

INTUITING MORALITY

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1. *Introduction: What is the Problem?*

There are long standing problems of how one can account for moral properties, problems that are driven by the background metaphysical milieu into which one is trying to fit the moral properties in question. David Hume faced this problem in the context of the Newtonian-mechanistic worldview. His solution was to compromise the mechanistic worldview by undermining the physicalistic notion of causal relations via his famous Critique of Induction and reduce moral properties to a sensory “sentiment.”

Amoralists and moral relativists hold the views they do because of their inability to reconcile the so-called “subjective” nature of morality with the “objective” facts of the world.¹ They have this inability due to their prior conception of the “objective” world. And they hold the prior conception of the “objective” world that they do because of their metaphysical presuppositions. To be sure, the metaphysical positions that are involved vary significantly, usually along a spectrum from phenomenalism to materialism. Moreover, just because two persons hold the same metaphysical view does not dictate that they will hold the same position on the ontological status of moral properties. Nevertheless, the outcome in terms of the conflict between moral properties and the “factual” world is similar the relegation of morality to a position not far from anti-realism. The resulting problem is well summed up by the title of Wolfgang Kohler’s 1959 book, *The Place of Value in a World of Facts*. In fact, it’s precisely the problem that I’ll wrestle with here: When we view the world as constructed of facts, just where and how do we find a place for morality?

One way to approach this problem is to recognize that the odd and unique character of moral properties requires a correspondingly odd and unique faculty of moral perception buried in the mind. As there are specialized areas of the brain for distinctly different types of percepts, so there must be a specialized area of the mind for non-physical or non-sensory properties. Hence, we have the rise of the special “moral” faculties of the mind which sometimes go by the name of the “light of nature” in enlightenment and pre-enlightenment literature.

But such solutions to finding a place for “values” in a world of “facts” always had their own more serious problems. For example, where do we locate this faculty of moral perception? Is it a) a non-physical part of the already non-physical mind, or b) a physical part of the correspondingly physical brain? If it is the latter, then we have an interaction problem on the order of how non-

¹ Gilbert Harman has a quite frank admission of this in “Is There a Single True Morality?”, reprinted in Michael Krausz, ed., *Relativism: Interpretation and Confrontation*, Notre Dame, 1989: University of Notre Dame Press, p. 363 ff.

physical moral properties could be perceived by a physical organ in the brain. Moreover, if access to any part of the physical brain is through standard neural pathways, the question is then raised of how non-physical properties can be transmitted along physically qualified neural pathways and then be interpreted by a physical portion of the brain. However, if we locate such a faculty in the non-physical Cartesian mind, then all the standard interaction problems that plague Cartesianism plague the non-physical moral faculty as well.

In the face of such problems, one can understand why someone would opt for amoralism, moral relativism, or even emotivism. One might understand the move without sympathizing with it. I certainly understand the motivation, but have no sympathy for the outcome. I have no sympathy because the outcomes are all born of a metaphysical myopia. That is, they are born of a background, reductionistic, metaphysical presupposition for which I see no good reason. What I will do in what follows is outline an alternative metaphysical position to those traditionally presupposed by these problems. The alternative will make clear why the traditional problem of where to locate values in a world of “facts” is a simple non-starter, and why we are able to perceive or intuit non-physical, moral properties as an ordinary part of the world around us.

2. *The Great Argument From Queerness: A Lesson in Presuppositions*

Amoralists simply deny the reality of moral properties and, so, of morality altogether. But, the reasons they do so are quite telling. In fact, they illustrate the point of the previous section, and there’s no better illustration of that genre than the arch-amoralist, J.L. Mackie and his now famous “Argument from Queerness.” In fact, the argument has been embraced by any number of contemporary amoralists² and is taken seriously by moral philosophers who don’t consider themselves amoralists. It’s taken seriously, then, oddly enough, ignored. In fact, Mackie himself does the same. After telling us why there is no such thing as morality, he then goes on to devote the remainder of his book to questions of ethics.³

However, to refer to the Argument from Queerness as an “argument” is, I’m convinced, somewhat generous. It can be summarized as: 1) Moral entities — whether they be values, prescriptions, or moral properties — are “queer.” 2) Therefore, there are no moral entities. So, what Mackie does is no more than point out that moral entities are “queer,” then conclude their non-existence (p. 38-42). Now one might quibble with the conclusion I’ve attributed to Mackie, since he does say that moral entities are “not objective.” But he does put his position in this wise:

The assertion that there are objective values or intrinsically prescriptive entities or features of some kind, which ordinary moral judgements presuppose, is, I hold, not meaningless but false. (p. 40)

² See, for example, Richard Garner’s *Beyond Morality*, Temple University Press, 1994: Philadelphia.

³ J.L. Mackie, *Ethics, Inventing Right and Wrong*, New York, 1977: Viking Penguin Inc.

This seems to make it excruciatingly clear that Mackie is saying that there are no moral entities. When one says that the assertion, 'There are objective values' is false, that traditionally means that the assertion, 'There are no objective values' is true. Of course, compatible with this, it may mean that there are still moral values of the "subjective" variety, whatever that may mean, but let's leave that question aside for now.

