

## Moral phenomenology and moral intentionality

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**Abstract** This paper distinguishes between two senses of the term “phenomenology”: a narrow sense (drawn from Nagel) and a broader sense (drawn from Husserl). It claims, with particular reference to the moral sphere, that the narrow meaning of moral phenomenology cannot stand alone, that is, that moral phenomenology in the narrow sense entails moral intentionality. The paper proceeds by examining different examples of the axiological and volitional experiences of both virtuous and dutiful agents, and it notes the correlation between the phenomenal and intentional differences belonging to these experiences. The paper concludes with some reflections on how the focus on the broader sense of “phenomenology” serves to provide a more precise sense of what we might mean by “moral phenomenology.”

**Keywords** Phenomenology · Intentionality · Consciousness · Evaluation · Volition · Feeling · Emotion · Good · Obligation

On a narrow construal, the phenomenology of conscious experience concerns those subjective, introspectively available features of an experience by means of which one can characterize what it is like for the conscious organism to be the organism having that experience (Nagel 1974, 436). On this view, the phenomenology of conscious experience tells us something about the lived, first-personal, experiential characteristics of the experiencing organism, something about the self-awareness of that organism.

On a broader construal, the phenomenology of conscious experience is tied to at least three interconnected meanings of the word “consciousness” (Husserl 1984, pp. 355–56, 1970, p. 535): (1) consciousness as the interweavings of experience that

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make up a unified stream of experience, that make up, if you will, the first person or subject; (2) consciousness as self-awareness, the intransitive, phenomenal consciousness with which the narrow conception of phenomenology is concerned; and (3) consciousness as the intentional directedness to objects other than the experiencing self, the transitive consciousness understood as taking an object. The broader meaning of phenomenology is tied most importantly to this third sense of consciousness, but it necessarily incorporates a reference to the first and second senses as well. Phenomenology in this broad sense is the descriptive analysis of intentional experiences and of the intentional correlation of subject with object.

While self-awareness can be understood as a higher-order awareness such that a mental state is intransitively conscious or self-aware only if an extrinsic, higher-order experience or thought is transitively conscious of the first-order experience as its object (Rosenthal 1986, 1997, 736–39; cf. also Armstrong 1968; Lycan 1987, 1997; Carruthers 1996), the phenomenological tradition rooted in Brentano and Husserl understands it differently. In this tradition, self-awareness is understood as an intrinsic and non-relational property of an object-directed awareness.<sup>1</sup> Brentano and contemporary neo-Brentanians tend to argue for the view that the experiencing subject is reflexively, but not reflectively, self-aware, that is, that the first-person subject of experience is a second object in the experience (cf. Brentano 1924, 1973; Caston 2002; Mulligan and Smith 1985; Kriegel 2003). Husserlians, on the other hand, tend to argue for the view that there is an aspect of the object-directed experience that is self-aware as the *subject* of experience (cf. Smith 1986, 1989, 2004; Zahavi 1998, 1999, 2005), and I have argued for a version of such a view elsewhere (Drummond 2006). In particular I have argued that every object-awareness necessarily involves and is inseparable from an intrinsic, non-objectifying self-awareness.

To the extent that the third sense of consciousness – intentional directedness to objects – necessarily involves and is inseparable from the second sense of consciousness as self-awareness, the broader meaning of phenomenology as the investigation of intentional experience necessarily encompasses, but is not limited to, the narrow meaning of phenomenology (cf. Dretske 1995; Tye 1995, 1999; Lycan 1996; Carruthers 2000). In this paper, I shall explore, with particular reference to the moral sphere, how the narrow meaning of moral phenomenology cannot stand alone, that is, how the narrow meaning yields to the broad meaning. To put the matter another way, moral phenomenology in the narrow sense entails moral intentionality. This view parallels a more general position in the philosophy of mind that insists that not only is intentionality inseparable from phenomenality but that phenomenality is inseparable from intentionality (cf. Horgan and Tienson 2002). In its particular application here, it both specifies the more general position and serves to provide a more precise sense of what we might mean by “moral phenomenology.”

I shall develop this position phenomenologically, that is, by describing certain kinds of moral experiences. My focus will ultimately rest on the experience of obligation. However, the experience of obligation is a complicated one involving a

<sup>1</sup> This understanding goes as far back as Aristotle; cf. *De anima* 425b12–18; *Sense and Sensibilia* 448a26–30; and *Nicomachean Ethics* 1170a29–b1.

number of distinguishable intentions and a number of different types.<sup>2</sup> In particular, in experiencing obligation the agent is aware of objects and situations that have relevant non-axiological properties along with their axiological features. The description of experiences of the obligatory must, therefore, make reference to the apprehension of both the non-axiological and axiological features of the situation in which the agent experiences the obligation. Furthermore, there are different ways in which obligations are experienced, and their clarification requires not only an account of their difference but also a comparison with acts in which the virtuous agent acts morally without experiencing an obligation to act so.

