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Structure, Intentionality and the Given

Abstract: The given is the state of a mind in its primary engagement with the world. A satisfactory epistemology—one, it turns out, that is foundationalist and includes a naïve realist view of perception—requires a certain account of the given. Moreover, knowledge based on the given requires both a particular view of the world itself and a heterodox account of judgment. These admittedly controversial claims are supported by basic ontological considerations. I begin, then, with two contradictory views of the world per se and the structure one experiences. I draw out the consequences of these two views for what intentionality is. The two views yield incompatible accounts of the given. The definitive spontaneity of the one account, and passivity of the other, can be understood in terms of the structure (or lack thereof) in the given. In defense of the claim that a structured given is not an apt epistemic basis, I examine an attempt to found an epistemology on such an account in light of the so-called myth of the given. I maintain that the given, if it is to provide some justification for taking the world to be a particular way, must be unstructured. To support this, I first discuss a significant problem with traditional foundationalism. I then argue that a satisfactory (foundationalist) epistemology requires the rejection of the orthodox propositional view of judgment in favor of a non-propositional, reistic view.

Keywords: ontology; intentionality; acquaintance; naïve realism; myth of the given; foundationalism

Introduction

The most basic epistemological issues, the ones that determine the scope of epistemic inquiry and the answers to the questions therein, turn on the primary engagement between a mind and the world, the all-inclusive totality encompassing one. What a mind is, then, and what the world per se is are questions that are not central merely to the philosophy of mind and to metaphysics, respectively, but crucial to a thoroughgoing epistemology. I maintain that the answer to the question of what the world is—and, hence, how it comes to be *structured*—illuminates what a mind is and how to understand *intentionality*, the capacity of a mind to engage the world. Such an understanding provides insight into the *given*, the state of a mind in its primary engagement with the world.

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There is much controversy regarding the given. The controversy arises from considering whether such states are apt to serve as the basis of one's knowledge. I argue that on one view of the world, any instance of the given is itself *epistemically idle*, providing no justification for taking the world to be one way rather than another. This view of the world requires a certain spontaneity, an active contribution, on the part of a mind engaging the world. Such spontaneity renders the given conditional, making ineluctable the question of whether the world in fact meets the condition inherent to that state. This conditionality not only undermines the epistemic efficacy of any instance of the given, but is, on this view of the world, inconsistent with the very project of epistemology. The only way to avoid the conditionality is by accepting the opposing view of the world. The given can serve as an epistemic foundation on this view, for it allows utter passivity and, hence, a revealing directness, in the engagement between a mind and the world. The foundationalism this yields, with its naïve realism regarding perception, seems to be the only tenable approach to epistemology.

I begin with some very general ontological considerations pertaining to the world and the things it comprises. These indicate two contradictory views of the structure one experiences and, thus, of the world per se. I draw out the consequences of these two views for what intentionality is. The two views yield incompatible accounts of the given, differing with respect to how active a mind must be in order to engage the world. The definitive spontaneity of the one account, and passivity of the other, can be understood in terms of the structure (or lack thereof) in the given. In defense of the claim that a structured—and thereby conditional—given is not an apt epistemic basis, I examine an attempt to found an epistemology on such an account in light of the so-called *myth of the given* (in this connection, I consider the work of John McDowell). A satisfactory epistemology requires the given to be unstructured and so unconditional. To support this claim, I first discuss a significant problem with traditional foundationalism (in this connection, I consider the work of Laurence BonJour). I then argue that a satisfactory epistemology requires the rejection of the orthodox view of judgment, of what it is to adopt a view regarding how the world (or part thereof) is, in favor of the sort of non-propositional, reistic view propounded by Franz Brentano. Therefore, knowledge based on the given requires both a particular view of the world and a heterodox account of judgment. In conclusion, I present some of the upshots of these ontological-cum-epistemological considerations for recent debates concerning perception.

1 Structure and the World

The world is the all-encompassing totality that surrounds one. It is, I hazard, indubitable that the world is differentiated. To this extent, it comprises distinct things. This last claim should not be controversial. I intend 'thing' here to be understood with the utmost generality, so that any being: any quality, universal or particular; any substance, universal or particular—indeed any entity of any category whatsoever—is equally a thing.

One experiences the world as structured, as an array of fairly determinate things behaving in fairly regular ways. This determinacy of and regularity among things arises from constraints on them. Some thing is constrained and, hence, limited to be a quality and so can qualify some other thing in a distinctive way; something else is, perhaps, constrained to be a particular substance of a certain kind and so has certain qualities and capacities to interact with other things in set ways. The world is structured, then, in virtue of primordial constraints on things. One of the most important questions in philosophical inquiry, because so much turns on it, is what the source of these constraints is. There are traditionally two opposing accounts of this source.

On one, each thing is constrained in itself. What it is to be at all is to be constrained, and so to exist is to contribute to this all-encompassing totality in circumscribed ways. The structure in the world is a corollary of the things that exist: there are things and because each is constrained in itself, each is fairly determinate and each is limited to interacting with other things in fairly regular ways. Since, on this account, to exist is to be constrained, at least some of the constraints intrinsic to a thing are definitive of it, in that it would not be the very thing it is were it not constrained in those ways. Each thing, therefore, is in this sense *natured*.[1] Consequently, a good deal of the structure in the world is necessary, for it arises from the very things there are and, given that these exist and must be certain ways, so too must the structure to which they give rise. This account of the source of structure yields, then, *a broadly Aristotelian view of the world*, one on which it is rife with (necessary) order, comprising things constrained by what they themselves are and that, in turn, impose further constraints on those things with which they interact.

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1 One might think it more natural to say that *each thing has a nature* (or *an essence*). I avoid this locution for it suggests misleadingly that a nature or essence is itself a thing: a thing to be had by another. There are no natures, no essences—though each thing is *natured*, that is, certain ways *essentially*.