Of course, what we must explore is just what Mackie means by 'queer' and why dubbing something as 'queer' means it is also "not objective," and, hence, does not exist. Again, I think the answer here is clear. By 'queer' he means "non-natural." In this he sides with G.E. Moore, at least to the extent of admitting that *if* there *were* such moral entities, then they *would* be non-natural. This is emphasized by his agreement with moral objectivists that such entities could only be perceived by an ethical intuition "utterly different from our *ordinary* ways of knowing." (p. 38, emphasis added) So, it is clear what Mackie means by 'queer'. Yet it is hardly clear what he means by 'natural' or 'ordinary ways of knowing'.

I think we can begin to clarify this issue by noting that Mackie would certainly agree that "ordinary ways of knowing" bring to our perception "natural" qualities and properties of the world, whatever such things are. In a telling passage, he refers to Price's indictment of empiricism. The indictment goes this way. If we stick to a purely empiricist epistemology, then for sure we cannot make sense of any claim to have moral knowledge, i.e., knowledge of moral entities. But, then, neither can we account for our knowledge of number, identity, solidity, inertia, and substance, nor any of the million and one things that defy reduction to a set of sense data. Mackie admits that if such things cannot be accounted for on "empiricist foundations," then they, too, should be judged unreal, or non-objective. Price, however, took this to be a *reductio ad absurdum* on empiricism and the rejection of moral entities. Mackie, however, is taking just the opposite position and admitting that our notions of identity, number, substance, etc. should indeed be rejected if they cannot be given an empiricist foundation, but holding out the hope that they can be so provided.

The only adequate reply to it [i.e. Price's anti-empiricism] would be to show how, on empiricist foundations, we can construct an account of the ideas and beliefs and knowledge that we have of all these matters. ... I can only state my belief that satisfactory accounts of most of these can be given in empirical terms. (p. 39)

What this means is, that Mackie believes the entities posited by mathematics, logic, and the "natural" sciences do have an empirical foundation while moral entities do not — a position for which he admits he has no argument but only his own faith for support.

What the talk of empiricist foundations means for Mackie is that 'natural' simply means the same as 'empirical' in that classic sense of British empiricism to which he is heir. To be "natural" an entity must be empirical, i.e., accountable in terms of sense data or sensory qualities which is the same as to say it must be reducible to such entities. Empiricism with its accompanying phenomenalism is Mackie's metaphysical bias.

As an aside, I'll also mention how interesting it is to observe that Mackie is totally convinced that a) Moral entities have no empiricist foundation, and *can't* be given one, b) Mathematical and physical entities have no empiricist foundation yet can be given one while c) he hasn't the least evidence or argument for b). All of this is in the face of the fact that talk about morality is just as useful and prevalent as talk about mathematics and the physical sciences. What we are seeing here behind the workings of the Argument from Queerness is nothing more than the elements of Mackie's religious faith.

So far, we've seen that the notion of "queerness" has a metaphysical dimension in the argument. To be "queer" is to be non-natural. But there's an epistemological dimension as well. It has to do with the problem of how we could perceive "prescriptiveness." If the natural features of the world are all empirical and if that's all there is to the world and all our sense organs can gather up, then of course we couldn't possibly perceive prescriptiveness as a feature of the world. This is the conclusion Mackie draws:

When we ask the awkward question, how we can be *aware* of this authoritative prescriptivity, of the truth of these distinctively ethical premisses or of the cogency of this distinctively ethical pattern of reasoning, none of our *ordinary* accounts of *sensory* perception or introspection or the framing and confirming of explanatory hypotheses or inference or logical construction or conceptual analysis, or any combination of these, will provide a satisfactory answer. (p. 39, emphasis added)

Another way of bringing out this queerness is to ask, about anything that is supposed to have some objective moral quality, how this is linked with its natural features. What is the connection between the natural fact that an action is a piece of deliberate cruelty ... and the moral fact that is wrong? ... It is not even sufficient to postulate a faculty which "sees" the wrongness: something must be postulated which can see at once the natural features that constitute the cruelty, and the wrongness, and the mysterious consequential link between the two. Alternatively, the intuition required might be the perception that wrongness is a higher order property belonging to certain natural properties; but what is this belonging of properties to other properties, and *how can we discern it?* (p. 41, emphasis added)

In another place, criticizing a Platonic Idea of the Good, Mackie raises the question that,

...if there were objective principles of right and wrong, any wrong (possible) course of action would have not-to-be-doneness somehow built into it. (p. 40)

implying that we would have to see, in some fashion, the prescriptive "not-to-be-doneness" which, he also implies, we can't do. Again, prescriptiveness is something that is just not "seen" or discerned. Hence, naturalism must retreat to the yet simpler, prescriptiveless domain of the empirical.

We are now in a position to be a bit more charitable in reconstructing the great Argument from Queerness. We may put the argument in two ways, a metaphysical way and an epistemological way. The metaphysical version goes: 1) Only empirical or empirically reducible entities exist. 2) Moral entities are neither empirical nor empirically reducible. 3) Therefore, moral entities don't

exist. The epistemological version goes: 1) If moral entities exist, then they have prescriptiveness built into them. 2) If moral entities have prescriptiveness built into them, then we could see the prescriptiveness. 3) We cannot see prescriptiveness. 4) Therefore, moral entities do not exist.

Now that we have the metaphysical presuppositions clear, it behooves us to ask in rebuttal to both ways of putting the Argument from Queerness: Why adopt metaphysical empiricism? Empiricism is the central problem here, underlying premise 3) of the epistemological version of the argument, that ultimately results in Mackie's denial that prescriptiveness can be perceived. If we change the metaphysics, the entire problem goes away. And that is precisely my suggestion, which also paves the way for maintaining that we perceive moral properties in a quite ordinary way as ordinary constituents of reality.