Let us begin by considering an example of virtuous action. Suppose Mary makes a purchase at the local pharmacy, and the cashier mistakes a \$20 bill for a \$50 bill. When Mary receives her change, she recognizes that she has been given \$30 in excess change. Mary, an honest person, immediately returns the excess change to the cashier. Mary's experience has a rich phenomenal character. In this temporally extended experience in which Mary acts so as to return the money, she is aware of herself as bodily located in a particular space with a counter in front of her and across which stands the cashier, as receiving change in return for the money she tendered in making her purchase, as counting the change, as recognizing that there is too much, as being surprised by and immediately averse to keeping the excess change, as immediately recognizing in this feeling of aversion the wrongness of keeping the excess change, as immediately valuing the good (honesty) to be realized in the situation, and as returning the money. I do not mean to suggest any succession in these experiences; indeed, the virtuous person is virtuous just insofar as she has the right affective attitudes, is aimed at a good end, and performs the right action – often passively and without occurrent deliberation.

The mere description of Mary's phenomenal consciousness makes clear that it cannot be reduced to a set of sensations or feelings that are not involved in or taken up by an intentional relation to a worldly situation. In particular, the feelings that evaluate the receipt of excess change as bad and that grasp the good to be realized in the situation are directed toward the situation in which Mary finds herself and apprehend that situation as having particular axiological attributes. A phenomenal consciousness having moral significance will of necessity also involve an awareness of the worldly situation in which an agent is called upon to act and acts, and of the (apparent) goods to be realized or the duties to be fulfilled in action.

It is worth noting here that this claim should be understood against the background of a distinction between two senses of “feeling”: feeling-sensations and feeling-acts (Husserl 1984, pp. 401–10, 1970, pp. 569–75). The former are merely sensory experiences, for example, the visceral feelings associated, say, with anger. We locate them in the body, and they belong to our pre-reflective bodily self-awareness, but they are not intentional even in relation to presentations of the body. In some cases, of course, as in the case of the pain we feel when we burn ourselves, they can become involved in an intentional relatedness to our own bodies taken as

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<sup>2</sup> The term “intention” is here used in the sense deriving from intentionality. It is not to be understood as restricted to volitions. Instead, it refers to the directedness of consciousness. By virtue of this directedness a conscious subject experiences an object in a determinate way and as having a determinate, albeit further determinable, significance.

the object of a reflective regard, but they can also be felt in the body without our attention turning to our bodies.

Feelings-acts, on the other hand (which have feeling-sensations – and in particular, the sensations of pleasure and pain – as moments) are intentional; they refer to something as their object. So, for example, liking and disliking are the liking and disliking of something; joy and sadness are joy and sadness in something, and so forth. The intentionality of the feeling-act or emotional apprehension is derived, however, from an underlying presentation. That is, the feeling or emotion necessarily contains a moment that presents the object with certain non-axiological properties.<sup>3</sup> In responding affectively to these non-axiological properties, the subject has sensations of pleasure and pain, liking or disliking, approbation or disapprobation, which, by virtue of their attachment to the underlying presentation, ground a feeling-act that values the object. Just as perception (*Wahrnehmung*) is a “taking as true” that does not necessarily rise to the level of judgment, this value-apprehension (*Wertnehmung*) is a “taking as valued” that does not necessarily – although it can – rise to the level of a value-judgment. An emotion is distinguished from a simple feeling-act in this context insofar as it intends in a more determinate way the affective aspect of an object or situation; fear, for example, apprehends a situation not merely as unlikable but as dangerous. The feeling-act intends a thin axiological attribute; the emotional episode intends a thick axiological attribute.

Returning to the case of Mary’s decision to return the money, we can see how the phenomenal and intentional character of the experience is complex and intertwined. First, underlying her decision is a presentation of the situation that is characterized non-axiologically. Mary is cognitively aware of the fact that she is holding an extra \$30 to which she is not entitled. Second, Mary is discomfited by this fact. Her unease is founded upon her awareness that she has received too much money in return. That is, Mary’s uneasiness both presupposes and is rooted in her awareness of her having received the excess change, and her uneasiness takes up that prior awareness into itself and forms a unity with it. Hence, Mary’s unease is not simply a feeling-sensation, an affective response given solely in an intransitive phenomenal consciousness. Mary’s unease is itself intentional; it discloses that her having received too much change is bad. In brief, then, the founding moment in Mary’s experience presents  $C$  – the change received – as  $e$  – excessive – and founded upon that presentation is the unease that values ( $C$  as  $e$ ) as  $b$ , i.e. as bad. The concrete experience of Mary’s valuing the receipt of excessive change as bad can, then, be represented as

- (1)  $M$  in her unease (self-awarely) values  $[(C \text{ as } e) \text{ as } b]$  on the basis of recognizing  $(C \text{ as } e)$ .

