences are the same with respect to their object: both experiences are experiences of particulars. There is, of course, a difference between the two experiences considered as particulars, datable occurrences: the one experience is an experience of one particular, one apple say; while the other experience is an experience of another particular, another apple. But there is no reason to suppose that the subject should fail in the task of singling out her current perceptual experience from other experiences she has had in the past, and other mental states she currently enjoys. So, even at the level of discrimination among mental states, McGinn and Davies would appear to lack grounds for claiming that their target needs to separate powers of discrimination and contents of experience.

I suggest that it is a recognition of the failure of the McGinn-Davies strategy which underpins some blunt dismissals of the claim that subjective indistinguishability requires sameness of consciousness. Consider, for example, J.L. Austin’s rejection of this kind of argument:

But if we are prepared to admit that there may be, even that there are, some cases in which ‘delusive and veridical perceptions’ really are indistinguishable, does this admission require us to drag in, or even let in sense-data? No. For even if we were to make the prior admission (which we have so far found no reason to make) that in the ‘abnormal’ cases we perceive sense-data, we should not be obliged to extend this admission to the ‘normal’ cases too. For why on earth should it not be the case that, in some few
This dismissal of the problem is disingenuous, it has application on only one conception of hallucinatory experience, and only where the argument under attack trades on the reasoning of the sort discussed above. The picture Austin has in mind is what Price calls ‘the Selective Theory’. When we perceive the external world we stand in some kind of relation to objects such as tables, chairs, and mirror images; when we hallucinate, we stand in a similar relation to unusual objects, sense-data. On this view, although tables and table sense-data have different ontological statuses, the one existing independent of our awareness of it, the other being dependent on that awareness, they share the same manifest qualities. So our powers of discriminating observable properties of objects will classify the two entities, the table and table sense-datum, together, with the metaphysical difference between them being assumed to be imperceptible.

Austin’s dismissal will be right, if those who use the argument can be made to accept this model of hallucinatory experience, and if their argument appeals to no more than the link between our discriminatory powers over the objects of experience and the phenomenal character of that experience. But, Austin’s picture of hallucinatory experience will not even fit most subjectivist accounts of hallucinatory experience, and has no application to any form of intentional theory.

For, to avoid Ryle’s familiar charge that there is a ‘sense-datum fallacy’ and a ‘homonculus fallacy’, a subjectivist had better not construe awareness of sense-data as simply on a par with the naïve conception of how we are aware of external objects. It is not as if sense-data are there anyway, waiting for the subject to alight on and exploit her capacities for singling an object out. The subjectivist supposes that at least for the case of hallucinatory experiences, bringing about the experience is sufficient to bring about the relevant entities and instances of qualities which correspond to the phenomenal character of the

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experience. So it would be arbitrary here to claim that the differences between how the naïve realist conceives of veridical perception and how the sense-datum theorist supposes at least hallucinatory experience to be is a difference merely in the objects of those states of mind: the states of mind themselves would seem to have to be of a radically different nature. That suggests that the challenge of indiscriminability is better raised at the level of discrimination among radically different types of mental state. And Austin is not prepared to engage with the challenge at that level.

4. Although the common element view cannot appeal directly to the link between powers of discrimination and the content of experiential states in order to establish the subjective indistinguishability claim, it may seek to find a parallel between the example of first-order discriminations of features of the world and our higher-order discriminations of our own mental states, and then use that to ground the claim that subjectively indistinguishable states of mind should be treated the same.

Suppose, then, that we stand to our own phenomenal states as we stand to objects and their features in the world. Then, on the assumption that the content of the mental state by which we discriminate objects has its content fixed via our powers of discrimination, we should assume that where two mental states cannot be told apart in kind, that mental state has a content which is indifferent to the differences between those mental states. Since we cannot tell apart veridical perception and hallucination, the putative state of being aware of these states would present the two states as the same, and corresponding to this the states in question would have in common the properties presented to the subject in that state of inner awareness. But, as with external objects, there would be no inconsistency here in supposing that each state had other properties which were not in common, but which were not presented as such through states of inner awareness.

Now, almost all philosophers will agree that the supposition we have just made is itself mere fancy, for one of the most notable features of our own self-awareness is that there does not seem to be a distinctive event of awareness which stands between our judgements and their subject matter in the case of conscious self-ascription as there is in the case of
experience of the external world. With experience of the external world, we allow for the possibility that someone is put in the position to make a discrimination but does not make it—one may have experience that something is of a certain character without thereby attending to that matter and forming the corresponding judgement. And as the discussion above highlighted, we also allow for the possibility that our experiences may be misleading, and in coming to suspect that, a subject can withhold judgement on a matter, despite her experience. There seems to be no analogue of these for the case of self-ascriptive judgements of conscious states. Note that that isn’t yet to claim that we need be infallible in our conscious self-ascriptive judgements of phenomenal states: what is being denied is that there is a distinctive state of mind, inner experience, from which one can stand back, and leave oneself undecided as to whether one really has the experience that it presents one as having.

