**Chapter two: The non-transparency of norms**

**2. Introduction**

In the previous chapter I argued that there are no non-trivial luminous conditions. This entails the possible failure to know our own mental states. In this chapter, I will reconstruct Srinivasan’s argument that anti-luminousity undermines reasons for preferring internalist norms to externalist norms and how, consequently, we should be externalists in both epistemology and ethics.

Some terminology first. Internalist and subjectivist norms refer to norms that supervene on our internal mental states. For example, subjective consequentialists say that you ought to ϕ iff you reasonably believe ϕ-ing will maximize the good. Internalists say that you ought to believe p if it reasonably appears that p is true (e.g. if p is probable on your evidence). Externalist and objectivist norms refer to norms that supervene, at least in part, on the non-mental condition truth. For example, objective consequentialists say that you ought to ϕ iff ϕ-ing will *in fact* maximize the good. Reliabilists say that you ought to believe p iff p is true and your belief was produced by a reliable mechanism, while knowledge-firsters say that you ought to believe p only if you know p.[[1]](#footnote-1)

Internalists argue that we should be internalists because, unlike externalist norms, internalist norms can always be followed, and we cannot blamelessly violate them, but this is false. I will argue that both internalist and externalist norms suffer the same limitations because there are no transparent conditions. First, I will present *the argument against lucidity*: there are no norms for which we are always in a position to know how to conform to them. Second, I present *the argument against followability*: there are no norms that we can always follow. Third, I present *the argument against alignment*: all norms can be blamelessly violated due to non-normative ignorance. Finally, I conclude that we should abandon internalist norms in favour of externalist norms.

**2.1 The argument against lucidity**

I will argue the following: because there are no transparent conditions, there are no lucid norms. A condition is transparent if it is both luminous (whenever C obtains, we are in a position to know C obtains) and absent-luminous (whenever C does not obtain, we are in a position to know C does not obtain).[[2]](#footnote-2) As we saw in 1.2, there are no luminous conditions. Consequently, there are no transparent conditions *simpliciter*.[[3]](#footnote-3) A norm is lucid ‘if an agent knows of her available actions which would conform to the norm’.[[4]](#footnote-4) But in order for an agent to know which of her available actions conform to a norm, a norm’s triggering condition must be transparent. Given no conditions are transparent, it follows that there are no lucid norms. Let’s explore this in more depth, and the problem is poses to internalists.

All non-trivial conditions lack transparency. Consider the condition of my keys being on my kitchen table, KEYS. If I have vague, limited or misleading evidence, I will not be in a position to know my keys are on the kitchen table. Perhaps I wasn’t paying enough attention when I put my keys down and therefore lack confidence in my memory; or perhaps my housemate told me he saw my keys in the living room. Whatever the reason, KEYS is not transparent *simpliciter*. There are many conditions I can fail to be in a position to know: when my next doctor’s appointment is; whether it is snowing in New York or whether parliament will be dissolved on Monday. Similarly, we can fail to know our own mental states when we are not in a position to know our own mental states because our beliefs are unsafe. If we have a nearby false or almost-false belief about our mental states, we are not in a position to know our own mental states given knowledge’s safety requirement (see 1.2 for extensive discussion). Thus there are no transparent conditions.

Why aren’t there any lucid norms? Because no norm has a transparent triggering condition. Consider the schema of a norm:

‘a norm is a generalization about how an agent S is obligated or permitted to act, of the scheme <S (ought)/(is permitted) to phi iff C>, where phi ranges over the basic actions available to S, and C is the norm’s *triggering condition*. For example, objective-act consequentialism can be (roughly) expressed as the norm <S ought to phi iff phi-ing would maximize the good. Here, the relevant triggering condition is *that phi-ing would maximize the good*. Similarly, the internalist epistemic norm … can be expressed as the norm <S is permitted to believe *p* iff *p* is probably on her evidence>. Here, the relevant triggering condition is *that p is probably on S’s evidence’.[[5]](#footnote-5)*

Now, a norm is lucid if S knows of her available actions which would conform to it. The condition ‘ϕ-ing would conform to the norm’ *is* the norm’s trigger condition. Herein lies the problem:

1. A norm is lucid iff S knows of her available actions which would conform to the norm i.e. S knows ‘ϕ-ing would conform to the norm’
2. ‘ϕ-ing would conform to the norm’ is the norm’s triggering condition
3. If a norm is lucid then it’s triggering condition is transparent
4. There are no transparent conditions
5. There are no lucid norms

Consequently, you and I do not always *know* which of our actions would be in conformance with the objective consequentialist norm. Nor do we always *know* what is probable on our respective evidence. This is not to deny that norms are *sometimes* lucid. Rather, it’s to say that insofar as there are no transparent conditions *simpliciter*, there are no lucid norms *simpliciter*.