On the other account of the source of the constraints on things, constraints are not concomitant with existence. Rather, they are imposed on things by some privileged thing (or sort of thing). There are, then, entities that are in no way limited in how they are or what they do; such things defy further characterization. The structure in the world arises from the interaction of some privileged thing(s) and these others. Insofar as the former must (somehow) be as it is, the structure it imposes is necessary. Still, the things necessarily constrained to be how they are and do as they do are in themselves wholly unconstrained. The most familiar and influential versions of this sort of account are ones on which the privileged thing is that which enables experience of the world in the first place. It is, then, a mind that is the ultimate source of the structure in the world. Thus, this account yields *a broadly Humean or Kantian* view of the world, one on which it is ordered, but only by means of the workings of a mind.

These two views of the world rest on distinct accounts of the source of constraints in—or on—things. Hence, the two views and accounts depend on different notions of a thing in general: one on which each thing is constrained in itself, the other on which a thing can exist without constraint (to be constrained only by another). I doubt the coherence of the latter notion and, hence, the view of the world based on it. This view includes things that are wholly unconstrained. Such a thing need not be any way at all, so it need not even be wholly unconstrained. If it need not be wholly unconstrained, then it could be constrained. Yet if it could be constrained, there are some limitations on its being—it is, however, supposed to have none. This seems to me to be inconsistent. Nevertheless, I grant the feasibility of this view for the sake of argument. My primary purpose here is to reveal the epistemological consequences of these ontological underpinnings.

2 Structure and Intentionality

A mind is a thing, one that enables experience of the world. It does so in virtue of its capacity to present the things in the world. This capacity enables a mind to relate to things in a unique way, namely, so as to allow consideration. Call this capacity, the definitive feature of a mind, *intentionality*. The two opposing accounts of the source of the constraints on things and, hence, of the structure in the world—with their different notions of a thing in general—have consequences for how exactly intentionality permits a mind to relate to things. Not surprisingly, then, the two accounts are epistemologically pregnant.

2.1 Intentionality in a world of intrinsically constrained things

Assume the Aristotelian view of the world is correct. The world comprises ever so many natured things, each constrained by its very existence. Each thing, then, *must* be certain ways simply because it exists. Natured things interact constrainedly with others. Structure is just a corollary of these things and their interactions. Among the things in the world are minds. This claim is incontrovertible. It is beyond dispute, in this context of philosophical inquiry, that something, literally some *thing*, presents the world (or part thereof) so as to allow consideration and thereby permit inquiry. A mind, like any other thing, is constrained in its being. A mind is, perhaps, nothing more than a thing with this capacity to present others, that is, a thing with intentionality.

It seems that intentionality is a capacity, like certain others (e.g., the capacity to be heated and to give heat, the capacity to be shaped and to give shape), that can be realized both passively and actively. It is obvious that in some cases a mind can be directed actively toward some thing(s); in other cases, though, it seems a mind can come to be engaged without such active direction.[2] So a mind can *actively present* the world, being directed so as to relate to something to the exclusion of others. It can also *passively present* the world, as when another thing simply impresses itself upon a mind thereby coming to be related to it. *Acquaintance*, a relational mental state of direct presentation, wherein a mind is presented with a thing in itself, just as it is independently of any relation, can be understood in terms of this passive realization of intentionality. The directness of acquaintance consists in its passivity: a mind need not make any contribution—it need not be any certain way—in order to become acquainted with a thing. *Sensibility* (or *sensation*) is a faculty that depends on the passive realization of intentionality and is a variety of acquaintance. In particular, sensibility is the power to be passively engaged, through one's various senses, by things in one's relatively nearby spatial environment. (*Intuition* is, perhaps, another faculty that depends on the passive realization of intentionality and is a distinct variety of acquaintance; to wit, the power to be passively engaged by things not in space.)

The passivity of intentionality is important below. Note that there is nothing objectionable about such passivity on the view of the world and structure being supposed here. The world comprises natured things, things that are (and must be) certain ways just in existing. Such things are available to present themselves as they are to a thing whose definitive feature is the capacity to present and, hence, engage with others.

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2 In Fiocco 2015, I argue that a mind *must* have the capacity to interact passively with things.

2.2 Intentionality in a world of imposed constraints

Now assume that the Humean-Kantian view of the world is correct. There is structure in the world—it is indeed ordered—but this structure is imposed on it by some mind(s). Thus, the structure arises ultimately from the engagement between a mind and the world. A mind is simply a thing that presents the world. There are different ways, on this view, of characterizing the world with which the mind engages and somehow presents. The world is supposed to be, independent of minds, without constraints. It is, then, perhaps, an amorphous lump of potentiality, containing in itself no things (and so no sorts of things). Or perhaps it is a welter of things, every possible one, overlapping chaotically, each interacting with any other in any which way. From this potency or this pandemonium, via the efforts of a mind, structure emerges.

Structure emerges in different ways depending on how the world itself is supposed to be. Structure requires some more or less determinate things. If, in the first instance, there is to be any determinate thing at all, a mind, with its intentionality, must either construct a thing from mere potency or else circumscribe uniquely something from the ontological turmoil. In either case, intentionality must supply some condition—*that some thing is so-and-so*—that is met, by potency or turmoil, to yield a determinate thing. Thus, in order for there to be structure at all, the mind must be active, making some contribution; in this sense, it must be *spontaneous*. If the world per se is a lump of potentiality, the condition provided by this spontaneity is what constrains that potential to yield a particular, actual thing. If the world per se is a welter of things, this condition constrains a unique thing from ever so many overlapping similar ones.

Therefore, on the Humean-Kantian view, regardless of how the world itself is unconstrained, intentionality must be spontaneous in any of its functions, including sensibility.[3] If there is to be any determinate thing at all and, thus, if the mind is to present one thing to the exclusion of all others, a mind must *do*, rather than just *be*. A mind must supply a condition that is then met by the world.