The phenomenality of this valuing experience cannot be reduced to the feeling as a subjective, affective response without distorting the nature of the experience itself, without distorting the intentional character of the feeling “unease” as disclosive for the present situation of the thin value-attribute “bad.”

<sup>3</sup> Although more complicated cases wherein the feeling or emotion is rooted in another axiological property are also possible, these in turn will point back to simpler apprehensions of an object’s or situation’s non-axiological properties.

In our example, the immediate valuing of  $[(C \text{ as } e) \text{ as } b]$  is a function of Mary's being an honest and just person. Disposed to honesty and to giving people what is due to them, Mary has immediately recognized the receipt of the excessive change as bad. This means that both the phenomenal and intentional character of Mary's experience are dependent upon a set of acquired beliefs, a set of acquired attitudes, and a set of habitual dispositions to act. Given the non-axiological, factual details of her transaction, Mary has the right affective attitudes toward the situation and is disposed to perform the right action therein.

This example, I believe, points us toward an understanding of the Brentanian claim, echoed by Husserl and many others in the phenomenological tradition, that value-attributes – in this case, bad – are the correlates of affective experiences – in this case, unease – and that they are grounded in cognitive presentations. The feeling or emotion is not a response to a monadic value-attribute attached to the object or situation, as the naive realist regarding values might say. Nor is the valuation merely the expression of the affective response thereto. The value-attribute is the correlate of a feeling or emotion that is the affective response to the non-axiological properties of the object or situation by a subject with a particular experiential history, particular beliefs, emotional states, dispositions, practical interests, and so forth. The feeling or emotion experienced by this subject is justified or not by those non-axiological properties, and the feeling or emotion is “right” or “appropriate” when it is justified and when the underlying apprehension of the non-axiological is itself both true and justified. Modifying somewhat a suggestion of Mulligan (1998), we can say,

- (a)  $E$  is a feeling or emotional episode whose base  $p$  is either a perceptual (or memorial or imaginative) or judgmental presentation (or representation) of a natural object  $O$  and its natural, non-axiological properties.

Stipulating that

- (b) “justification” in this context means *prima facie*, non-inductive, and defeasible justification,

then,

- (c)  $E$  is a feeling or emotion appropriate to  $O$  and its non-axiological properties  $x$ ,  $y$ , and  $z$  if and only if
- (1)  $p$  is a veridical or true (re)presentation of  $O$  and of its properties  $x$ ,  $y$ , and  $z$ , and
  - (2)  $p$  is justified, and
  - (3)  $p$  justifies (is a reason for or rationally motivates)  $E$ , and
  - (4) no relation of justification mentioned is defeated.

Since the emotion is a founded act,<sup>4</sup> it can go wrong in two distinct ways. The underlying presentation can be false or unjustified. Conditions (1) and (2) jointly address this possibility, ensuring that  $p$  is both true and justified. To say that  $p$  or any

<sup>4</sup> To say that  $B$  is founded upon  $A$  is to say (1) that  $B$  presupposes  $A$  as necessary for it and (2) that  $B$  builds itself upon  $A$  so as to form a unity with it.

cognitive intentional content is justified means that it is directly presented to consciousness in perception – a seeing *of*  $O$  as  $x$  – or a categorial modification of perception – a seeing *that*  $O$  is  $x$  – or a clear and distinct memory. Condition (3) addresses the justification of the affective moment of the emotion.

There are instances, of course, when the underlying cognition is true and justified and the emotion is nevertheless unjustified. Imagine that Stephanie and her friends go to the observation deck on Rockefeller Center. When Stephanie arrives on the deck, she notes that there is a railing and Plexiglas shields around the perimeter, but she also recognizes that she is very high and that the building falls straight off. Given that Stephanie is disposed to fear heights and that she once suffered a bad fall, when her friends call her out to the perimeter, she declines to go because of her fear of heights. Stephanie truly understands the non-axiological features of the situation, including the presence of the Plexiglas shield, and her non-axiological understanding is justified by her perceptions of the observation deck and any judgments she forms on their basis. She knows she will not fall; nevertheless, she fears going to the perimeter. Even though Stephanie's fear is in one respect motivated by the height at which she finds herself and the sheer drop-off of the building, we think, given the presence of the railing and Plexiglas shield, that her fear is unjustified.