This matters for the internalist-externalist debate. Internalists think that internalist norms have two special features that externalist norms lack, and those features are reason to be internalists rather than externalists. First, they think norms ought to be action-guiding, so that one is always in a position to follow the norm. The second is that norms ought to be immune from blameless violation: if a competent agent violates a norm; they must be blameworthy doing so. [[6]](#footnote-6) In the proceeding sections, we will see that these two features—action-guidance and alignment—are grounded in the assumption that internalist norms are lucid. But there are *no* lucid norms. Consequently, internalist norms suffer the same defects that externalist norms suffer. Internalist norms are no better than externalist norms.

**2.2. The argument against followability**

We want norms to tell us what to do and believe, and for those instructions to be *action-guiding*. Norms like <don’t act cruelly>, <do what will make everyone happiest>, <trust the testimony of reliable people> and so on are instructive. But are they action-guiding? They certainly aren’t lucid. We can’t always know whether their triggering conditions obtain: I can’t know if ϕ-ing is cruel, or if ψ-ing will make people happier, or if someone is a reliable source of information. Consequently, there are times when these norms can’t guide my actions, nor let me know out of my available actions what I ought to do. We might think that non-lucid norms aren’t good norms. We want norms to be able to always guide our actions.

Subjectivists have often pointed to the potential unfollowability of objective norms as a reason to subjectivise norms.[[7]](#footnote-7) Our sample norms should be modified thusly: <don’t ϕ *if you believe* ϕ*-ing is cruel*>; <do what will *probably* make everyone happiest *given your evidence>*; <trust the testimony of those who *seem* reliable>. According to internalists, the subjectivisation of norms renders them followable:

‘The fact that a course of action would have the best results is not itself a guide to action, *for a guide to action must in some appropriate sense be present to the agent’s mind.* We need…a story from the inside of an agent to be part of any theory which is properly a [normative] theory’.[[8]](#footnote-8)

‘if a [normative] theory is composed of some basic objective instructions, for example, “promote the good,” … then secondary (subjective) principles which should be used when it is unclear how to follow the basic instructions. The *secondary principles are … usable in all circumstances*’.[[9]](#footnote-9)

The problem with objectivist norms is not that they are never action-guiding, but that they are only sometimes action-guiding. Subjectivists say that all adequate norms must always be action guiding. Thus the internalist argues the following:

1. For any norm N to be adequate, it must be action-guiding
2. For N to be action-guiding, its triggering-condition C must be transparent
3. The only transparent conditions are being in certain mental states
4. The only action-guiding norms are triggered by being in certain mental states
5. The only adequate norms are triggered by being in certain mental states

But as we saw earlier, (3) is false. Thus the argument must be amended:

1. For N to be adequate, it must be action-guiding
2. For N to be action-guiding, C must be transparent

(3\*) There are no transparent conditions

(4\*) There are no action-guiding norms

(5\*) There are no adequate norms

This is a remarkably pessimistic outcome! The truth of anti-transparency entails that there are no adequate norms. For those who want to preserve action-guidance as a desideratum for norms, they must deny (2).

To deny (2), we must redefine action-guidance. First, we could follow Williams in saying that reasons ‘guide’ our actions,; that is, they motivate and explain actions, they are reasons *for which* we act.[[10]](#footnote-10) Given one cannot be motivated to act for a reason one does not have, for a reason to guide an agent’s action, it has to be ‘within the agent’s epistemic ken’.[[11]](#footnote-11) So we can amend (2) to *if N is action-guiding, the reason R for conforming to it must be within S’s epistemic ken*, where R is the norm’s triggering condition C. There are two upshots to new definition. First, it does not demand lucidity simpliciter, only contextual lucidity. It is only when a norm’s triggering condition is known that we can follow a norm, and thus the norm is action-guiding. Second, this view doesn’t favour internalist or externalist norms. Both reason that supervene on mental states and reasons that supervene on facticity can be within our epistemic ken. This view does not give us a verdict on the kinds of reasons—subjective or objective‑for which we can act. Consequently, both internalist and externalist norms meet the standard for action-guidance, it is not unique to internalist norms.