3 It is worth noting that intentionality, the definitive capacity of a mind to present things, is itself a thing (viz., a capacity). If, on the Humean-Kantian view of the world and its structure, intentionality must be active, it is constrained. This raises the question of how it can be so. The only answer available on the Humean-Kantian view, namely that the constraint comes from a mind, will not do, for the capacity of intentionality is necessary for there to be minds at all. Therefore, whatever constraint limits the capacity to being active is prior to minds. This is inconsistent with the Humean-Kantian view and corroborates my doubts about its coherence.

2.3 The given

How intentionality can be is determined by the source of the constraints on things. The two views of the world, then, with their different accounts of the structure it contains, bring with them different accounts of intentionality. On the broadly Aristotelian view, intentionality is a capacity that is both active and passive; on the broadly Humean-Kantian view of the world, intentionality is only active. The given is an intentional state, to wit, the state of a mind in its primary engagement with the world, so the two views of the world allow different accounts of the given.

On the Aristotelian view of the world, because intentionality can be passive, an instance of the given can be an unstructured state of acquaintance. As such, it can be simple and unconditional, imposing no restriction on the world. (Note that the Aristotelian view can accommodate intentional states that are complex and conditional; however, the key point here is its compatibility with a given that is simple and unconditional.) On the Humean-Kantian view, however, because intentionality must be active, arising from a certain spontaneity, the given must be structured. Each instance of a mind in its primary engagement with the world must be complex, having some internal structure that imposes a condition that might (or might not) be met by the world.

3 The Given as Epistemically Idle

The two accounts of the given have significant epistemological consequences. Since sensory (i.e., perceptual) states, those intentional states of primary engagement with things in the nearby environment of a subject, have traditionally been the focus of interest in the given, I confine my attention to these. On the account of the given required by the Humean-Kantian view of the world, such sensory states cannot serve as one's epistemic basis for knowing the world. This conclusion is reached by employing a venerable style of argument purporting to show that the claim that the given is epistemically efficacious—that an instance of the given can provide some justification for taking the world to be a particular way—is a myth. This more general conclusion is not correct. However, the argument does show that any instance of the given structured as it must be on the Humean-Kantian view is indeed epistemically idle, providing no justification for taking the world to be one way rather than another. In support of this, I present the argument and consider an instructive attempt, that of John McDowell, to found an epistemology on a given that is structured in this way.

If the primary state of engagement between a mind and the world is epistemically idle, one might well wonder with what sort of epistemology this account of the given leaves one. I maintain it leaves one with none at all: the spontaneity required by the given on the Humean-Kantian view, with the account of the source of the constraints in the world accompanying this view, undermines the very project of epistemology.

3.1 An argument that an epistemically efficacious given is a myth

Concerns about the given as an epistemic foundation are long-standing, but have their contemporary origin in an exchange between two Logical Positivists, Moritz Schlick and Carl Hempel. Both accept that a judgment is an attitude towards a *proposition*, an entity that represents the world. Schlick maintains that one can compare propositions with *facts*, things in the world, and that the "*only ultimate* reason" (Schlick 1935: 70. Emphasis in original.) to accept a proposition as true is an experience of the fact(s) it represents. Thus, the basis of all one's judgments are those mental states that present things in the world. Hempel disagrees, holding that only propositions can epistemically support a proposition and, hence, a judgment. He holds this because he believes that any relation of epistemic support must be a logical one: one proposition supports another only if the former entails the latter given the rules of the representational system to which they belong.[4] Facts are not the right sort of thing to support propositions; they are not representational, nor even formal, and so cannot stand in logical relations. Moreover, Hempel presumes, one's experiences of facts, that is, things in the world, do not have the proper form to support propositions. This leads him to accept a version of coherentism.

The crux of these original concerns regarding the epistemic efficacy of the given are about *fit*, whether a primary state of engagement with the world fits with a relevant judgment in such a way that the former can indicate the appropriateness of the latter. It is taken for granted in discussions of the given that one's judgments have a *propositional* or *conceptual structure*. Thus, in taking the world (or some part thereof) to be as it is, one judges *that some thing is so-and-so*—e.g., that the door is open, that the moon is full, that the water is boiling—or that some thing satisfies the (general) concept such-and-such. If a judgment does

4 Hempel 1934/5b: 94. See, as well, Schlick 1934, Hempel 1934/5a.

have such a structure, than an instance of the given would fit with it in the requisite way only if that state indicates the relevant thing is, indeed, so-and-so (or satisfies such-and-such). If the given itself has propositional (or conceptual) structure, then it might seem unproblematic that such states support one's judgments about the world.

In fact, the predominant view in recent discussions of perception is that the given does have such structure. I return to this point below. For present purposes, it is more important to recognize that on the Humean-Kantian view of the world, with the account of intentionality it requires, the given *must* have propositional structure. It might seem, then, that on this view it is unproblematic to take the given as one's epistemic basis for knowing the world. This is, however, mistaken. Although, originally, concerns regarding the epistemic efficacy of the given turned on considerations of fit (between one's primary states of engagement with the world and one's judgments about it), further reflection led to more sophisticated criticism. This is captured in a dilemma, only half of which pertains to fit: if an instance of the given is not of the right structure and, hence, cannot fit with a relevant judgment in such a way as to indicate the appropriateness of the latter, then that state of primary engagement cannot be a suitable epistemic basis (of that judgment). On the other hand, if an instance of the given does have the appropriate structure, that is, it presents some thing as so-and-so, and so can indicate the appropriateness of the relevant judgment, then that state of primary engagement itself requires some epistemic support—to indicate that that thing is indeed so-and-so—and, therefore, cannot be one's ultimate justification for accepting that thing is so-and-so. Either way, states of the given cannot be a suitable epistemic foundation.[5]

