Moral Fallibilism

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Amy Spino

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AMY SPINO

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the Department of Philosophy

and the College of Arts and Sciences by

Christoph Hanisch

Associate Professor of Philosophy

Sarah Poggione

Dean, College of Arts and Science

Abstract

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Moral Fallibilism

Director of Thesis: Christoph Hanisch

In the meta-ethical debates about moral knowledge, there are many theoretical positions to consider. If one is to have an account of moral knowledge, that will inevitably be affected by how one thinks about knowledge in general. I will be transferring a general theory of knowledge and epistemic justification to the more specific domain of ethics, through the lens of epistemic fallibilism. My goal, in applying this epistemic framework to moral discourse, is to outline how moral fallibilism (my theory) can provide a unique and attractive account of moral knowledge. I will accomplish the application of epistemology to ethical theory by implementing Stewart Cohen's account of fallibilism (with its central notion of "relevance"), and by highlighting the aim and position of moral fallibilism by contrasting it with Mackie's error theory. Finally, I will illustrate moral fallibilism by applying it to contemporary moral concerns; the debate about abortion, in particular. Ultimately, I propose a fresh theory of moral knowledge that emphasizes the varying degrees of justification for our ethical beliefs while defending, at the same time, a moderate account of moral objectivity.

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1. Introduction

When it comes to the meta-ethical discussion of accounts of moral knowledge, and how to think about the justification of moral claims, there are many theoretical positions to consider. There are the contrasts between cognitivism vs non-cognitivism, realism vs non-realism, error theory, emotivism, skepticism, fictionalism, and so many more. Each camp includes relevant figures, such as G. E. Moore or J. L. Mackie, whose work continues to be important in contemporary discourse. My project is no exception in that it discusses some of these contemporary classics.

While epistemology is no doubt involved in these dense theories, I find myself underwhelmed by the marrying of that specific discipline and ethics. If one is to have an account of moral knowledge, that will inevitably be affected by how one thinks about knowledge in general. The two accounts do not have to be exactly the same, because there is an argument to be made that there can be different epistemologies for different domains, but there should still be compatibility between general epistemology, on the one hand, and the specific meta-ethical concerns with moral knowledge and justification of first-order ethical claims, on the other.

My argument will be starting from a general account of knowledge, and then move to the specific domain of moral knowledge. I will be showing how this transfer can be made, and I will do so through the lens of the influential theory of epistemic fallibilism. Most epistemologists accept fallibilism to some degree,[1] and my goal is to apply this epistemic framework to moral discourse and outline how moral fallibilism can provide a unique and attractive account of moral knowledge. While some moral theories

[1] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 91.

appear to implicitly presuppose a form of fallibilism, or at least express sympathies for a more central role of empirical sources for understanding ethics, there is little representation of a direct use of fallibilism in ethics. I will accomplish this application by implementing Stewart Cohen's account of fallibilism and theory of relevance (relevance in terms of factors that contribute to or hinder our belief justifications), highlighting the aim and position of moral fallibilism by contrasting it with Mackie's error theory, and applying it to contemporary moral concerns (primarily the permissibility of abortion). Overall, I propose a fresh theory of moral knowledge that emphasizes the varying degrees of justification for our ethical beliefs while defending, at the same time, a moderate account of moral objectivity.

2. Fallibilism

Given that my project requires applying the attributes of epistemic fallibilism to ethical inquiry and moral knowledge, I must first clearly outline what epistemic fallibilism is. When it comes to epistemology and what can be known, on one end we have the infallibilists, who require certainty in order to have knowledge, and on the other we have the skeptics, who claim that we cannot have knowledge at all. Fallibilism aims to be more moderate in its approach[2], which is part of why it continues to be attractive. The general definition of fallibilism is this: Our grounds for justifying our beliefs, or for acquiring knowledge, accounts for the fact that those grounds can rarely, if ever, bring us epistemic certainty. Whether this accounts for human error or the nature of knowledge itself, at least most known propositions have in common that the evidence for them is compatible with them being false.[3] To put it into more epistemologically apt terms:

S can know *p* on the basis of *r*, where *r* only makes *p* probable.[4]

What is important to note about fallibilism is that it is not maintaining that our beliefs always contain falsity, only that our evidence for said beliefs is logically consistent with them being so. Falsity is not built into knowledge the way that it is with skepticism; just fallibility is, which is but an epistemic possibility and not a guarantee. I can know that it is raining, because the evidence points to that being the case, and I am justified in believing so. Still, fallibilism accounts for the fact that the grounds for my

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[2] Richard Feldman, "Fallibilism and Knowing That One Knows," *The Philosophical Review* 90, no. 2 (1981): 266.

[3] There can be more narrow views of fallibilism, meaning that they may accept mathematics as infallible, but empirical knowledge as fallible because of the modes of its acquisition. I will not be committing to one specific view in this sense, as it is not relevant to my project to attempt to fine tune or close all questions within fallibilism. My definitions are phrased in a way to leave certain options open, but for my purposes, I will be applying this general outline of the epistemic considerations that fallibilism argues for.

[4] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 91.

knowledge are not conclusive. It is about certain propositions being more likely true than false, or being justified in one's beliefs; hence, fallibilism functions on a kind of probability. Knowledge entails truth (also for the fallibilist), but one has to accept that any putative knowledge is up for revision, due to the non-absolutist nature of epistemic justification.

Another key aspect, brought up by Stewart Cohen in his paper "How to be a Fallibilist," is relevance and alternative possibilities. He says, "How probable an alternative must be in order to be relevant will depend on the context in which the knowledge attribution is made…S knows a proposition in any context where its negation is not relevant."[5] I will be utilizing this aspect of Cohen's theory when I apply fallibilism to ethical inquiry, and in that section, I will go more into depth on what constitutes relevance. In this way, fallibilism is able to be more contextual. I can say that I know something, because the other cases that are relevant in threatening the validity of that knowledge, are much less likely to be the case. Also, I can discount many alternatives due to them not counting as relevant at all.

A common example in epistemology is knowing that I have hands. The negation of this statement is not worth considering (in most contexts), at least as far as my position epistemically is concerned, because it is not relevant, given Cohen's understanding of relevancy. I am justified in believing that I have hands, and can say I know it to be true, even though my justification for that belief could be compatible with the belief that I do not have hands (i.e., that I am dreaming). I do not have to, like the infallibilist would want to, say that this truth is without any doubt, or is "certain." Such a high bar would

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[5] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives 2* (1988): 96/98.

make knowledge unattainable when it need not be, because to know does not need to mean to be infallible. Humans and their ways of acquiring knowledge and beliefs are susceptible to error and can result in beliefs needing revision, but fallibilism allows that we can know things and be justified in our belief in them regardless.

Another question to consider: how is it that I can come to know something? Well, what one "knows" is related to the evidence they have that leads them to have belief *p.* This can be perceptual, or based on reason, or a combination of the two. For example, my belief that a certain film is showing later in the week based on what my friend told me is related to how likely it is, given prior evidence, that my friend, or people in general, are deceiving me. The context in which the knowledge is acquired, and the relevant evidence I have to potentially believe not *p,* are what contribute to me having knowledge that the film is showing[6]. As Cohen will argue (and I will clarify this contrast below), there are external and internal factors that we weigh in our quest for knowledge. In the above scenario, more internal evidence is at play, and this is the factor that Cohen implements to defend a more robust theory of relevance, as prior to him the external factors were the only consideration. So, to summarize, I know *p* because my evidence, whether internal or external, or both, lead me to negate other possibilities with surety[7], but not with certainty.

Relevance is connected to our grounds for justification, which I will be analyzing further later as it applies to ethical inquiry. The question does arise, though, if fallibility is inescapable when it comes to human modes of inquiry, how can one be rationally justified in holding a belief? It can be easy to let skepticism bleed into the fallibilists'

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[6] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 103.