3. *The Metaphysical Alternative to Mackie*

I'm going to assume familiarity with the basics of Herman Dooyeweerd's philosophy and in particular his Theory of Modalities or Modal Spheres. That's because in this section I'd like to concentrate on applications of this theory to the problem of the metaphysics of morality that I've been discussing. As far as I'm aware there's been no direct application of this view to answer the kinds of problems raised by Mackie in the tradition of Anglo-American philosophy.

Of course, if we take the Theory of Modalities as a given, there is no metaphysical problem about the existence of moral properties. The ethical modality contains ethical norms which provide prescriptiveness and result in moral properties when things either obey or disobey ethical norms. Those things include not only human beings but animals and non-living things as well. But that still leaves the epistemological question of how we manage to see these things which is the point of application that I wish to explore here.

Let me point out something very obvious that I think we can all agree on if we put aside highly abstract philosophical theories for a minute. That something is this. Whatever your metaphysical position on moral properties, at least this much is true: Moral properties are the kinds of things that you naively confront and deal with on an every day basis in the course of your very ordinary experience of the world. Naively, at least, it does appear that you experience and "see" such things. Let me recite an example for illustration.

Suppose you see the following. A group of teenagers viciously beat up a woman jogger in a local park, just to have a lark, and then laugh about it. Now think about your reaction. How does that action strike you? Is it praiseworthy? Blameworthy? Are you appalled or do you laugh along with the perpetrators? Answering any of these questions will reveal that you've noticed the moral dimension of this event. (If you enjoy it with the perpetrators, of course you're thinking it's morally all right to do!) Of course, at this point, if you're the typical Anglo-American philosopher, various explanations of your reaction may start coming to mind, explanations like, "Well, that's just how I was brought up," or "That's how I was socially conditioned." At present, that's beside the

point. I don't care why you notice these things, I just want you to notice that you do indeed notice them whether you like it or not.

Again, if someone were to walk up to you on the street and, without provocation, spit on you, I'm sure you'd be appropriately appalled, which would be a moral reaction because you noticed a moral property of the action — that it was terribly impolite. So again, you've noticed a moral property. In fact, you would also notice prescriptiveness in this action as well. You would notice that it is something not to be done in polite company and I would dare say that Mr. Mackie would notice it as well despite his puzzlement how that could ever be.

Now someone might deny that he sees any moral properties. Years ago I had an amoralist for a teacher who would say that very thing. But what he was actually objecting to was the use of the word 'moral'. He would often say that he would never urge anyone to be moral, but he would recommend kindness and for people to be kind. Although he styled himself an amoralist, I actually think he was a very moral man, even though he would surely object to being characterized as such. He would certainly point out that the actions I've described above are unkind. By using such language he thought he had avoided morality altogether.⁴

I beg to differ with him, though. We must remember how the modal nucleus of meaning ("zinkern") for the ethical modality is described in Dooyeweerd's philosophy. It is characterized by "love," and the best way I can think of to describe the proper ethical meaning of 'love' is to think of love in the agapistic sense recommended by Scripture.⁵ To be unethical is to violate the norms of love between human beings. To describe an action as unkind is certainly to describe that action as unloving, as a violation of a love-norm. Many other ways of describing an action will do the same thing. If we called the action 'mean', or 'spiteful' the result is the same, the violation of a love norm. Changing vocabulary does not result in denying the fact that a moral property has been noticed. Even a word as trivial as 'nice' keeps its connection with the nuclear meaning of "love." A "nice" action is also implicitly recognized as a loving one.

Perception of a moral property is just like the perception of any other property or quality, even, I would say, like the perception of colors. This, of course, is going to strike many in the Anglo-American philosophical community as odd. So let me outline an alternative epistemology to Mackie's. To begin simply, it goes like this. We are aware of more than just sensory properties because *our sense organs have more than just sensory properties*. Our sense organs, like everything else, participate in *all* the modal aspects of reality, including the ethical. Dooyeweerd has made this clear.

⁴ This was Richard Garner (1994).

⁵ Although, I could be wrong about how to characterize this meaning, I don't wish to confuse the nuclear meaning of ethical love with love in its religious sense, which is anticipatory in the ethical modal sphere.

The provisional analysis of the modal field of research of psychology has shown that perception, representation, remembrance, volition etc. are concrete human 'acts', which as such cannot be enclosed in a modal aspect of reality, but have only a modal function within the psychical law-sphere.⁶

Every concrete human action, especially acts of knowing, participate in all modalities and cannot be limited to, or "enclosed in" as Dooyeweerd says above, just one, such as the psychical. This fact, that our sense organs participate in all modal spheres, makes it possible for us to perceive all the different properties associated with a given modal sphere. In this regard, I would point out that special faculties are not needed to perceive moral properties precisely because it is our ordinary sensory faculties that do the perceiving, because they have properties drawn from all modalities, even the ethical. Since this point can be quite obscure, let me elucidate it. We'll have to take a bit of a detour into the structure of a modal sphere in general.