Given that, we cannot suppose that a subject’s powers of discrimination with respect to her own conscious mental states are reflected in the content of some distinct mental state from the subject matter of her self-ascriptive judgements. If they are to be reflected in the content of any mental states at all, it will have to be in the content of the experiences that the judgements are about.

The parallel with outer observation would then amount to this: our actual discriminations of the observable properties in our environment are the judgements we make; our powers of discrimination, are reflected in the contents of the sensory states we are in which prompt those actual discriminations. Our actual discriminations of our own mental states would be the self-ascriptive judgements that we make; our powers of discrimination would be reflected in the conscious character of our phenomenal states. If this parallel holds, then it will follow that there can be no aspect of the phenomenal character of perceptual experience which does not meet the subjective indistinguishability criterion.

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5. The naïve realist must reject any such line of argument: a subject’s failure in the case of hallucination to tell that apart from some veridical perception should not be taken as the
subject’s ability to discern the common conscious properties of both states of mind. A rejection of the subjective indistinguishability thesis will be satisfying only where one can both explain the mistake in the argument in support of it while also explaining away the intuitive force of it.

There are two points at which one might strike: first, one might complain that the model of self-ascriptive of conscious experience takes over too much of an observational model of self-awareness, and that such a model is objectionable; second, one might point out that the view tacitly assumes some form of transparency of mental states, or infallibility since the subject’s powers of discrimination are simply taken to reflect the genuine sameness and difference among her conscious states.25 There is some justice to both of these complaints, I shall suggest, but on the face of them neither complaint will be sufficient to show that the opponent has made a mistake in their reasoning or assumptions while at the same time explaining the continuing force of the intuitions in support of the argument.

For it is not entirely clear what an observational model of self-awareness should amount to, once we deny that there are states of inner awareness distinct from the conscious states one is aware of. Correspondingly, it is less than obvious either that there should be a mistake in adopting such an observational model, or that there is some deep motivation for endorsing one. So, the demand for transparency of the mind may seem a better candidate for locating the deep mistake. But here too, there is some difficulty in explaining exactly what the demanded transparency should amount to. If it is the demand that a subject should have determinate knowledge of her conscious experiences, then the demand for transparency is stronger than need be supplied by the above argument. For example, the demand would not be satisfied by certain standard approaches to phenomenal qualities.

Notoriously, distinct qualities may fail to be discriminated by a subject: a sample A of one colour, may not be distinguishable by sight when compared solely with sample

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B; and sample B may not be distinguishable when pair-wise compared with sample C; while A and B may be easily distinguished when pair-wise compared. Goodman’s solution to the problem is to define identity of qualia in terms of matching: qualia are identical just in case they match all and only the same samples. 26 A variant on Goodman is suggested by Williamson, when he suggested that qualia are identical when it is not the case that there is some situation in which they can be discriminated: the mere fact that there is some situation in which two qualia cannot be discriminated does not show that there is no such situation. 27

On either of Goodman’s or Williamson’s proposals, a subject may be unable to determine whether succeeding experiences have the same phenomenal character. Nevertheless, consistent with this, one can hold that the phenomenal character of the experience is determined by (or at least coincident with) the subject’s powers of discrimination. There seems to be an intuitive sense, in which Goodman’s and Williamson’s suggestions do still hold on to the intuitive appeal of assimilating identity of conscious state to subjective indistinguishability. So, if that appeal is underpinned by some assumption of the transparency of conscious states, the transparency in question must require less than fully determinate knowledge.

I think that we can sharpen both objections by combining them. To do this, we need first to look away from the case of perceptual experience, to that of conscious thought. It is tempting to think of one’s conscious thoughts as involving a certain element of self-intimation. If I pose the question to myself whether I am thinking, and if so what it is that I am thinking, then it seems that, just by posing the question I should be able to settle it. This first-person authority over thoughts is itself the focus of much contemporary discussion.

Although the claimed aspects of first-person authority with respect to conscious thought has been disputed, I suggest the naïve realist does not have to dispute it: they can accept that, it not only seems to us that we have such reflective knowledge of

27 See T. Williamson, Identity & Discrimination, (Oxford: Blackwell, 1990), Ch.5 and especially pp.82-87 for a comparison with and criticism of Goodman.
our conscious thoughts, but that really we do. One might then suggest, that lying behind the above argument for the common element thesis is the assumption that the reflective properties of conscious thought carry over equally to the case of conscious experience.