A second way of denying (2) is to point to the fact that our ordinary notion of followability does not entail lucidity. Consider, as Srinivasan does, the norm < when setting the table for Passover, one ought to set as many pieces as there will be Seder guests plus one>. This norm, although it is not lucid, is obviously followable. In cases where one has more guests than expected, or guests who forget to come, ‘one is unable to know how many places to set through a deduction that uses the Seder norm as one of its premises’.[[12]](#footnote-12) But the norm is still often followable – it would be strange to suggest otherwise. Thus rather than saying the norm is unfollowable, we ought to say that it is *contextually followable*: there are ‘at least some contexts in which agents can use the norm to guide their behavior’.[[13]](#footnote-13) Do I really need this paragraph?

I have just argued against lucidity as a standard for action-guidance. If norms must be lucid, from anti-lucidity it follows that there are no norms. Conversely, if we deny lucidity as the standard for action-guidance, then it follows that both internalist and externalist norms are followable. Consequently, because subjectivist norms lack lucidity, they do not have any special features that makes them preferable to externalist norms.

**2.3. The argument again alignment**

Subjectivists often claim that, unlike objectivist norms, subjective norms are immune from bad luck. Bad luck excuses agents from blame. If subjectivist norms cannot be violated due to bad luck, then any competent agent who knows a subjectivist norm yet violates it is blameworthy. Thus subjectivists think internalist norms secure an alignment between facts about what one ought to do—deontic facts—and facts about what one is blameworthy for—hypological facts. Or so the story goes. I will argue that subjectivist norms can be blamelessly violated due to non-culpable ignorance.

Let’s begin. Consider a case of bad moral luck:

**PEST CONTROL:** There has been an upsurge in feral cats in Northern California. Pest controller Phillipe has been called in exterminate these property-destroying, public-health-threatening cats. Unbeknownst to Phillipe, the Stanford Robotics Department has been inspired by the feral cat problem. They have built a robocat that is identical in appearance and behavior to the biological feral cats and released it into the wild. It is their most impressive robotics achievement yet! One night, Phillipe sets out to exterminate the villainous feral cats, only to accidental destroy a robocat with patented technology worth several million dollars. Phillipe’s action damages property that’s not his and sets robotics technology back 5 years.

There are several objectivist norms at work: <Exterminate biologically feral cats only> and <Don’t non-consensually destroy other people’s property>. When Phillipe exterminated the robocat, he violated both these norms. However, Phillipe is not blameworthy for exterminating the robocat brought about. After all, he couldn’t have known the robocat was a robocat, he was subject to bad moral luck. The objectivist says that Phillipe acted wrongly, but he is not blameworthy for it, his bad luck excuses him.

By contrast, according to the subjectivist, Phillipe acted correctly given how he took the world to be. The subjectivist says <Exterminate what *appears* to be a feral cats only> and <If it *appears* ϕ-ing will bring about the non-consensual destruction of other people’s private property, don’t ϕ>. Phillipe complied with these subjectivist norms, he acted exactly as one would expect him to. Conversely, he *would* have been blameworthy it he hadn’t exterminated the robocat, given how the world appeared to him. Subjectivists use bad luck scenarios to motivate the case for being a subjectivist. For if one can always act according to how the world appears to them, they cannot be subject to bad luck. On this view, what one is permitted to do and what one is blameworthy for go hand in hand. One can only be blameworthy if some knowingly violates a norm.

But it anti-lucidity is true, then one can blameless violate subjectivist norms too. If one fails to know the triggering condition for a subjectivist norm obtains, then just as one can fail to act in accordance with the triggering condition of an externalist norm, one can fail to act in accordance with the triggering condition of a subjectivist norm.