[7] I use the word surety here to mean believing my knowledge to be correct. So, I can know *p* with confidence, making me sure of it, but as a fallibilist, I know I cannot be certain of *p* in an infallible way.

understanding because of its central tenet that my justifications for knowledge can never be fully conclusive. However, fallibility being a feature of human knowledge does not lead to the outcome that it is a vicious cycle of possible falsity, or rampant unreliability. That is, fallibility is present in the justification of a belief, so how does that not threaten the belief itself? How can there actually be robust epistemic justification?

The response to this can be as follows: there being limitations to something that is necessary for knowledge (namely, epistemic justification) does not entail that those limits hinder the ability to achieve knowledge. The fallibilist is putting forth a claim about the nature of one's evidence for *p.* If it is true that our evidence for a belief cannot ever be conclusive, whether that be in science or ethics, then that is just a feature of knowledge one must accept. But, it does not mean one has to then accept that we can never know a proposition, because we can, according to the fallibilists perspective. Our evidence and justification will, in most cases, never reach the ideal of certainty, but it does not have to reach that in order for us to be able to actually know *p.* Therefore, epistemic fallibility can coexist with evidence, justification, knowledge, etc., but the former qualification does not pose a debilitating threat to the latter set of central theoretical (and practical) epistemic ideas.

2.1 Ethical Application: A Preview

Roughly speaking, how would the fallibilist theory work when applied to ethics? That is, to first-order moral claims, such as "lying is wrong." Considering this realm is different from that of general inductive or scientific inquiry, some adjustments will need to be made. Or, at the very least, fallibilism will have different implications when it is about analyzing ethical beliefs we hold and how we can be justified in holding them.

However, these necessary adjustments notwithstanding, the resulting theory could not be called moral fallibilism if we detracted too much from what epistemic fallibilism holds, so its integrity will have to remain intact.

Applying this epistemic framework to ethics, it looks something like this: I am justified in holding a specific moral belief *x*, or I am justified in holding *x* to be morally right and *y* to be morally wrong, because, given the relevant evidence, it is much more likely than not that this is the case. As I said before, the fallibilist holds that knowledge entails truth, so if I really know *p, p* is true. Given this, we need not analyze the truth value of an ethical proposition and don't need to focus on moral statements being true or false, because as fallibilists, having knowledge already means the moral claim in question is true. This would entail that the moral fallibilist holds that there do exist, at least some, true first order ethical propositions. The focus is on the justification of our moral beliefs, such as: what does it mean to know abortion is morally permissible? The moral fallibilist assumes we can acquire knowledge about this matter; the question for our purposes rather is how do we come to know it and how do we justify it?

One aspect of the ethical realm that makes this transfer require a bit of a different lens, along with the specificity of this domain, is that, overall, the stakes are higher; being fallible about whether I am looking at a zebra or a cleverly disguised mule is not as impactful on human life and flourishing (in terms of whether my belief that it is a zebra is correct or not) than the fallibility of the evidence and reasons given to conclude that abortion can be morally permissible. The fallibilist wants to allow for this belief to be justified and deemed true, but what are the implications of understanding that my grounds for believing it are fallible? This is where more analysis will be required; namely with

regard to the application of Cohen's crucial contributions, according to which the moral fallibilist establishes knowledge by identifying that a particular ethical belief is to be accepted when compared to (only) relevant alternatives.

So, how does one reconcile this in a way that gives ethics the authority it needs to be effective? Moral fallibilism is first and foremost a metaethical theory about what constitutes and how we acquire moral knowledge. This is, for example, related to specific ethical claims, such as, how we can *know* abortion is morally permissible. However, another goal of my project is to illustrate how this would be applied. What would a society that implements this epistemic framework look like, and what does it mean if moral knowledge can be true, yet fallible in how it is justified?