One way of making this vivid, is to look to the Cartesian thought experiments for external world scepticism. Cartesian sceptical hypotheses such as lucid dreaming and malign demons generalise cases of delusory experience: perfect hallucinations. Given the manner in which Descartes treats dreaming, a lucid dream may as well be an example of extended hallucination, while the malign demon, while apparently capable of bringing about other deceptions as well (for example, concerning mathematics) would appear capable of sustaining a life-time’s worth of hallucination. Although there is no one particular way of spelling out the sceptic’s challenge, one strand in it is relevant to our current concerns. For, Descartes does seem to assume that even in the face of the sceptical hypotheses, there is no real challenge to our knowledge of our own thoughts. If we raise the question whether we are thinking, and if so what we are thinking, then we are in a position to settle the question just by reflection. The sceptical hypotheses seem to have a hold because it seems as if we cannot in the same way settle the question whether we are in such a situation or not, just by reflection.

Now we can ask, which side of the divide does perceptual experience fall? Do we suppose that when asked what perceptual experience one is having, one can settle this simply by reflection or not? Naive realism, at least, is committed to claiming that, if we cannot settle by reflection whether we are in the sceptical situation or not, then we cannot settle by reflection what sort of perceptual experience we are having. For on that view, we have one kind of perceptual experience only when we are veridically perceiving, and another state when we suffer a hallucination, albeit one indistinguishable for us from the first kind. Indeed, in order to maintain a positive answer to this, it will appear as if we must claim that perceptual experience is indeed a common element between perception and hallucination; for then, even if we cannot determine just by reflection whether we are perceiving or hallucinating, we can at least determine which kind of state of
mind we are in, since it can occur in either situation. Note that such reflective knowledge of one’s experiences would be consistent with Goodman’s and Williamson’s account of qualia and phenomenal qualities. For although even if in my actual position I cannot determine whether two experiences are of the same character, there will be some possible circumstance in which I could have done so simply by reflection: even though I cannot always determine the character of my experience, what I need to determine its character is not something which lies beyond possible reflection.

6. One issue which this raises which would take us far beyond our current concerns is the need for an explanation of why our conscious thoughts do possess the reflective knowledge property. Someone might suppose that they can do so only if we adopt something like the above model of our powers of discrimination among our mental states. That would make it seem natural that the relevant property should spread to all conscious states and not just our thoughts.

But the relevant assumption can and should be challenged. For what it overlooks are features of self-ascriptive consciousness which are peculiar to the case of thoughts: namely the guarantee that the content of the lower-order thought is replicated in the higher-order thought; and the kind of identification and endorsement of the thought ascribed which the self-ascriptive consciousness typically has. These features of self-ascriptive consciousness would suggest that an account purely in terms of powers of discrimination among one’s thoughts could not be the whole picture. Yet it is just these features of

\[28\] Does this show that the common element thesis must hold for conscious thought also, if we are to have reflective knowledge of it? I would argue not, which itself throws up the question why experience and thought should be treated differently; that is an issue which unfortunately lies beyond the bounds of the current discussion.


\[30\] Indeed, one might object that to suppose that it would, would be to accept a quasi-observational model of self-knowledge. Compare the issue here with Tyler Burge’s discussion of the failings of an
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self-ascription which are lacking in the case of self-ascription of conscious experiences. When one judges of how things seem to one, such a judgement can precisely embody a certain kind of distance from one's experience in a way that contrasts markedly with the self-ascription of belief.

Nevertheless, even if it wouldn't simply follow from the correct account of self-ascription of conscious states that we should have to possess reflective knowledge of our own experiences, that would not stop it being a desirable feature of our experiences, and hence a respectable motivation for endorsing (IND). Here I suggest that the naïve realist can point out that the desire for reflective knowledge of one's experiences really cannot be satisfied whether we accept the argument from subjective indistinguishability or not. For, if the naïve realist is write to claim that her account of perceptual appearances is the only adequate description of how our experiences strike us, then the alternatives to this approach, some form of intentional theory or subjectivist view, will be giving an account of experience which does not accord with how it initially strikes us—the correct account will be in J.L. Mackie's term, an 'error theory'\(^\text{31}\) of perception, which distinguishes between how it seems to us we are perceptually related to the world, and how we are in fact related to the world. Even if philosophical reasoning can reveal to us that experience is not as it first strikes us, reflection on the character of experience alone cannot show us that.