What is interesting in the phenomenology of this case is, first, that Stephanie in her self-awareness might very well recognize that her fear is unjustified and, second, that it is the affective dimension of experience that accounts for this recognition. This reveals itself in Stephanie's embarrassment at not wanting to go to the perimeter of the deck. Stephanie's self-awareness of her own emotional experience, in other words, has its own affective and evaluative moment. Stephanie's embarrassment about her fear is a negative appraisal of it, and it highlights the fact that Stephanie's knowledge that  $p$  – that is, she is protected from a fall – fails to justify the fear. Hence, there is another justificatory dimension to the emotional experience; this one, however, is a pre-reflective, intrinsic dimension of conscious life, and it can be stated as follows:

- (5)  $E$  justifies (is a reason for or rationally motivates)  $F$ , a (pre-reflectively or reflectively) self-assessing emotion (such as approbation or pride) that positively appraises and justifies  $E$ .

To return to Mary's case, then, receiving the excess change is “truly” negatively valuable just in case it is possible for it to be the object of an appropriate (negative) feeling, namely unease. More generally, something is “truly” valuable if and only if it is possible for it to be the object of an appropriate emotion, and something is “truly” or “rightly” valued or disvalued if and only if it is in fact the object of an appropriate emotion.

The analysis of Mary's decision is still incomplete, for the experience with which we started is Mary's returning the excess change rather than merely her evaluation of the situation in which she has received the excess change. Both a desire and a volition are further founded upon the valuation. As an honest person, Mary, in valuing  $[(C \text{ as } e) \text{ as } b]$ , also values and desires an alternative state of affairs, namely  $[(C \text{ as } \textit{not-e}) \text{ as } g]$ , a desire rooted in the unease that negatively values  $(C \text{ as } e)$ . More fully stated, in valuing  $[(C \text{ as } e) \text{ as } b]$ , Mary recognizes  $(C \text{ as } \textit{not-e})$  as a possible state of affairs realizable in action, values  $[(C \text{ as } \textit{not-e}) \text{ as } g]$ , and desires to bring

about ( $C$  as *not- $e$* ). In response to this desire, Mary effectively wills action  $A$ , the return of the excess change. In summary, then, Mary's experience of returning the change has a sense-structure—a structure of intelligibility – that can be summarized as follows:

- (2)  $M$  self-awarably and effectively wills (i.e., performs)  $A$  on the basis of self-awarably desiring [( $C$  as *not- $e$* ) as  $g$ ] on the basis of self-awarably valuing [( $C$  as  $e$ ) as  $b$ ] on the basis of recognizing ( $C$  as  $e$ ).

I should reemphasize that analyzing the sense-structure of Mary's action in this way is not meant to suggest that there are a series of discrete experiences occurring in succession. Mary is the virtuous agent; she has a fully assimilated sense of the good of honesty. She acts directly from this sense without any occurrent deliberation. This analysis of the sense-structure of Mary's action is meant to suggest only that the immediate return of the excess change is an experience that is complex and, in particular, that it is an experience that has layers of cognitive, affective, and volitional significance. It is precisely because Mary is honest and just that she immediately returns the money on the basis of an immediate and habituated recognition that receiving the excess change is bad and returning it is good. Indeed, were Mary not to return the \$30, she would be ashamed. Once again, however, this would not be a mere affective response. In a sentence that clearly manifests the intermixing of phenomenal and intentional content, we can say that Mary would be ashamed by *her* failure to give back the \$30, by *her* failure to decide and to act in an appropriately good way in a particular situation, the facts of which she was aware.

Such a self-assessment on Mary's part repeats the pattern of her original valuation of the situation in which she received the excess change. In both cases, her evaluation is based on a grasp of non-axiological properties of the situation, either the receipt of the excess change or her failure to give it back. In both cases, the affective response to the situation with its non-axiological properties is the specific moment of evaluation, and in both cases, the evaluation is a negative one.

Let us modify our example somewhat in order to distinguish acting virtuously from actions involving a sense of obligation. Suppose Janet makes the same purchase at the pharmacy, and once again the cashier mistakes a \$20 bill for a \$50 bill. When Janet receives her change, she recognizes that she has been given \$30 too much in return. However, Janet, who recently lost her job and is short of money, is tempted simply to walk out the door and keep the \$30 in excess change. Hesitating for a moment, she recognizes that, however nice it might be to have the extra money, she ought to give it back since it properly belongs to the store and she would not want to do something dishonest. So Janet, like Mary, returns the excess change to the cashier. To a third-person observer Mary's action and Janet's action are the same, but from the first-person perspective they are different. The phenomenal difference entails in turn that the intentional structure of the two actions is different.