3.2 One (unsuccessful) response: The given is efficacious if it has the right structure

The Myth of the Given is supposed to be revealed by the foregoing argument. To accept the Myth is to accept that it is merely mythical and, so, false that one's primary states of engagement with the world are epistemically efficacious. Although I do not think the argument demonstrates this, I do take it to show that if the given has a certain structure, namely, one presenting that some thing is so-

5 Variants of essentially this argument can be found in several influential discussions. Its most famous version can be espied in Sellars 1956. Others can be found in Rorty 1979; Davidson 1986; BonJour 2001: 23-24; Fumerton 2001: 13; Pryor 2014: 207.

and-so, it is epistemically idle. It seems, however, that some fail to recognize the complexity and force of the argument, consequently holding that the given is epistemically efficacious *precisely because it has this structure*. A prominent example is John McDowell.

McDowell has devoted much effort to attacking the Myth of the Given. He believes that one's primary states of engagement with the world are indeed the bases of one's knowledge. However, this is not always appreciated for, according to McDowell, some misunderstand what these instances of the given are, in particular, how they arise and the structure they have. If one is confused about what the given is, it will seem that such states offer only "exculpations where we wanted justifications".[6] In other words, if one fails to recognize the provenance and structure of the given, one will regard such states as, at best, forcing one to take the world (or part thereof) to be a certain way without also providing some justification for judging that it is in fact that way.

In light of this understanding of the motivation for accepting the Myth of the Given, McDowell maintains the Myth can be avoided—and the epistemic efficacy of the given recognized—by articulating the correct account of one's states of primary engagement with the world. His objective, then, is to articulate an account on which an instance of the given is constrained by the world, and thereby apt to reveal how that part of the world is, where it is this constraint that is one's justification for judging the world to be as revealed. (It is clear that this is how the given must be if it is to be epistemically efficacious.) Yet McDowell's account is problematic for just the reason presented in the second horn of the dilemma against an epistemically efficacious given.

McDowell couches his discussion of the Myth of the Given in Sellarsian terms of the problematic interface between the *space of nature* and the *space of reasons*. The latter is all those contexts in which claims are susceptible to justification, capable of being shown to be appropriate in light of how things are. Within this space, one must employ concepts, the capacities one has to discriminate and thereby identify, recognize and sort things in the world. This is because in the space of a reasons, one must judge that some thing is so-and-so, a way it might not be, then seek or offer justification for that thing in fact being so-and-so. In the space of nature, there are no claims and, hence, no justifying anything; there just is whatever there is, doing whatever it does. This space seems to be that of the world per se. If the given is merely engagement with the space of nature, it is engagement with what is not susceptible to justification. Such engagement would not be the presentation of the world, or some part thereof, as being some

6 McDowell introduces the Myth of the Given in these terms in Lecture I of McDowell 1994.

particular way, otherwise this engagement would be susceptible to justification. If, however, the given does not present some thing as being so-and-so, then it cannot fit with any state from within the space of reasons, each of which does present something as being so-and-so, in such a way as to justify the latter. Any such instance of the given is, therefore, epistemically idle.

According to McDowell, then, conceptual capacities must be operative in one's states of primary engagement with the world per se, the space of nature. If they are, they provide the structure that enables each of these states to present some thing(s) as being so-and-so. Consequently, an instance of the given could fit a judgment within the space of reasons that some thing is so-and-so in a way that would justify this judgment. As he puts it:

> Conceptual capacities, whose interrelations belong in the *sui generis* logical space of reasons, can be operative not only in judgments—results of a subject's actively making up her mind about something—but already in the transactions in nature that are constituted by the world's impacts on the receptive capacities of a suitable subject; that is, one who possesses the relevant concepts. Impressions can *be* cases of its perceptually appearing—being apparent—to a subject that things are thus and so. (McDowell 1994: xx)

In sum, McDowell states: "Avoiding the Myth requires capacities that belong to reason to be operative in experiencing itself, not just in judgments in which we respond to experience."[7]

McDowell maintains, then, that if the given is to be epistemically efficacious it must have the right fit with one's judgments; in order to have this fit, one's conceptual capacities must be operative in one's primary states of engagement with the world. However, if each instance of the given has conceptual (or propositional) structure, so that it presents some thing as so-and-so, then this raises the question of whether what is presented by that state is in fact so-and-so. McDowell avoids one horn of the dilemma against the epistemic efficacy of the given, but only by embracing the other. Clearly, this is insufficient to establish that the given is epistemically efficacious.

If a mental state is structured, it has some complexity, some arrangement of parts. If that state is representational, purporting to present how something beyond itself is, it is apt only if its parts correspond in some way to those things it presents. The complexity of the state, then, captures some condition—one that

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7 McDowell 2009: 258. McDowell's account of the given in this later paper is different in significant respects from the one propounded in McDowell 1994. However, it is still one on which the given is structured—hence, conditional—and so is impugned by my argument below, which applies to any such account.

must be met by the world if that state is to be a successful representation. In particular, then, if a state is structured in such a way that it presents some thing as so-and-so, that state might or might not be apt with respect to that thing. It is apt if what it presents is, in fact, so-and-so, inapt if this is not the case. The conditional nature of the (representational) state makes this question of aptness ineluctable.

If the given, one's state of primary engagement with the world is structured so as to present some thing as so-an-so and is, therefore, conditional, then one's very engagement with the world brings with it a question: whether what is presented as being so-and-so is indeed so-and so. If each instance of the given brings with it this question, there is no way of answering it. The given is supposed to provide one's primary, one's most basic and intimate engagement with the world. If this engagement itself is questionable, there are no more basic or intimate means of engaging with the world to resolve the question. One has no more direct and revealing way of getting at the world than what one has in the given. Hence, if an instance of the given is conditional, it itself cannot provide justification for taking the world to be one way rather than another and so is epistemically idle. This problem, which confronts any account of the given on which it has propositional or conceptual structure, seems insuperable. Reflection on the problem shows that not only is an instance of the given presenting that some thing is so-and-so epistemically idle, but an instance with any inherent structure is idle, as well. This is important below.