An example, I hope, will elucidate how one can blamelessly violate a subjectivist norm. Consider the following norm: <if S believes she has no future with her partner P, S should break up with P>. The triggering condition for this norm is <S believe she has no future with P>. Because the triggering condition of the break up norm is S’s belief, the norm is a subjectivist one—it supervenes on S’s mental states alone. Now we can imagine some agent S who has grown weary of her partner, her affection waning as their lives follow ever-separate trajectories. S no longer believes she has a future P, but is unconfident that this is the case—she mistakes her lack of optimism for a natural doubt that all couples experience, or a manifestation of anxiety rather than a genuine indication of her beliefs. Confused and unconfident, S is not in a position to know she no believes she has a future with P,[[14]](#footnote-14) and thus S fails to realise that the break-up norm has been triggered and does not break up with P. Because S unfortunately cannot know the triggering condition obtains, S blamelessly violates a subjectivist norm. We can generalize this case to others where one fails to act or believe in accordance with internalist norms because one is not in a position to know one’s own mental states, and thus violates the internalist norm blamelessly.

To recap. One can blameless violate a norm is one fails to act in accordance with a norm due to non-normative ignorance. For objectivist norms, if one is ignorant of facts about the world, one can fail to factor in those facts in one’s decision-making and thus blamelessly violate an objectivist norm. For subjectivist norms, one can similarly be ignorant of one’s own mental states, and thus not realise what a norm demands, and fail to act in accordance with the norm. This is not to say that whenever we are ignorant of relevant facts we will violate a norm; sometimes we get lucky and manage to conform to the norm regardless. The point instead is that just as one can be subject to good moral or epistemic luck, one can be subject to bad epistemic luck, and there are no norms that will escape the possibility of bad luck. Consequently, there is no alignment between deontic and hypological facts.

**2.4. Conclusion**

I have argued that because there are no lucid norms, internalist norms lack the features that made them appear preferable to externalist norms. Neither internalist nor externalist norms are always able to guide our actions; and neither internalist nor externalist norms are free from blameless violation due to bad luck. Perhaps the internalist will want to argue that internalist norms are *usually* more followable, or *usually* more aligned than externalist norms. But this claim is an empirical matter. And as Srinivasan argues and Schoenfield concedes, empirical evidence suggests that we are more likely to know facts about the external world than our own internal world. It looks as though we have good empirical grounds for favoring externalism.

If the internalist wants to salvage internalism, they will have to take another path. In the following two chapter, I respond to potential attempts. In chapter 3, I present a potential demandingness objection to externalism on behalf of the internalist. I argue that this objection fails, externalist norms are not too demanding. In chapter 4 I consider the case that the excuse-justification distinction is a verbal dispute, and that we have good pragmatic grounds for promoting an internalist conception of justification over and externalist conception of justification. This too, I will argue, fails. Consequently, externalism triumphs over internalism.

1. From here on, I will use internalism-subjectivism interchangeably, and externalism-objective interchangeably. [↑](#footnote-ref-1)
2. Transparent, luminous and absent-luminous are Williamson’s terms, see Williamson, ‘Knowledge and its Limits, Chapter 4’. [↑](#footnote-ref-2)
3. Srinivasan points out that there may be conditions that are *contextually transparent*, but ‘contextual transparency is not the same as transparency *simpliciter*’. (276) [↑](#footnote-ref-3)
4. Srinivasan, ‘Normativity without Cartesian Privilege’, 277 [↑](#footnote-ref-4)
5. ibid. 277. [↑](#footnote-ref-5)
6. Ibid., 278 [↑](#footnote-ref-6)
7. See Zimmerman <https://libres.uncg.edu/ir/uncg/f/m_zimmerman_is_2006.pdf>; Eleanor Mason; Ross; Hudson [↑](#footnote-ref-7)
8. Jackson, 1991, 466, italics mine [↑](#footnote-ref-8)
9. Mason, objectivism and propspectivism, italics mine [↑](#footnote-ref-9)
10. Williams, 1981, 102 [↑](#footnote-ref-10)
11. ibid, 280. [↑](#footnote-ref-11)
12. Srinivasan, 281 [↑](#footnote-ref-12)
13. Ibid. [↑](#footnote-ref-13)
14. We can spell this out with a margin-for-error principle: there is a nearby case in which S does belief she has a future with P, and thus S cannot form safe knowledge about her belief that she does not love P. [↑](#footnote-ref-14)