Like Mary's experience, Janet's has a rich phenomenal character, one that overlaps the phenomenal content of Mary's experience. Janet, like Mary, is aware of herself as bodily located in a particular space with a counter in front of her and across which stands the cashier, as receiving change in return for the money she tendered in making her purchase, as counting the change, and as recognizing that there is too much. Unlike Mary, however, Janet recognizes that it would be nice to



have the extra money to help pay her rent, and she is tempted to keep it. Nevertheless, Janet recognizes that it would be wrong (i.e., dishonest and unjust) to keep the money and that it would be wrong (unjust) to put the cashier into the position of having to pay \$30 from her own pocket to balance her cash drawer. She recognizes, in short, that she ought to return the money. So, like Mary, Janet returns the excess change to the cashier, although, even as she returns it, she still wishes she had that money for her rent.

Janet's initial hesitation upon receiving the excess change reveals a different valuation from Mary's.

(3) *J* self-awarely values [(*C* as *e*) as *g*]

insofar as it will help her cover her rent. However, her upbringing and, perhaps, her normal sense of self, inform a competing valuation such that

(4) *J* self-awarely values [(*C* as *e*) as *b*]

and, correlatively,

(5) *J* self-awarely values [(*C* as *not-e*) as *g*].

Unlike Mary, then, Janet is faced with two contradictory valuations [(3) and (4)] and two non-compossible goods [(3) and (5)]. Janet, unlike Mary, is – at least for a moment – torn between two alternative valuations, and she enters an explicitly deliberative moment in which she deliberates about the importance of the competing goods. Janet's desire to obtain money to cover her rent is an understandable desire, but she recognizes that doing so would, in this case, involve dishonesty and injustice both to the store and to the clerk. On this basis Janet prefers the goods of honesty and justice as both self-regarding and other-regarding goods to the merely self-regarding good and other-regarding harm that would allow her to cover her rent.

Janet's valuation, therefore, is more complex than Mary's. Whereas Mary, in disvaluing the receipt of the excessive change, correlatively and immediately recognizes the return of the excess change as the only good to be realized in the situation, that is,

(6) *M* self-awarely values [(*C* as *not-e*) as *g*],

Janet recognizes two goods and has to work out their relative merits. For Janet, in other words, the desire underlying her returning the excess change is clearly preferential in character in a way that Mary's is not:

(7) *J* self-awarely prefers [(*C* as *not-e*) as *g*] to [(*C* as *e*) as *g*],

or

(8) *J* self-awarely desires [(*C* as *not-e*) as *g*] over [(*C* as *e*) as *g*].

Janet's preferential desire underlies her decision to return the excess change. We have described the structure of Mary's volition as:

(2) *M* self-awarely and effectively wills *A* on the basis of self-awarely desiring [(*C* as *not-e*) as *g*] on the basis of self-awarely valuing [(*C* as *e*) as *b*] on the basis of recognizing (*C* as *e*).



A comparable statement of the structure of Janet's volition, on the other hand, is:

- (9) *J* self-awarely and effectively wills *A* in the light of end *H* (the end of being honest and just) on the basis of self-awarely preferring [(*C* as *not-e*) as *g*] to [(*C* as *e*) as *g*] on the basis of recognizing (*C* as *e*).

If, on the other hand, Janet had chosen to keep the excess change to help pay her rent, the structure of her volition would be:

- (10) *J* self-awarely and effectively wills *B* in the light of end *R* (the end of paying her rent) on the basis of self-awarely preferring [(*C* as *e*) as *g*] to [(*C* as *not-e*) as *g*] on the basis of recognizing (*C* as *e*).

Janet's decision, in other words, requires a judgment about the relative choiceworthiness of the competing ends and her preference for *H* over *R* (or vice versa), but that discussion would take us in another direction. For the moment, suffice it to say that Janet's preferring *H* over *R* involves the recognition that the unease in keeping the excess change is an appropriate emotion in response to the receipt of the excess change whereas the joy at being able to pay one's rent is not an appropriate response to the particular manner in which the money to pay the rent became available to her. In Mary's case, then, there is an affective and evaluative experience that incorporates an underlying cognition but does not deliberate. In Janet's case, on the other hand, there is a second entrance of reason beyond the underlying cognitions – the entrance of a deliberative reason.