It is odd that McDowell thinks his account of the given is satisfactory, for he seems to be aware of the critical problem, at least in the offing. If the given employs concepts, presenting something as so-and-so, such a mental state would have representational content. Yet as McDowell acknowledges, "The very idea of representational content brings with it a notion of correctness and incorrectness: something with a certain content is correct, in the relevant sense, just in case things are as it represents them to be." (McDowell 1994: 162.) A notion of correctness or incorrectness attached to the given is just the problem. Perhaps McDowell thinks he avoids this problem because he regards instances of the given as passive: "In fact it is precisely because experience is passive, a case of receptivity in operation, that the conception of experience I am recommending can satisfy the craving for a limit to freedom [i.e., a constraint on judgment provided by the world itself] that underlies the Myth of the Given." (McDowell 1994: 10.)

McDowell seems to assume that the passivity of a state makes the question of aptness and, hence, of justification otiose. I belief it does, and this is crucial to my own account of the given. There are, however, different notions of passivity. There is the one introduced above, in terms of an utter lack of contribution.

McDowell, though, construes passivity as a lack of conscious effort or deliberateness on the part of a subject. But one's mind can be active in the sense of making a significant contribution to a mental state even if there is no conscious effort or deliberateness required on the part of the subject to be in that state. On McDowell's account of the given, such states are not passive in the first sense, even if they are passive in the second. On his account, any instance of the given involves essentially the operation of one's conceptual capacities and, therefore, involves spontaneity; this spontaneity contributes a condition to any instance of the given. Indeed, it is the conditional nature of the given, resulting from this spontaneity, that renders them epistemically idle.

3.3 Another (unsuccessful) response: The given is efficacious because it is the given

In connection to this last point about passivity, one might hold that the second horn of the dilemma against the epistemic efficacy of the given, concerning its structure, is illusory, because instances of the given, as sensory states, simply are not the sort of mental state for which any question of justification can arise. Therefore, once an account of the given is provided on which these states fit appropriately with one's judgments, and so can support the latter, there is no further problem regarding the epistemic efficacy of the given. Such a view is suggested by James Pryor: "Yet, unlike beliefs, experiences aren't the sort of thing which *could be*, nor do they *need to be* justified. Sure, *beliefs about* what experiences you have may need to be justified. But *the experience themselves* do not."(Pryor 2014: 210. Emphasis in original.)

The view that the given itself needs no justification simply because it is the given is misguided. Whether one's states of primary engagement with the world themselves require justification depends on what these states are. To resolve this issue, then, one must have some account of what the given is. As I discuss below, if the given is an unstructured, passive state of acquaintance, such a state is not amenable to justification, for it either exists, and thereby relates a mind to some thing, or fails to exist. It cannot exist and yet fail to be apt, as any structured state that purports to represent can. However, if the given is structured and so conditional, it brings with it the question of aptness. If it is taken to justify some judgment, the issue of its own aptness and basis becomes pressing. Here, it is assumed that instances of the given have propositional (or conceptual) structure and fit straightforwardly with judgments so as to be capable of justifying them. But it is exactly the conditionality attendant upon such structure, I maintain, that makes instances of the given themselves require justification and renders them

epistemically idle. To baldly insist, in the face of such argument, that such states do not need justification, are not even amenable to justification, will not do.

3.4 The end of epistemology

On the Humean-Kantian view of the world and its structure, intentionality requires spontaneity. This spontaneity imparts a certain propositional (or conceptual) structure and, hence, conditionality to any instance of the given. Such an account of the given is embraced by some who defend the epistemic efficacy of one's primary states of engagement with the world. However, as I argue, the conditionality inherent to each of these states raises the question of whether that state aptly presents the world, rendering it itself epistemically idle. As a state of primary engagement with the world, there are no other means of revealing the world available to justify it. McDowell writes: "What we wanted was a reassurance that when we use our concepts in judgment, our freedom—our spontaneity in the exercise of our understanding—is constrained from outside thought, and constrained in a way that we can appeal to in displaying the judgments as justified."(McDowell 1994: 8) But such reassurance is precisely what is precluded by a structured, conditional given.

Traditionally, concerns about the epistemic efficacy of the given have been taken to support some sort of *coherentism* regarding justification, whereby a judgment or belief is justified to the extent that it coheres with other judgments (or beliefs). If, as I have argued, on the Humean-Kantian view of the world, any instance of the given is itself epistemically idle, then it seems clear that coherentism is the only account of justification compatible with such a view. I have not the space here to discuss coherentism in any great detail. I take it as obvious, though, that any coherentist view does not comport with an epistemology the objective of which is to illuminate one's knowledge of the world per se. All one's judgments (or beliefs) about the world might cohere and yet be incompatible with how the world in fact is. One might concede the point and simply forgo knowledge of the world per se, acknowledging that all that can be known about the world is how a mind constrains it to yield the experiences one has. This, one might assume, can be revealed by determining which of one's judgments cohere. Such a position stands to reason in light of the Humean-Kantian view of the world, for, after all, on this view, there is nothing determinate in and so nothing in particular to know about the world per se.