There are two principle ways in which an entity can function within a modality or modal sphere. It can function actively as a *subject* or passively as an *object*. These two different ways of modal functioning result in two different species of modal properties. An entity can have a modal *subject* property or it can have a modal *object* property. This is the result of what Dooyeweerd calls "subject-functions" and "object-functions."⁷

What is to be understood by a modal subject-object relation? An object in a modal functional sense is always an object to a modal subject-function coordinated with it within the same law-sphere. The modal subject-function, insofar as it is the transcendental correlate of the modal object, can no more be objectified in the *same modal aspect* than it is possible for the modal object-function to be a subject within *the same modal sphere*. The modal subject is the *active* pole on the subject-side of the modal aspect, whereas the modal object is the *passive*, merely objective pole. (emphasis in the original)⁸

Dooyeweerd is clear that there is a necessary coherence between the subject pole and object pole of a modal sphere. Note that he says that the modal object *always* exists in relation to a modal subject. I would also maintain that the converse is true. It's impossible to have a modal subject-function that is uncorrelated with any modal object-function. If that were possible, how could one begin to understand the role of a subject-function? It would mean there would be a linguistic subject with nothing to talk about, a logical subject with nothing to think about, a psychical subject with nothing to perceive, an aesthetic subject with nothing to appreciate, etc.. In the context of the juridical modality, Dooyeweerd is careful to emphasize the dependency of the modal object-function on the modal subject.

⁶ Herman Dooyeweerd, *A New Critique of Theoretical Thought*, translated by David Freeman and William Young, Philadelphia, 1969: The Presbyterian and Reformed Publishing Co., Volume II, p. 372.

⁷ In fact, Dooyeweerd talks as if modal subject and object functions are the same as active and passive properties.

⁸ Dooyeweerd (1969, 370 ff.). Dooyeweerd is at his best in elucidating the difference between subject-function and object-function in a juridical context. For this, see p. 415 ff.

We have seen that the modal subject-object relation requires the distinction between subjective and objective juridical facts, the latter always functioning dependently. A fire caused by a stroke of lightning, e.g., can obviously function in the juridical aspect of reality only as an objective dependent juridical fact. It can only be attended by juridical consequences in connection with the legal relations between juridical subjects. (p. 415)

But the converse is also true. The juridical subject is just as dependent upon the juridical object. Neither one can exist without the other. This needs to be emphasized, since Dooyeweerd talks as though the dependency is only one way, from modal object to modal subject. But I'm sure he would have agreed with my point. How, then, should we account for the possibility of this coherence between the two poles of a modality? It's that subject (active) functions and object (passive) functions are themselves inherently relational. Thus, Dooyeweerd (1969, 371) often speaks of the "subject-object-relation" as a structural relation *within* a modality itself. It's this relationship that accounts for how inanimate objects can have, within a given modality, passive properties of a sort that they could never have actively, such as ethical and juridical properties. Let me illustrate this with a linguistic example. This may make things clearer by being farther away, initially, from our current subject matter — ethics.

Human beings are clearly linguistic subjects in this sense, they make use of language, *actively*, and, as a result, they exhibit *active* linguistic properties, i.e., the ability to use language. Such active linguistic properties are the result of human beings having linguistic subject-functions in the linguistic modality. Now, everything can be talked *about*. Not only can human beings be talked *about* (as in gossip), but so can everything that isn't a human being, including animals and inanimate objects. Everything can be represented or referred to linguistically, even things that can't use language. The property of being-referred-to-linguistically is a *passive* linguistic property. Having such a *passive* linguistic property is the result of functioning as a linguistic *object* in the linguistic modality. If objects didn't function in that way, and didn't have *passive* linguistic properties, they couldn't be talked about. To put it in a slightly different way, it's precisely *because* objects have passive linguistic properties and linguistic object-functions in the linguistic modality that they can be talked about by active users of language. The linguistic subject-object-relation *is* the metaphysical foundation for the fact that objects can be referred to in language.

Similarly, such a relation is the reason objects can be part of moral actions and partly why our sense organs, having ethical object-functions, can convey ethical properties to us. Quite obviously, inanimate objects and parts of our anatomy are neither evil nor morally praiseworthy. This is equivalent to saying that only human beings can be moral subjects. But human beings can and do make use of inanimate objects as they commit moral or immoral actions. Such things have an "objective" use in moral actions. They are the inanimate "enablers" of such actions. But such terminology has the potential to be confusing to Anglo-American philosophers. I find it easier to talk about the active

or the passive display of moral properties as I've been using those words.⁹ Again, let me reiterate that human beings exhibit moral properties *actively* while inanimate objects, and parts of human anatomy, exhibit them *passively*. Let's consider an example.

Consider the theft of an automobile. The action has any number of components, including a human perpetrator, a human victim, a car, and perhaps some other paraphernalia like lock picks. Metaphysically, we can't account for how the car and lock picks could constitute an event whose leading function is the ethical modality¹⁰ unless the car and lock picks had ethical properties in some sense. The car and other objects have moral properties as moral objects. They are made use of passively by the human beings who exhibit moral properties actively as the moral subjects of the action. That the inanimate objects in this event do have passive moral properties becomes clear when we describe the car as "stolen," and view the set of lock picks as criminal paraphernalia (which also illustrates their passive juridical properties). The passive moral properties of the inanimate objects complement the active moral properties of the human moral subjects. One cannot act as a moral subject, actively, unless he does something to or with some object as the instrument of his action which then receives moral properties passively, as a moral object or the object of the action. Both kinds of properties are needed to constitute a moral action and one kind cannot exist without the other.