Janet's action is virtuous, but Janet herself is not virtuous in the way Mary is. Janet does not act from a virtue, although she does act from a sense of the good of honesty. Janet recognizes the good of honesty and this recognition orders her preferences such that her occurrent deliberation chooses doing *A* over *not-A*. Janet acts out of a sense of the good, that is, a sense that honesty is better than paying her rent with this excess change insofar as acting honestly makes her a better person and achieves a just result for the cashier. Janet does *A* on the ground that *H* is the choiceworthy end in this situation. But we can imagine that Janet, having decided to return the money, is still drawn to the good of paying her rent. Whereas Mary's decision to return the money flowed effortlessly and without break into the action of returning the money, Janet's hesitation after receiving the excess change and before carrying out her decision reveals that when she proceeds to return the money, she is no longer simply acting out of a sense of the good of honesty. In ordering the good of honesty over the good of having money to pay rent, Janet experiences something new. She experiences not only a sense that it would be *good* to return the money and to be honest, but also a sense of obligation, a sense of what honesty *requires* of her. As I shall suggest below, however, this is not yet the experience of what we might, in a manner reminiscent of Kant, call "acting from duty." Janet throughout wants to be honest, and she desires to act in a way that is honest. She acts from the good of honesty, even though the honest action is done not as the honest person does it, but because it is seen as required by honesty. Janet has not yet internalized the deliberation involved in her action in such a way as to produce honest actions without occurrent deliberation.

Let us modify the example once more. Suppose Penelope makes the same purchase at the pharmacy, and once again the cashier mistakes a \$20 bill for a \$50

bill. (It's clearly time for the pharmacy to hire a new cashier!) When Penelope receives her change, she recognizes that she has been given \$30 too much. Penelope, however, wants a dress she has just seen in a store down the street. Penelope sees the excess change as a good, and she leaves the pharmacy with the extra money to go buy the dress. Perhaps Penelope has been formed in a manner opposite Mary, and her past experience is of a sort that she does not even recognize an alternative good in this situation. This option can be represented as:

- (11) *P* self-awarely and effectively wills *B* on the basis of self-awarely desiring [(*C* as *e*) as *g*] on the basis of self-awarely valuing [(*C* as *e*) as *g*] on the basis of recognizing (*C* as *e*).

Suppose, however, that Penelope has instead been formed in such a way that she does recognize the goods of honesty and justice to be realized in giving the excess change back to the cashier. Nevertheless, her desire for the dress outweighs – at least in this case – her desire to be honest and just. The structure of this experience can be represented as:

- (12) *P* self-awarely does *B* in the light of end *D* (the end of buying the dress) on the basis of self-awarely preferring [(*C* as *e*) as *g*] to [(*C* as *not-e*) as *g*] on the basis of recognizing (*C* as *e*).

While Penelope's actions are in both situations the same, there remains a difference, and it is comparable to the difference between the actions of Mary and Janet. Penelope's first action sees only one (apparent) good, and her action is rooted in her desire for that (apparent) good. Mary too had recognized only one good, but her recognition was properly informed by a history of deliberation about what goods are more central to human flourishing in our individual and communal lives. Penelope's action, in the first case, is not so informed. In the second case, however, Penelope, like Janet, deliberates in the light of an end, but, unlike Janet, Penelope is mistaken in her preferences. She mistakes the order of goods, that is, she inappropriately prefers the end *D* to the end *H*, and she decides in favor of keeping the excess change and buying the dress. To the extent that she is unaware of her inappropriate preference, Penelope acts viciously, in ignorance of truly choiceworthy ends. Were she to recognize her preference as inappropriate, that is, were she aware of returning the excess change as good and of the right order of preference, she would act self-indulgently, and she might very well experience self-assessing emotions such as regret, shame, and guilt.

Yet another possibility exists for Penelope. Penelope is pleased to receive the excess change because it will enable her to buy that dress down the street, although she has also been formed in such a way that she recognizes the goods of honesty and justice to be realized in returning the excess change. Moreover, she recognizes that the goods of honesty and justice are to be preferred. However, her recognition that honesty and justice are to be preferred does not motivate a desire to return the excess change. Nevertheless, Penelope, albeit somewhat reluctantly, returns the excess change to the cashier. In this case, in other words, Penelope appropriately values the good to be realized in the situation but does not desire to realize it. Valuing, but not desiring, [(*C* as *not-e*) as *g*], Penelope experiences the obligation to do *A* so as to

realize ( $C$  as *not-e*), since that is what honesty requires. The structure of this volition can be stated as follows:

- (13)  $P$  self-awarely and effectively wills  $A$  in the light of end  $H$ , the end of being honest and just, on the basis of self-awarely valuing [ $(C$  as *not-e*) as  $g$ ], while preferring [ $(C$  as  $e$ ) as  $g$ ] to [ $(C$  as *not-e*) as  $g$ ], all this on the basis of recognizing ( $C$  as  $e$ ).