However, a project of this sort, one directed at determining which of one's judgments regarding a Humean-Kantian world cohere, does not seem to be gen-

uinely epistemological. A genuinely epistemological project must be at least normative, prescribing how one ought to judge or acquire beliefs, if one is to have a correct view of the world (either the world per se or as experienced). If a project is (epistemically) normative, there must be some norm arising from its subject matter, lest there be no way to go wrong (or right) with respect to that subject matter. A norm is a constraint. If the world per se is structured, the things it comprises provide all the constraints needed for a properly epistemological project. If structure is imposed on the world, coherence with respect to one's mental acts and states is supposed to be the constraint (what coheres must be consistent, if nothing else). Yet on this view of the world, the only constraints it contains are those imposed on it by a mind. What judgments (or beliefs) cohere, then, is determined ultimately not by those judgments themselves, but by a mind. On this Humean-Kantian project, then, the requisite norm does not arise from the subject matter—one's judgments or beliefs per se—but from a different source—a mind. Since the source of the norm is removed from the subject matter, which the norm is supposed to constrain, that norm is hardly a proper constraint on that subject matter. Thus, this sort of project is in no straightforward way (epistemically) normative and, consequently, is not epistemological.

On the Humean-Kantian view of the world, not only is knowledge of the world per se forsaken, but the very possibility of epistemology, in any familiar form, seems to be, as well. The root of these epistemological problems is ontological, in the claim that constraints are not concomitant with existence, and so a mind is the ultimate source of the structure in the world. Therefore, if one is to do epistemology at all, one must eschew this view of the world.

4 The Given as Foundational

The Humean-Kantian view of the world requires spontaneity in intentionality and, hence, structure and conditionality in the given. This leads to some sort of coherentism that, on this view of the world, seems to thwart epistemology. If one is to avoid this outcome, one must adopt a broadly Aristotelian view of the world on which each thing is constrained in itself and the structure in the world is a corollary of the things that exist. This view is compatible with utter passivity in intentionality. The given, then, can be an unstructured, unconditional relational state of acquaintance. But, if it is, it is far from obvious how the given can be epistemically efficacious in light of the first horn of the dilemma above: if an instance of the given is not of the right structure—or structured at all—and, hence,

cannot fit with a relevant judgment in such a way as to indicate the appropriateness of the latter, then that state of primary engagement cannot be a suitable epistemic basis (of that judgment, or any other).

Some who have taken the given to be epistemically efficacious, and foundational to all one's knowledge of the world, believe there is a way of avoiding this horn without succumbing to the second. Laurence Bonjour, for example, holds that the given has structure, though it is not propositional (or conceptual); nevertheless, he maintains, this structure makes the given suitable to support one's judgments. However, reflection on my argument above against propositional structure in the given indicates that this sort of view, too, is problematic, and for essentially the same reason. Consequently, the given, if it is not to be epistemically idle, cannot be structured at all. If this is so, and these primary states of engagement with the world are indeed the basis of one's knowledge, the only way to avoid both horns of the dilemma against the epistemic efficacy of the given is to reject the orthodox account of what it is to make a judgment (at least with respect to primary cases).

4.1 Traditional foundationalism

BonJour is an erstwhile coherentist, moved to the position by precisely the sort of dilemma against an epistemically efficacious given central to the present discussion.[8] Recognizing the futility of coherentism, though, BonJour became an "old-fashioned" foundationalist, accepting that some beliefs are justified immediately by one's states of primary engagement with the world (and that all justification for one's further beliefs can be traced to these foundational ones).[9] However, BonJour's version of foundationalism is unsuccessful. Despite his claim to the contrary, on his position, the given is epistemically idle. Seeing why this is so reveals that the given must be unstructured if it is to be epistemically efficacious.

BonJour maintains that each sensory experience, i.e., each instance of the given, includes constitutively a "built-in" awareness of itself. This feature makes that state available to the subject when the state exists. Such states are, in Roderick Chisholm's term, one endorsed by BonJour, "self-presenting". These states of primary engagement with the world are supposed to be so rich in content that they are "nonpropositional and nonconceptual in character". (BonJour 2001: 29.)

8 See BonJour 1985, 1978.

9 See BonJour 2001. For other contemporary foundationalist views, see Fumerton 2001 and Fales 1996. I have not the space here to discuss what I find problematic about these latter two views.

They are also supposed not to be themselves susceptible to justification; as sensory experiences, they are supposed to be one's originary, direct presentations of things in the world and, as such, not open to the question of being right or wrong. Such states justify beliefs about them, and the beliefs are foundational in that their justification comes from mental states, instances of the given, that are not themselves beliefs.

Even granting all this, one is far from a position on which one has justification for judging the mind-independent world to be as it is. One's foundational beliefs are about one's own mental states, those instances of the given taken to reveal the world. BonJour is aware of this significant limitation.[10] Setting it aside, there is a more pressing problem for the position. In light of the dilemma against the epistemic efficacy of the given, BonJour is concerned about the epistemic fit between one's states of primary engagement with the world and one's judgments. He presumes the orthodoxy that judgments (and the beliefs they yield) are propositional: one accepts (and then goes on to believe) that some thing is so-and-so. But, on his position, instances of the given do not have this structure; they are not propositional and so seem incapable of supporting the judgment that some thing is so-and-so. BonJour addresses this problem by maintaining that a propositional judgment, though structured differently, can nonetheless *describe* a non-propositional state, which the given is supposed to be. Thus, a foundational judgment, which describes an instance of the given, can be supported by a direct awareness of that (self-presenting) latter state. The descriptive fit between the two, which can be more or less apt, is, BonJour maintains, sufficient for an epistemic relation between them.

In this way, BonJour addresses the first horn of the dilemma against the epistemic efficacy of the given. He does not even consider the second, because he takes for granted that instances of the given do not themselves need or even admit of justification. Yet this cannot be taken for granted. As argued above, any instance of the given that has propositional (or conceptual) structure is conditional and, as such, brings with it the question of whether the world meets that condition, whether the thing presented as so-and-so is in fact so-and-so. Such an instance of the given is in need of justification. Note, however, the crucial point here can be generalized and so pertains not merely to propositional (or conceptual) structure. In general, if a mental state is structured—in any way—it has some complexity. If that state purports to present how something beyond itself is, it is

10 See, in particular, BonJour 2001: 34-37.

apt only if its parts correspond in some way to those things it presents. The complexity of the state, then, captures some condition, one that must be met by the world if that state is to be an apt representation.