3. Moral Knowledge

Similar to its position in epistemology, when applied to ethics, fallibilism occupies a more moderate position. It does lean more towards moral realism, but this is a broad camp with many differences lying within it. The claim that moral propositions are either true or false (cognitivism), or that moral facts exist (realism), is something the moral fallibilists and realists both would hold. However, fallibilism is more socially situated than the typical moral realist would allow for. Moral fallibilism tends to rule out and is incompatible with certain theories of morality. Its overall goal remains, however, to achieve a kind of objectivity and to maintain a solid conception of ethical authority, that is potent enough to instill motivation to act accordingly, and to avoid collapsing into any skepticism, relativism, or subjectivism.

A meta-ethical argument I find relevant to compare my project to is error theory, with one such theory being famously put forward by J.L. Mackie in his book *Ethics: Inventing Right and Wrong*. Error theory holds that all first order moral propositions (FOMP) are false; but as Mackie maintains, his view is not skepticism in the usual sense. It is also not reducible to moral subjectivism. What is interesting for our purposes is that, considering error theory holds that *any* FOMP is false, Mackie's theory seems to be incompatible with fallibilism, considering fallibilism holds that in order for there to be knowledge, moral propositions (or any proposition) have to be true. In other words, if all moral knowledge is impossible, and for fallibilists knowledge entails truth, this looks like the two theories conflict with one another and a meta-ethicist cannot be an error theorist and a fallibilist.

However, a closer look indicates that the two positions can be occupied at the same time. By saying that all moral propositions are false, Mackie is essentially cutting off the conversation before it can begin. Fallibilists are concerned with justification for knowledge, but if that knowledge is not acquirable, then there are no justifications to look to. So, a fallibilist could say that moral knowledge, because no positive claims in it are possible (according to error theory), does not exist. Given this, it means one can be an error theorist about moral values/knowledge and a fallibilist about knowledge in general.

As far as moral fallibilism, there is the second claim, critical of Mackie's radical conclusion, that at least some true FOMP exist. This is what will ultimately rule out error theory from the moral side (more on that below), but not from the purely epistemic side. This does not render the project moot though, because if one is an error theorist or typical skeptic about moral knowledge, the purpose can still be to think of it as *if* moral knowledge were possible, this is how we would reach and justify it. This helps to sharpen the image of what exactly the endeavor of moral fallibilism is (in light of Mackie's error theory); the emphasis being on justification in analogy to how the fallibilist looks at other (more empirically-involved) domains of knowledge. If one acquires (with some added considerations) moral knowledge in the same way the fallibilist acquires other knowledge, or the features of obtaining knowledge are consistent with the approach to morality, one can say we have moral knowledge.

3.1 Epistemic Concerns

Highlighting the extent to which error theory is and is not compatible with fallibilism provides more clarity for the goal at hand, but I also want to analyze Mackie's argument further to address the issues present and how my project seeks to rectify them.

Focusing on the realm of moral knowledge, if we are to indeed know that a certain moral claim is true or false, there has to be a way to access this information. Mackie, the moral epistemologist, is understandably (and infamously) skeptical of how we can come to know moral values, because of the unique aspect of ethics when compared to other domains. He finds ethics unique compared to other domains because he believes we need some strange faculty (a Moorean "faculty of intuition") to access moral truths. However, he is wrong to conclude that they (i.e., moral values or propositions) are not knowable. In the next section I will discuss more what is involved in this "knowing" process according to moral fallibilism, but I first want to respond to Mackie's epistemic concerns more directly and point out where his theory encounters problems.

Mackie says that, "…if we were aware of them [moral values], it would have to be by some special faculty of moral perception or intuition, utterly different from our ordinary ways of knowing everything else."[8] Part of what makes Mackie's argument seem strong is that there are steep and (what is supposed to be obvious) criteria for moral values to be objective, but why is it that these criteria have to make moral knowledge impossible? True, if a property is so queer that there is no conceivable way to verify its existence, then it would follow that we could not know this property. However, in his response to Mackie, Lee Shepski points out that Mackie is simply equating something that is not [entirely?] empirically measurable or knowable with it being queer.[9] If, as fallibilists, we can have strong justifications to back up our beliefs that then constitute knowledge, what is hindering this from being possible just because the conversation has

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[8] J. L. Mackie "The Subjectivity of Values," *Ethics: Essential Readings in Moral Theory*, (2012). 27.