Let us call this kind of experience the experience of duty, since Penelope's desires conflict with what she knows is required. We should note, however, that this notion of duty is different from Kant's. Penelope's deliberations are ordered toward a sense of the goods to be realized in action and a proper ordering of those goods. The recognition of what is required or dutiful is not achieved by reason alone, by reason's recognizing that the principle according to which I act conforms to the form of a practical reason ensuring a consistent moral order. Instead, the experiences of obligation (in the sense of what is required by the pursuit of a certain good) and of duty (in the sense of what is required even when our evaluations and desires are ordered toward competing, but lesser, goods) arise precisely when there are conflicting goods experienced and the agent must properly order these goods in an appropriate preference and then act so as to realize the appropriately preferred good. Where the agent is appropriately ordered toward the good, she does not experience obligation in her action.

I wish to add one last complication to my examples before concluding. Agents pursue goods for themselves and others in particular historical and cultural contexts. Hence, there is bound to be some variation in defining the goods to be pursued and in ranking them in appropriate preferences. Indeed, competing goods might be ranked differently even by the same agent at different times without any contradiction. In some periods in life, for example, an agent might devote more time and concern to the realization of the goods of parenting, whereas in different periods that same agent might devote more time and concern to the realization of professional and career goods.

The experiences we have described have a notion of truth proper to them. There is the truth or veridicality that belongs to the underlying presentation or representation and there is the appropriateness of the evaluative moment involved in action. The virtuous agent is the agent possessing practical wisdom along with the moral virtues. For such an agent, following the example of the *phronimos*, i.e., of another virtuous agent, is insufficient. The virtuous agent lives self-responsibly, making decisions for herself rather than passively accepting received attitudes and opinions about the good. Such an agent thinks well and truly about the situations in which she is called upon to act, has the appropriate feelings, emotions and attitudes regarding those situations, and acts rightly. The virtuous agent, in other words, in acting in the pursuit of true goods *for* the agent (including, for the agent who exercises other-regarding virtues, the goods of those affected by her actions) also realizes the goods of thinking well, feeling well, and acting rightly—what we might call the “goods of agency.” The goods of agency are *necessary* conditions for the possibility of rightly ordering the goods for agents. These goods of agency must, therefore, be effectively willed in the virtuous pursuit of the goods for an agent. Moreover, since one cannot

think or reason rightly by oneself, that is, since one must think *for* oneself but cannot rightly think *by* oneself, these goods of agency must be effectively willed for others as well as for oneself.

Consequently, there is a class of goods, organized around the notion of thinking, feeling, and willing rightly, that are necessarily willed by the virtuous agent. This entails some special cases of preferring, wherein

- (14) An agent prefers  $G_1$  (a good of agency) as necessarily  $g$  [as felt] over against  $G_2$  (a good for the agent) as  $g$  [as felt].

Moreover, the recognition of these goods of agency as necessarily willed transforms our understanding of the goods for an agent. The goods for agents are now apprehended as necessarily yielding to the goods of agency. For example, in exercising honesty and kindness toward a friend who is about to make a seriously flawed decision, one might be honestly abrupt with one's friend in order, as it were, to save her from herself. But one might do so in a way that one's friend begins to feel coerced in her decision. The effect of one's brutal honesty, in other words, would be to limit the friend's autonomy to decide for herself about the best course of action. This would be to place a good for the agent (one's own honesty) ahead of the other's good of agency (autonomy). Recognizing the necessity, however, of the goods of agency for the pursuit of goods for the agent, one's sense of honesty is refined to the point that one recognizes that honesty with a friend cannot truly be thought of in such a way that it would permit denying one's friend the autonomy to choose for herself.

As before, when the agent has fully assimilated the goods of agency as necessarily preferred goods along with a sense of what best conduces to these goods, she effectively wills these goods without occurrent deliberation and she acts virtuously. When an agent recognizes the goods of agency for herself and others as necessarily preferred goods and this recognition orders her preferences such that her occurrent deliberation effectively wills them, she recognizes that they require certain actions and she acts from a sense of obligation. When an agent recognizes that the goods of agency for herself and others require certain actions, even though her preference is to pursue goods for herself or others that conflict with the goods of agency, and she nevertheless acts to pursue the goods of agency, she acts from a sense of duty.

Stipulating, then, that  $V$  is an effective volition that issues in action  $A$  as conducive to end  $G$  and whose base is  $E$ 's evaluation of  $G$  as a good end, we can say:

- (d)  $V$  is rationally justified and  $A$  is right if and only if
- (1)  $E$  is appropriate;
  - (2)  $E$  justifies  $V$ ;
  - (3)  $A$  realizes  $G$  as an internal or external consequence;
  - (4)  $A$  does not frustrate (or frustrates least) the realization of necessarily valued goods; and
  - (5) No relation of justification mentioned is defeated.