There has been much recent discussion about what exactly a state with nonconceptual (or nonpropositional) content is. Nevertheless, no one denies that such a state is representational; it is supposed to just represent differently than a proposition (pictorially, more vividly, in greater detail, etc.). If a nonpropositional (representational) state is structured, it is conditional—if it does not have truth conditions, then it has accuracy conditions or some such—and so can be apt or not depending on whether the world meets those conditions. Pictures can fail to be apt just as propositions can. But if the given, a state of primary engagement with the world, is conditional and, hence, of questionable aptness, there is no way of settling this question. Any such state, therefore, is epistemically idle and not a suitable epistemic basis. It makes no difference that the state is nonpropositional or nonconceptual, rather than propositional (or conceptual). The problem is that it is inherently conditional and it is so because it is structured.

4.2 The given as unstructured and the orthodox account of judgment

If any structured state purporting to present the world is conditional and, hence, raises the question of whether the condition it captures is met, then if the given is to be epistemically efficacious—capable of supporting judgments without raising the question of its own aptness—it must be unstructured, unconditional. But if this is so, one is immediately confronted by the first horn, concerning fit, of the dilemma against an epistemically efficacious given.

Concern about the fit between one's states of primary engagement with the world and the judgments one makes in light of these is long-standing. It goes back at least to early modern empiricist views of sensations on which they are "raw feels" and supposed not to be representational at all. Davidson's famous critique of the epistemic efficacy of the given along these lines is that if a state of primary engagement with the world is unstructured and so significantly different in nature from a judgment, then the only interesting relation that the former can bear to the latter is causal.[11] One has a sensory experience, an instance of the given, then one judges that the world is a certain way. There is no justification

11 See Davidson 1986: 311.

here. The connection between the given and one's judgments might be explanatory, but it is not justificatory. If, as I have argued, an instance of the given must be unconditional and, thus, unstructured—but such a state is incapable of fitting epistemically with a judgment—then, insofar as one maintains that the given is indeed the basis of one's knowledge of the world, one must reconsider what a judgment is.

As observed in passing above, the orthodox account is one on which each judgment is an act of accepting that some thing is so-and-so (which then yields the persisting dispositional state of belief that that thing is so-and-so). If this is what a judgment is, then the problem with an unstructured, primary state of engagement with the world is obvious and insurmountable: such a state cannot present a thing taken in some way (as, for example, so-and-so), it can merely present a thing itself. Thus, the given does not present a thing in any specific way—so-and-so or otherwise—even when that thing is in fact so-and-so, and so cannot justify the specific judgment that that thing is so-and-so. If one judges that the desk is brown, the (brown) desk per se, or even its particular brownness, is unable to justify this judgment. Justification for accepting this would, it seems, have to come from a state presenting the desk as brown or its particular brownness as belonging to this desk. The specificity of the judgment is achieved through a certain complexity—a structure inherent to it—that demands a corresponding complexity (and structure) in an instance of the given, if the latter is to justify the former. An unstructured, unconditional relational state of acquaintance that merely presents a thing does not have the requisite complexity.

If, however, not all judgments are complex, if what one accepts in some judgments is not structured and, hence, conditional, then a judgment can indeed be supported by an instance of the given that is unstructured and unconditional.

4.3 A reistic account of judgment

There is a heterodox view of judgment, the neglected account of Franz Brentano, on which judgments are not structured (and, hence, are unconditional).[12] On this account, in making a judgment, one accepts (or rejects) a thing—not that that thing is so-and-so, but simply *the thing itself*. Such a judgment is true or apt if what one accepts exists. I will not do much more here than introduce this sort of

12 See Brentano 1874, Book Two, Chapter VII. For an excellent overview of this account, see Brandl 2014.

account, motivate it and show how it bears on the question of whether the given can be epistemically efficacious.

There has recently been some discussion and defense of non-propositional attitudes.[13] It is plausible to maintain that fear and desire, for example, are relations to non-representational things, rather than propositions. So one fears the dog (itself) and one desires the lovey (itself). But even among supporters of such attitudes, it has been assumed that judgment (and belief) is propositional. Given the predominance of the orthodox account, it certainly seems odd to hold that one can judge, in the relevant sense, the dog (itself), rather than, say, that the dog exists, or the lovey (itself), rather than, say, that the lovey is soft. Nevertheless, setting aside the oddness of unfamiliarity, such an account of judgment is not obviously untenable.

Indeed, if one assumes a broadly Aristotelian view of the world, on which all there is is intrinsically constrained things, among them minds, a Brentanian view of judgment seems to me quite plausible. This view of the world permits an account of the given on which it is an unstructured, unconditional relational state of acquaintance. Thus, one's primary encounters with the world are via states of engagement in which some thing simply impresses itself upon one's mind. To aptly take the world (at least part thereof) to be as it is, one needs only to accept that thing; one need not accept that it is any specific way. If the world is just an array of things, it is not implausible that in first engaging the world, as one begins to devise a view of how the world is, one begins with states *of this* and *of that*, rather than *that this is so-and-so* or *that that is such-and-such*. On this basis, one develops the conceptual capacities to make more sophisticated and specific judgments, to refine one's view of how the world is. Such specificity and any structure in one's intentional states it might require, with the attendant conditionality of structure, need not be present in one's primary encounters with the world (and, it seems, cannot be[14]). Nor, then, need specificity (or structure) be present in one's primary judgments about the world.