So, the naïve realist can claim that either we simply resist the desire for reflective knowledge of our perceptual experiences, and take at least veridical perceptions at face value, while admitting that delusive experience if it occurs is surd; or, we endorse the desire, accept the subjective indistinguishability argument and are led to endorse a theory of appearance at odds with how things strike us. Adopting either horn will leave us with the desire unsatisfied and no such unsatisfiable desire can

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be a good reason to endorse the strategy of argument which leads to the common element thesis.  

Indeed, I suggest that this diagnosis will help us to explain the following passage from Barry Stroud’s discussion of scepticism:

What can we know in such a predicament? We can perhaps know what sensory experiences we are having, or how things seem to us to be…We are in a sense imprisoned within those representations, at least with respect to our knowledge…

This can seem to leave us in the position of finding a barrier between ourselves and the world around us. There would then be a veil of sensory experiences or sensory objects which we could not penetrate but which would be no reliable guide to the world beyond the veil.

Stroud here suggests that if we give in to Cartesian scepticism, and accept that we merely have knowledge of our own conscious states of mind, then the sensory states of which we have knowledge will seem to be a barrier between us and the world of which we desire knowledge. But Stroud’s line of argument here is obscure. Why should, my mere lack of knowledge of the reliability of some putative source of knowledge, show that would-be source to be some barrier between me and the object of knowledge? Suppose, for example, that I have a document which is either a piece of fiction or a historical record, but I cannot determine which: as frustrated as I may be by my lack of knowledge, this surely does not lead me to view the document as a barrier between me and the historical matters of fact. Indeed, it can seem to me as if the document, if in fact it is a record does reveal the past to me, I just cannot tell that that is so. Nothing Stroud says indicates why we should not view sensory experience in the same light.

The naïve realist can explain why we might feel such a sense of barrier. In order for us to have reflective knowledge of

32 Note that this response is open only to someone like the naïve realist who supposes that some positive conception of experience can be given, and ascribed to common sense. Someone who endorses a disjunctive view of appearances but refuses to say more about what is distinctive of the perceiving disjunct, has no grounds to show that if (IND) holds one still lacks reflective knowledge of one’s experiences.

our sensory states in the face of the sceptical challenge, our experiences would have to have a nature very different from that which we pre-theoretically suppose them to have. In that case, such experiences could not be giving us the kind of cognitive contact with the external world that previously we supposed them to provide.

This is to suggest, in effect, that the sceptical threat from a veil of perception does not arise simply from the Cartesian sceptical challenge. Rather it arises from the challenge that Hume puts forward most explicitly in the *First Enquiry* when he claims that there is a form of ‘consequent’ scepticism which challenges the authority of our senses to provide us with knowledge about the world, and then argues that the ‘common and universal opinion of all men’ concerning the objects of perception can be shown to be false by the ‘slightest philosophy’.34

On the picture suggested here, there are in fact two steps to the sceptical threat: first, one may feel attracted, in the face of the Cartesian sceptical challenge to endorse (IND) and hence the common element view of experience. Once one does that, assuming that the naïve realist is correct as a view of common sense, one is then driven to a view of perception which is inconsistent with common sense, and that may then undermine the claims of the senses to provide one with knowledge of the world, engendering a further sceptical challenge to that knowledge.35

Finally, this suggests an explanation of the recalcitrance of the intuitions in favour of (IND). If the naïve realist is right to claim that our experience seems to be the way that the theory

35 So I would reject McDowell’s suggestions in ‘Singular Thought and the Extent of Inner Space’, that the ‘Cartesian’ conception of subjectivity brings with it the consequence that there is ‘darkness within’. There are two points here to make: even if one resists endorsing (IND) in the face of the sceptical challenge, that is not yet to answer the sceptical challenge—endorsement of naïve realism concerning perception is not itself an answer to Cartesian scepticism. Secondly, one generates Hume’s scepticism concerning the senses only if one can show, antecedent to any sceptical threat, that we do have some commitment to naïve realism, or some other such theory of perception which is inconsistent with (IND).
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claims, then if we really did have reflective knowledge of our experience, and experience was as the naïve realist says, we would have a direct answer to the initial sceptical challenge, and the apparent contrast between our knowledge of our thoughts and our knowledge of the world would be undermined. Of course, this motivation is no better than the simple demand for reflective knowledge of experience itself, for in securing sceptic-free knowledge of our experiences we would do so only at the cost of denying the relevant feature of experience. But the false attractions of this move would be dispelled only by a satisfactory dissolution of the sceptical challenge itself. So the intuitive support for the subjective indistinguishability argument does not so much reflect the self-evidence of the common element view of appearances, as reflect the intractability of certain sceptical problems.

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