What is important to note in these examples are the differences in their phenomenal and intentional characters, as well as the fact that, and the manner in

which, these differences are correlated. The different types of experience have different sense-structures and different patterns in the complexes of cognition, valuation, desire, and volition proper to each kind of experience.

I suggest that these differences point us toward a proper understanding of the tasks for a moral phenomenology. A moral phenomenology in the narrow sense would be concerned to describe only the subjective aspects of our moral experience, aspects that deal with the kinds of self-awareness encountered in that moral experience. Such a narrow moral phenomenology would seek introspective generalizations regarding the psychology of different moral experiences. If the descriptions I have outlined above are to the point, then that narrow account of moral phenomenology is insufficient. We cannot give an account of the first-person perspective of those experiences without giving a robust and detailed account of the complex intentionality proper to them precisely because of the intentional character of the cognitions and feelings involved. The experiences of Mary, Janet, and Penelope, even when they perform the same action of returning the excess change, have different phenomenal contents tied to different understandings and valuations of the situation in which they act.

This entails an ambitious research program for a moral phenomenology, and for a variety of reasons. In the first place, the scope of moral experience is very large. Moral experiences are directed towards moral goods, towards moral duties, towards actions having moral significance, and towards moral agents. Moral experiences can involve certain kinds of “takings” as well as certain kinds of judgments, and both levels of experience must be explored.<sup>5</sup> Moral experiences can be directed toward abstract “values” or value-concepts, and they can be directed towards ideals, either by articulating moral ideals or by directing our actions towards them.

In addition, although I have focused in this paper on agency, we must recognize that moral action also and necessarily involves patients. In all our examples, the cashier is present as the patient of the action in which the change is returned or not. This fact points to two additional kinds of descriptions that would be involved in a moral phenomenology. The first is the description of the empathic understanding that takes into account the first-person perspective of the patient of our action and the manner in which that empathic understanding contributes to the deliberative process. For example, to the extent that Janet takes into account the effect of her actions on the cashier, she is incorporating a second-person perspective into her deliberations. Of course, this kind of consideration is not limited to calculating the effects of my actions on others. It might very well take into account my understanding of the “audience” for my actions; the words I choose, for example, in addressing a political rally and trying to whip up a sense of moral indignation without inciting to violence reflect an understanding of my audience. The decision about what to do in the face of the competing demands of honesty and kindness toward a friend require that I have some sense of the affective dispositions of my friend as well as her current state of mind. If I see that my friend is angry, I might put what honesty requires off until another day or temper my honesty with kindness more than usual.

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<sup>5</sup> Husserl's German captures this difference well in the distinction between *Wertnehmen* and *Werturteil*, which parallels the distinction between *Wahrnehmung* and *Urteil*.

The second kind of description called for by the patient is the description of what it is to be a patient, that is, the first-personal description of what it is to be the one to whom the action is addressed. We could describe, in particular, the experience of the cashier in responding to Mary and Janet as they return the money, an experience in which the differences between Mary and Janet would be irrelevant unless the cashier detected Janet's hesitations in her demeanor. We could also describe the cashier's experience as she discovers that her drawer is short thirty dollars and she figures out that she mistook a \$20 bill for a \$50 bill and remembers that only that woman in the red dress—Penelope is her name, she seems to recall—received more than \$30 in change. We could follow this experience as the cashier checks to see what prescriptions went out that day and confirms that a Penelope Warren picked up her prescription and, upon this discovery, deliberates about what action, if any, to take.

Finally, there is the perspective of a third-person observer and, in particular, the impartial observer. The person behind Mary, Janet, or Penelope in the line to pick up prescriptions might well have witnessed what happened. In the case of Mary and Janet, she might simply admire their honesty. In the case of Penelope, however, she might immediately take Penelope's departure with the money to be wrong, at which point she herself becomes an agent.

It is examples of the sort I have described and these concluding considerations, I believe, that point to the conclusion of the necessity for a broadly construed moral phenomenology and to the kinds of descriptions such a phenomenology ought to provide. They are descriptions of the intentional structures of different *types* of moral experience, which types are differentiated, for example, on the basis of that to which the experiences are directed; the first-, second-, or third-personal perspective involved in the experience; and the manner in which the intentional direction is achieved (whether it is achieved by the virtuous agent, the agent performing the obligatory action, or the agent acting from duty). Good descriptions of these intentional structures will point toward the *kind* of phenomenal content to be found in these different *types* of experience. Moral phenomenology, therefore, despite the multiplicity of types of moral experience, has a single, theoretical aim—the identification of the (varied) intentional structures belonging to the manifold types of moral experience.

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