My goal in the present discussion is to articulate an account of the given on which it is epistemically efficacious, justifying judgments that are the basis of one's knowledge of the world. If the given is an unstructured, unconditional relational state of acquaintance with the things in the world, and at least some judgments are reistic, the acceptance of things, one has such an account. This account of the given is compatible with an Aristotelian view of the world and this account of judgment is plausible in light of the view. On this account of one's

13 See, for instance, Grzankowski 2016, Montague 2007.

14 As I argue in Fiocco 2015.

states of primary engagement with the world, they are indeed epistemically efficacious. An instance of the given itself has no structure and so imposes no condition, it simply relates one to a thing in the world. If the state exists, one is related to a thing; that very thing is constitutive of that very state. There is, therefore, no question of the aptness of the given. Consequently, such a state provides impeccable justification for one's judgment with respect to that existent thing, which is merely an acceptance of it. One could be in no better epistemic position vis-à-vis that thing. One then knows how the world is, at least in part: it includes that thing. On this primary knowledge of things, all one's other knowledge is founded.

Of course, much more needs to be said about the sort of heterodox account of judgment adopted here. It raises many questions—like how to understand the more specific (seemingly conditional) judgments about the world that one can surely make, and how these judgments are justified on the basis of one's foundational judgments of existing things—but such questions are beyond the scope of this discussion.

5 The Upshot

The world is experienced as structured. What the world per se is and, hence, how it comes to be structured determines how a mind must be—what it must do—to engage the world at all. If the things in the world are themselves unconstrained, unstructured, the structure experienced must be provided by a mind. The given, then, must involve spontaneity, an active contribution on part of a mind that yields constraints and with them structure. If each instance of the given must involve spontaneity and is, then, structured, each such state imposes a condition, a reflection of its inherent structure, that might not be met by the world. There is no way to ascertain whether this condition is met, for there is no more basic epistemic state that resolves the matter, nor any other means. Thus, each instance of the given is epistemically idle, providing no justification for taking the world to be one way or the other. If, however, the things in the world are constrained in themselves and so are the source of the structure one experiences, then the given need not involve spontaneity nor any structure. The primary engagement between a mind and the world can be utterly passive, unconditional. If the given can be a passive, unstructured, unconditional state that merely relates a mind to the world, such a state can be epistemically efficacious, providing some justification for taking the world to be a certain way. Indeed, if there is such a state, the world must be as presented.

If the world is itself unstructured, the given is epistemically idle; worse, there is no genuine epistemology (as I argue above). Therefore, the only tenable approach to epistemology requires a certain account of what a thing per se is and a corollary view of the world. This approach provides a foundationalist account of knowledge, one on which all one's knowledge is based on direct (i.e., passive, unconditional) acquaintance with the things in the world. Yet, to do this, the approach also requires a heterodox account of judgment, one that conforms with one's states of primary engagement with the world. Instances of the given acquaint one with things; one's primary judgments must, then, be of these things, simply accepting them. This account of the given indicates that the appropriate view of perception is naïve realism: it is the things in the world and not representations thereof that is fundamental to perception. Although there have been some fine contemporary discussions of naïve realism[15], proponents of this position have not recognized that the view must be accompanied by a non-propositional, reistic account of judgment. This is, I presume, because the complexity and force of the argument against the epistemic efficacy of the given has not been appreciated.

Others have defended naïve realism. The present discussion, however, is intended to corroborate the view from a novel and particularly secure position, one that begins with radical ontological considerations regarding what the world per se is and what things are. These considerations illuminate what a mind is and how to understand intentionality. As a result, they also cast light on some key issues related to naïve realism. It is often taken for granted that what it is for a state to be intentional is to be representational.[16] This is incorrect. An intentional state is a manifestation of the capacity of intentionality. Since intentionality can be utterly passive and, hence, purely relational, an instance of the given that simply acquaints one with a thing in the world is intentional without being representational. *Content* is a term of art, so one can say that such a state has content—it presents a thing in the world, and this is its content—or one can deny that it is has content, since it does not represent anything or have associated truth (or accuracy) conditions. The important thing to recognize is that a perceptual state of acquaintance is no less a state of engagement with the world, and so intentional, for not being representational. Some defend so-called reconciliatory views

15 See, in particular, Brewer 2011, Travis 2004, Martin 2002.

16 See Crane 2009 for just one example of a philosopher who conflates being representational with being intentional.

of perception, on which it is fundamentally both representational and relational.[17] The foregoing considerations show why such views are untenable. If a perceptual state—an instance of the given—is representational, in that it has associated truth (or accuracy) conditions, it is epistemically idle. If perception is supposed to reveal the world in an epistemically efficacious way, it is in no way representational.

In conclusion, it is worth noting that the sort of considerations here that lead to naïve realism, radically ontological ones concerning the world per se and the things it comprises, can be brought to bear on what many regard as the main problem with this view of perception, namely, providing a satisfactory account of illusion and hallucination. Cases of perceptual error, which certainly seem to include representations, lead many to maintain that perception must be representational, rather than relational, insofar as states of perceptual error are crucially similar to genuine perceptions. Of course, I, like any naïve realist, maintain that the former are significantly different, despite obvious phenomenological similarities, from the latter, and so am committed to some sort of disjunctivism. Here, I merely note that I argue for naïve realism on ontological and epistemological grounds that are far more basic than considerations of perceptual error (or the most intuitively satisfying way of individuating mental states). These most general grounds lead to the conclusion that perception is not representational. This motivates a position on which, if illusory and hallucinatory states must be representational, these are quite different from perceptual ones. Similarly, if the world just is an array of (natured) things, perceiving one of them, and thereby being acquainted with—directly related to—that thing, is clearly a different sort of state than, say, merely hallucinating such a thing when none is in fact there.[18]

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17 See, for instance, Schellenberg 2014 and Logue 2014.

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