Let me dispell one objection that could arise here. It might be objected that moral subjects could function without the existence of something with passive moral properties, i.e., without something having a moral object-function. But I would maintain, along with Dooyeweerd, that this is not so. On Dooyeweerd's view, the structure of a modal sphere has a coherence that cannot tolerate the functioning of an active subject without a corresponding passive object. Dooyeweerd (1969, 372 ff.) maintains, and I agree, that the meaning of an active modal subject cannot be understood without a corresponding passive modal object. One might, for instance, use lying as a purported example of a moral subject functioning without a corresponding moral object. But in this, the lie itself needs a method of conveyance. To that end, sound waves in the air and the liar's vocal cords function as moral objects with passive moral object-functions. They are the instruments and the enablers of the action of lying.

There's more to this account and it has to do with what Dooyeweerd calls the "inter-modal coherence of meaning." This coherence is the reason one modality cannot be reduced to another, nor can one modality be conceptualized in total isolation from any other. It accounts for our ability to perceive properties in all the modalities, including the ethical. That coherence is manifest in modal "analogies" called retrocitations and anticipations. An analogy is referred to as a "retrocipation" when the properties of a more complicated modality are modified by a less complicated one. An analogical "anticipation"

⁹ This change of terminology in the vocabulary of the Philosophy of the Cosmonomic Idea is due to Roy Clouser. See his *Myth of Religious Neutrality*, Notre Dame, 2005: University of Notre Dame Press.

¹⁰ I.e., we can't describe the event as a peculiarly ethical type of event.

occurs when the properties of a less complicated modality are modified by a more complicated one.¹¹ Because modalities are linked together by what Dooyeweerd calls “cosmic time,” modal properties modify one another. Biophysics, for example, is a science that studies biotic properties with regard to their physical modifications. Such properties are analogical “retrocipations” to the physical modality in the biotic modality. The logical “force” of an argument is an analogical retrocipation to the physical modality in the analytical modality. On the other hand, properties like economy of thought, economic justice, juridical good faith, all represent analogical anticipations of, respectively, the analytical modality to the economic, the economic to the juridical, the juridical to the ethical and pistical modalities. In other words, analogies are inter-modal *relational* structures that arise because of the inter-modal coherence of meaning.

The psychical (sensory) modality has its retrocipations and anticipations, and these account for our perception of non-sensory properties. These retrocipations and anticipations in the psychical modality are the entirety of our epistemic relations. Here’s how Dooyeweerd describes our ability to literally see biotic properties.

The subjective modal functions of number, space, movement, energy, and organic life can be psychically objectified in the (objective) space of sensory perception, because in the modal aspect of feeling we find the retrocipations (analogies) of these modal functions of reality. ... When I perceive with my senses how a mother-bird is feeding its young ones in its nest, the psychical modus of objectifying the biotic subject-object relation is also contained in the objective sensory image of such animal behaviour.

The biotic subject-object relation as such has been actualized in the concrete behaviour of the animals themselves with respect to their food. In my perceptual picture I really see the sensory analogy of this subject-object relation before me objectively. ... The sensory analogy of the biotic subject-object relation in its actuality is thus objectively perceptible by means of the senses.

This statement is correct in so far as one does not for a moment lose sight of the fact that this sensory perceptibility is only possible in the temporal interlacement of the actual subjective biotic and psychical functions. (p. 373-374)

What Dooyeweerd is saying is that we can *see* the biotic properties of the bird because we *see* the modal analogy, the retrocipation, the biotically modified sensory properties. We see the biotic properties because our sense organs participate in both the psychical and biotic modalities and in the former there is a retrocipation to the latter, there’s “biotic sensing.” The analogical properties are relational, they relate our psychically qualified sense organs to biotic subject and object-functions and they become the *analogical* property of “biotic

¹¹ Since a detailed account of analogies would take us far afield of our present concerns, I refer the reader to Dooyeweerd (1969).

sensing.”¹² Our sense organs, therefore, must have object-functions in the biotic modality (as they do in all modalities) for the analogical relations to bridge the gap from psychical modality to biotic modality. That bridge, the analogy, results in our sense organs having the relational property of sensing-biotic-properties, because of the modal analogies between the psychical and biotic modal sphere. The same goes for our perceiving numerical, spatial, and kinematic properties.

Dooyeweerd points out that analogical anticipations in the psychical modality perform the same epistemological role for the higher, more complex modal spheres. Because the psychical modality contains cultural and logical anticipatory analogies, such as “logical feeling” and “cultural feeling,” logical and culturally formative properties can be perceived.

Cultural things cannot be sensorily perceived without cultural feeling, anticipating the cultural aspect of human experience and being directed by it. (p. 378)

These modal inter-relationships cause our sense organs, that are first of all psychically qualified, to be modified with properties from all the other modalities and thus have analogical properties, like cultural feeling,¹³ logical feeling, biotic feeling — relational properties that we could express in an alternative fashion as, respectively, the property of “cultural sensing,” “logical sensing,” “biotic sensing,” and so on.

If the foregoing are the reasons we can see biotic, logical, and cultural properties, they are also the reasons we can perceive ethical properties. Human beings exhibit moral properties *actively* while inanimate objects exhibit them *passively*. Human beings have an active subject-function in the ethical modality while inanimate objects (and animals) have a passive object-function in the same. These distinctions also apply to human physiology. Human sense organs function *passively* as modal objects in the ethical modal sphere. They have ethical object-functions and display passive ethical properties. This forms the basis for exhibiting the inter-modal analogical properties of “ethical sensing.” This is nothing more than an analogical anticipation, the anticipation of the ethical modality in the psychical which results directly in our sensing ethical properties. Let me put this in another, hopefully clearer, way.