[9] Lee Shepski, "The Vanishing Argument from Queerness," *Australasian Journal of Philosophy* 86, no. 3 (2008). 379.

switched to morality? If this fundamental feature of knowledge stands, then it should apply to ethics as well. The method of justification will have to look different, but there *is* an empirical aspect to moral knowledge and truth that helps grant us access to know them.

Also, the embedded argument that anything that is knowable must be able to be empirically studied, does not really seem true. Even if the moral fact itself (due to its possible abstractness) cannot be empirically studied it does not mean that *nothing* about it can be empirically known or studied. For example, the claim that one should not commit cruel acts is difficult for Mackie to find grounds to prove empirically. But what is the fact that needs to be known here: the normative property contained in "cruel" and whether identifying it is objective, or the cruelty of the act itself that can clearly be understood and known? Mackie conflates these things, but they are separate considerations. If an act being cruel is knowable, and if cruelty being wrong is knowable, that seems to be enough to conclude that one ought not to commit cruel acts. The second claim here, that cruelty being wrong is knowable, is what Mackie would disagree with. He would have no issue with the prior claim, though. However, moral fallibilism says that we can know a cruel act is also a wrong act by looking at the relevant factors in a similar way that Cohen does. In his case, Cohen is determining what is relevant in a certain context to determine whether or not one has knowledge, or that S does know *p.*

The quest for a tangible moral property, susceptible to exhaustive empirical investigation, will inevitably come up short; Mackie may be right about this. However, identifying this innate property is not necessary in order to locate the moral value and deem it present and applicable. Just like other beliefs or things we claim to know

according to fallibilism, the emphasis should be on how the claim is justified, and this is the consideration that Mackie is sidestepping due to his ontological preoccupations.

3.2 Relativity

Mackie's use of the argument from relativity is common in trying to vindicate the subjectivity supposedly involved in ethics, and this is also part of what he uses for his error theory argument. Mackie states that the fact that there are such vast differences in moral beliefs from one society, or from one period, to another, serves as solid evidence that these beliefs are not objective. People, in his eyes, simply adhere to a particular way of life because of the society they participate in, and since it is so tied to this social aspect, it does not seem to entail that they (the moral values) are attached to any kind of objective truth. To serve as an example of this, he says, "it is that people approve of monogamy because they participate in a monogamous way of life rather than that they participate in a monogamous way of life because they approve of monogamy."[10] So, the attribution of the moral value follows the participation in a social practice, and not the other way around.

For Mackie, this explanation seems much more plausible than the idea that some societies are just bad at recognizing or practicing the objectively correct moral thing to do or not to do. I recognize that Mackie is not using the argument from relativity to conclusively prove that moral values are not objective, but rather that he uses his observations to support that being more likely the case than not. However, even granting this limited reach, the argument is still not without its weaknesses. This discussion is also important because, even though my theory employs social considerations and uses the

[10] J. L. Mackie "The Subjectivity of Values," *Ethics: Essential Readings in Moral Theory*, (2012). 27

more moderate epistemic structure of fallibilism, it is not compatible with moral relativity or subjectivity in the way Mackie suggests.

My first issue with Mackie's argument from relativity is that an *explanation* for where people's moral beliefs are coming from does not serve as an argument for why those beliefs are not able to be identified as true or false. This is just a psychological and anthropological approach to understand why people believe what they believe, and it would indeed be difficult for one to argue that the society you participate in does not have an effect on one's moral beliefs.