Whatever affects psychical (sensory) properties must also affect individuality structures that are psychically qualified. Our sense organs are psychically qualified. The psychical modality has its analogies (as anticipations) in the ethical modality because of the inter-modal coherence of meaning. Psychical properties are therefore modified by, inter-laced with, ethical properties. The modification of the psychical properties by the ethical modality can’t help but

¹² Or, to put it a bit more bluntly, the result is that our sense organs simply have the property of sensing-biotic-properties.

¹³ This is not the same as “having a feel for culture,” or a “feel” for logic etc., but Dooyeweerd is using “feeling” in its original psychical meaning of “to sense.” This is literally the ability to sense cultural-formative properties, to sense logical properties, to sense biotic properties, etc.. To avoid confusion, this is why I prefer to say “biotic sensing,” “cultural sensing,” “logical sensing,” etc.

affect the individuality structures qualified by the psychical modality, in this case, our sense organs. As a result our sense organs must also participate in the ethical modality, since they have the very psychical properties that form part of the analogy with the ethical modality. Modifying psychical properties by a modal analogy means our sense organs must receive modification by the very same modal analogy as well. If psychical properties take on an analogical structure, then our sense organs must take on analogical properties. Properties don't exist unless they are properties of something. Furthermore, this participation in the ethical modality through an analogical anticipation by our sense organs can only occur if our sense organs have ethical properties as well. They can't have ethical properties as ethical subjects, so they must have them as ethical objects. Hence, sense organs have ethical object-functions.

Some ethical object-functions we are already familiar with, such as when an item becomes "stolen," or a "murder" weapon, or a piece of written syntax a "lie." But, we can discern a diversity of object-functions in a modality. We've already seen Dooyeweerd mention the juridical properties of a fire, although the fire itself is not an object of juridical litigation, robbery, or property possession. Rather, the fire has juridical *consequences* that affect things that have more readily discernible juridical features, such as private property, child support monies, or embezzled funds. Nevertheless, the fire must have some kind of juridical object-function or else it couldn't have juridical consequences. The fire is not an object of property, theft or litigation, but it certainly is an *instrument* of juridical consequences. I would, therefore, describe its object-function in the juridical modality as an *instrumental* object-function. It's *instrumental* in bringing about juridical consequences.

This distinction can be applied to object-functions in the ethical modality, especially to those of our sense organs. As the fire is the instrument of juridical consequences, so our sense organs are the instruments of ethical consequences, which, in this case, are ethically qualified perceptions that convey ethical properties to us. Our sense organs have instrumental object-functions, which are different object-functions from those possessed by a friendship ring, a love letter, or a murder weapon. But, they are ethical object-functions nevertheless, or else there could be no ethical analogies as anticipations in the psychical modality and no inter-modal coherence of meaning between the psychical and ethical modalities.

The result of this is that our perceptions *are* ethically modified analogies and, as such, must be partly ethical. Thus, as we see a tree by opening our eyes and take in the panoply of its biotic properties, so we see the whole panoply of ethical relations and ethical ought-ness in the fullness of our sensory contact with reality. Every portion of that sensory contact is actually or potentially an ethical analogy within the psychical modality, containing directly perceived ethical properties in analogical relation to sensory properties.

I can see someone making an objection here from physiology. One might ask where is that part of the light ray that enters the eye that contains the moral properties? Which is the moral receptor rod in the optic nerve? We know that rods and cones respond to light, which ones respond to morality? The answer

to these questions comes in the same spirit as what was just mentioned. Light rays, as well as the rods and cones of the eye, participate in all the modal aspects just as the sense organ as a whole. They have ethically modified sensory properties, analogical properties that arise from ethical analogies in the psychical modality. Again that means they have analogical properties as *instrumental* ethical object-functions. Inter-modal analogies are why we can “see,” “smell,” “hear,” “taste,” and “feel” ethical properties, contrary to the ethical intuitionists of old who needed special moral faculties.

In perception, the same metaphysics operates. Our organs of perception and whatever else is needed, like light, function passively as moral objects with *instrumental* object-functions to enable perception of a moral event. To be related to a moral event through perception, the objects that do the relating must themselves have moral properties as bridge-work, just as one can't be related to a physical event by means of an intervening object unless that object has physical qualifications as well. If light or our organs of perception didn't have such passive moral properties, or instrumental moral-object functions, Mackie would have a point and it would be impossible for us to become aware of morally qualified events. With this metaphysics we avoid problems that seek to construct moral properties as something supervenient upon physical features of the world, or as the figments of social convention and invention. Moral properties, although non-physical in kind, are just as natural a feature of the world as physical and sensory properties. And it's our ordinary perceptual organs that have the passive, analogical properties of conveying moral information, not some ethereal and *ad hoc* faculty of moral perception.

4. The “Fact/Value” Distinction and Deriving “Ought from “Is”

There is an ancient distinction in ethics known as the “fact/value distinction.” It infects every discussion of ethics since the Renaissance, and was popularized and solidified by David Hume. Briefly, it's the idea that values of all sorts, prescriptions of every color, are not part of the world we directly experience, because that world, as we've seen, is either purely physical or purely sensory in nature. This raises anew the problem of where, then, do our values come from? Hume's way of putting this problem was to say that one cannot derive an “ought” from an “is” — from the facts of reality we cannot deduce anything about morals or obligations, things we “ought” to do, because the “is” of reality contains nothing moral, nothing evaluative nor prescriptive. Immediately you can see that there is a metaphysical presupposition involved here, as I've been asserting all along. To make this distinction work, reality must be characterized by a limited number of modalities and the ethical is not one of them.

One of the few people to challenge Hume's claim that one cannot *derive* an “ought” from an “is” was John Searle. However, Searle was careful to limit his challenge to Hume's claim to a purely linguistic relationship between descriptive *statements* and prescriptive *statements*. He had no intention of challenging

the *metaphysical* status of the distinction between *fact* and *value* and says so explicitly.¹⁴

On the metaphysics we are considering here we needn't go to Searle's lengths and pretend that we have common assumptions with the empiricist. Rather, we dispense with those assumptions outright and admit that our experience of reality is multi-modal (or multi-aspectual). With that admitted, facts can be seen to be values as well, and, of course, every value to be a fact. Perceiving a situation — an "is" — is also perceiving the obligations one may have in that situation — the "ought-s." In other words, it can be that you notice that in *fact* you ought to do something. Or, it can be a *fact* that some action has moral value. That's because, as we saw in the preceding section, our perceptions of reality can be ethically modified — ethical analogies in the psychical modality.

For example, as I rush home to view my favorite television program and see an old lady drowning in the reservoir, I see instantly what my obligation is, even though I may be cursing her for making me miss my program. To rewrite Hume, when I take this incident and decompose it into its component parts, I find they are much larger than just a concatenation of perceptions. The most prominent aspect of the incident is its moral feature, especially my moral duty to help the lady. Therein I can also find the event has physical properties, the density of the woman being greater than the density of the water causing her to sink; mathematical properties, there's one of her and one of me; biological properties, a life is at stake and water fails to sustain it; economic properties, water has a cost and my clothes will have to be replaced, time is lost; historical properties, as my actions will have some minor effect on cultural development; kinematic properties, as I consider my motion and speed to make it in time to the woman; juridical properties, as we are both trespassing on state owned property clearly marked, 'no trespassing' and 'no swimming'; analytical properties, because I had to make a decision in thought about my course of action and how to execute it; social properties, since the woman and I will be interacting as human beings bound together by ties of culture and language; linguistic properties, since I heard her yell and I scream in return; aesthetic properties, as the event shows an utter lack of harmony; and finally a fiduciary aspect, as I have the faith that I can swim and make it out to her in time — I may even be praying to God for help. Of course the event has sensory properties as well since I heard and saw the woman and terror grips me. All of these perceptions result from the corresponding analogical structures between the psychical modality and the remaining modalities.

Contrary to Hume's analysis, I may have no sentiments of approbation or disapprobation as I view and participate in this event. I may have no feeling of approval that says I must do this. I may feel completely put upon and feel annoyed that the woman could have been so careless as to get herself into this situation. In short, the requisite sentiment may be completely absent. Nevertheless, the presence of a sentiment in no way shows that sentiment is all there is to the event.

¹⁴ John Searle, *Speech Acts*, Cambridge, 1969: Cambridge University Press, chapter 8.

5. *Objections*

Some objections to the foregoing immediately come to mind. “*Well, if we directly perceive moral properties, why don’t we all agree on them!*” It’s that old objection of the ever present vastness of moral disagreement in which we live.¹⁵ The vastness of the disagreement counts against the direct perception of, and even existence of, moral properties. This objection is borne of some background assumptions about the nature of perception that stick with us from both rationalist and empiricist foundationalist epistemology. They go like this: If we intuit something directly then it must be self-evident, and if it is self-evident it must be something that is 1) infallible (or incorrigible), and 2) all normal percipients will universally agree on its truth.¹⁶ Supposedly, the fact that our perception of moral properties lacks these two properties shows that moral properties can’t be directly perceived.

Now, one thing I have neither the purpose nor the space to do here is to offer a full-blown treatise on epistemology. Such would obviously include an account of how disagreement in perception of any kind of property is possible. It’s not my purpose here to do that. It’s merely my purpose to undercut one argument against direct perception of moral properties — the one just given in the current objection. And that can be done if we show that all perception is in the same boat, i.e., that there’s nothing fundamentally different between perception of moral properties and perception of any other kind of property in terms of infallibility or universal agreement, or that neither is better off in terms of these two criteria.

People not only disagree about moral features of events, they also disagree about every other kind of property, even sensory, logical, and mathematical properties. At some point or other, each of these kinds of properties has been taken to be a self-evident, directly intuited property that was infallible and universally agreed upon. Even colors are subject to disagreement. For the empiricist, colors were the proto-typical objects of direct perception par-excellence. I once bought a blue, pin-striped suit. I thought it was blue, the salesman who sold it to me thought it was blue. Among my friends there was wide disagreement as to its color. Some agreed with me, others demurred, thinking it was obviously gray. None of us were color blind. Developments in Intuitionist mathematics and logic have also engendered disagreement over what was once thought by rationalists to be the infallible basic laws of mathematics and logic. Disagreement over ordinary things directly perceived is a fact of life.¹⁷ In this regard, perception of moral properties is no worse off than perception of any other kind of property. Since there isn’t the time here

¹⁵ Not only do Mackie and Garner appeal to this, but the relativist David Wong as well. See his *Moral Relativity*, Berkeley, 1984: University of California Press.

¹⁶ These characteristics of traditional rationalist and empiricist epistemology are ably discussed by Roy Clouser in *Knowing with the Heart*, Intervarsity Press, 1999: Downers Grove, chapter 3, and by Alvin Plantinga in *Warrant and Proper Function*, Oxford University Press, 1993: Oxford, p. 108 ff.

¹⁷ These failures of empiricist and rationalist approaches to self-evidency are well documented and argued for by Clouser (1999) and Plantinga (1993).

to properly explore the full nature of these disagreements let me refer the reader to the works of Clouser and Plantinga, already referenced, for a more comprehensive treatment.

“But, we have to learn ethical properties, we have to be taught to identify them, that such and such is wrong or right behavior!” And that’s no less true of anything else that we directly perceive. Parents teach their children colors. We learn to appreciate good music, good art, the right foods, which things are harmful, which helpful. Perception always needs development and training. In my initial forays into deer hunting in Western Pennsylvania, I always went with more experienced friends. They had the uncanny ability to spot deer long before I did. Their ability was a matter of experience and training which they passed on to me. Without effort they could directly perceive the prey where I could not. The difference between their facility with the direct perception of woodland deer and mine was a matter of learning and experience. I see no reason why ethics should be any different. To think that there should be is again to imbibe the false fruits of sense data epistemology. In fact, after a good deal of experience and training in university teaching, it’s become quite easy for me to spot, by direct perception, students who lie to me, whereas before I couldn’t. Thus, my development of spotting a moral trait was precisely analogous to developing my ability to spot deer in the woods.

“But you’re missing part of Mackie’s objection to this whole process. I might see objects with properties, but how do I see prescriptivity? How do I see that a course of action has ‘oughtness’ or ‘ought-not-ness’ built into it? Are you telling me that I can see ‘oughtness’ the way I see a tree?” Yes, that’s exactly what I’m telling you. It’s because, as I discussed earlier, our perceptions have the structure of modal *analogies*. An analogy, as Dooyeweerd uses it, is not some kind of literary or linguistic device, it’s a metaphysical structure that arises out of the inter-modal coherence of meaning. It’s an interlacement of one kind of property with another, because modalities themselves are interlaced. Sensory properties are interlaced with ethical properties. They are modified by ethical properties in analogical structures which inter-relate modalities, in this case the psychical and the ethical modalities, producing ethical analogies in the psychical modality. So, a perception, as an entity, has both kinds of properties, sensory and ethical. When we have a perception of an event that’s ethically qualified, we have both kinds of properties in the perception. To deny that this happens is merely to reaffirm perceptions as purely sensory and so ignore the remaining modal diversity of reality. Of course, that reality, and perceptions, have only sensory properties is something I’ve denied all along.

Thus, we must remember that modal analogies affect everything that has the involved properties. Items with sensory properties, like our sense organs, take on the other properties involved in the analogy, like ethical properties, and gain object-functions in the ethical modality as *instrumental* ethical objects. This goes for all other media that enable perception to function, like light, sound, etc.

Again, the motivation behind the objection that we’ve been discussing is the old empiricist epistemology and sense data theory inherited from Locke,

Berkeley and Hume. On the assumption that experience is purely sensory and constituted only by sense data one certainly couldn't perceive any kind of prescriptivity. It was this same assumption that led Hume to declare the impossibility of deriving an "ought" from an "is."

But, what I'd really like to ask the objector in this case is, "Are you really telling me that when you see someone in dire distress that you don't see that you should help him? Even if you don't feel like helping him, don't you have a realization that you should?" In reflecting on such an event, I find it implausible that anyone but a psychopath would deny that they do.

"Nevertheless, Mackie appeals to our 'ordinary accounts of sensory perception.' In other words, he appeals to the physiology of sensation. When a physiologist gives an account of how our sense organs function, there's no mention of moral properties. At best, there's reference to the physical, chemical, and — maybe — biotic properties of our organs. How can the physiology of sense perception square with your account?"

Actually, it squares quite nicely and illustrates the multi-aspectuality of reality. We have to ask, "What is at the focus of the physiologist's interest?" And the answer is that only physical, chemical, and biotic properties are at the focus of his interest. His style of investigation and the tools he uses are appropriate only for a limited number of kinds of properties. So, of course he won't make mention of moral properties. The objection is strictly analogous to having a psychologist examine our perceptual faculties from his point of view and focus of interest, then declare that retinol doesn't exist because the psychologist made no mention of it. More than just physiologists study the human organism. Each science has its own special interest and field of focus which limits it to studying only certain aspects of reality and ignoring those outside of that field of focus.¹⁸ To think that the field of focus of a physiologist is the last word on the nature of the human being is to presuppose metaphysical materialism to be true, i.e., that only the aspect or aspects studied by a physiologist are real. But, there is certainly no need to do that. Every specialized science can study our sensory perception and do so from a different modal viewpoint on reality. That gives each science a kind of "myopia" — a propensity to overlook the objects and properties in the field of focus proper to another science. It comes as no surprise, then, that from a purely physiological perspective, moral properties do not form part of a description of our sensory perception. It also comes as no surprise that as one considers perception from a moral perspective, such as the morality of certain acts of voyeurism for instance, that no mention is made of rods and cones, synapses, or retinol. Since it would be absurd to declare that these don't exist when perception is studied from a moral perspective, so it is just as absurd to declare that moral properties don't exist or aren't perceived when perception is studied from a purely physiological perspective.

¹⁸ On this question see M.A. Rice, "What is a Science?" in D.F.M. Strauss and Michelle Botting, eds., *Contemporary Reflections on the Philosophy of Herman Dooyeweerd*, Lewiston, 2000: The Edwin Mellen Press, pp. 239-271.