However, I do not see why the answer cannot be that perhaps certain groups do get it wrong. For example, there is widespread agreement that female genital mutilation is morally wrong. A culture that practices it does so because of their belief that it is morally required, and it is how their culture has developed. But this, the explanation of *why* they do it, is separate from whether they *ought* to do it, and this is a contrast that Mackie is downplaying. He is treating these two conceptual realms as if they were the same, when they appear clearly distinct. We can look at certain practices and condemn them, yet still have an anthropological or psychological lens to look through to help us understand and be sensitive to the reality that individuals can vary greatly on what they deem ethical because of what they are surrounded by.

There are two other things worth considering. The common practice or belief of my society can be rejected, and the common practices often fail to have much motivating force. And, if one does reject a strong and dominating moral value of their society, where does this resistance come from? What are they measuring it against? To me, this seems like there is an appeal to objectivity at play. Our experiences and modes of reflection can

lead us to believe that perhaps the people around us are getting it wrong. As a child, I could see someone litter and think to myself that it seems wrong, even if I had not been told explicitly in my life yet that littering is bad. Those living very sheltered lives, and who have little access to beliefs outside what they are being taught can still question what they're taught, at least to some extent. And, whether as individuals or as a society, if we are strongly taught things and yet many times people in general do not even adhere to what is taught, why would that be, given Mackie's more deterministic picture? Is it because the collective beliefs around us are not enough to convince us? Or that they could very well be wrong to believe in the first place? I think both reasons are plausible. To have those strong (enough) justifications we are looking for with moral fallibilism leading us to moral objectivity, it would provide more genuine authority and motivation to ethics.

The moral fallibilist says that there can be knowledge, and therefore truth. So, moral belief *x,* based on relevant and strong evidence and justifications, is either true or false. This gives us a better foundation to accept moral claims, rather than an (exclusive) appeal to influences from a society with no real normative justification besides the social dynamic and currently practiced norms.

4. Justification and Evidence: Moral Fallibilism

When it comes to moral beliefs, or any belief, one must consider how we are justified in holding them. For example, how does one support knowledge based in scientific inquiry and research? Presumably, a good scientific argument has strong evidence to back it up. Morality can be approached in a similar way. This is what this section will be exploring: what should we look to for our justifications of moral beliefs, and how can we come to know the particular moral proposition *x,* therefore identifying it as true? This exercise will illustrate the view of moral fallibilism, and establish how it conceives of the acquisition of objective moral knowledge.

4.1 Relevance

As I stated earlier, Cohen's theory of relevant alternatives will prove useful for the moral fallibilists' endeavor. The importance of this theory is that it allows us to find a way to escape skeptical alternatives and identify under what conditions S (an epistemic agent) knows *p.* Remember that the formulation of epistemic fallibilism is such that S knows *p* on the basis of his reasons *r,* even if there are alternatives to *p* that are also consistent with *r.* Therefore, the task is to clarify when the alternatives to *p* are actually relevant, because only then could these alternatives possibly threaten S's ability to know *p.* If the alternatives are not relevant, S can know *p* and also know not-*h* (where *h* is an alternative to *p*). Cohen lays out the criteria of relevance, which he divides into external criteria and internal criteria, reflecting that S's epistemic position involves external and internal factors contributing to how S knows *p.* The external criterion is as follows:

(i) an alternative (to *p*) *h* is relevant, if the probability of *h* conditional on reason *r* and certain features of the circumstances is sufficiently high (where the level of probability that is sufficient is determined by context).[11]

While the circumstances outside of S's currently considered evidence alone certainly play a part regarding the question of whether S knows *p,* S's own evidence also plays a role on when an alternative becomes relevant. Consider the earlier example of a friend (F) telling S a film is showing later in the week. S knowing that the film is showing is based on his internal evidence that F is a trustworthy person who is not deceiving him. If, however, S's own evidence is not probable enough to rule the deception out as a relevant factor, he does not know the film is showing. Comparing this to a situation based on perception, such as whether S sees a zebra or a cleverly disguised mule at the zoo, if one *only* were to use the external criterion, one would have to count the case that it might be a disguised mule as a relevant alternative. The fact that this scenario exists outside of S's current evidence alone would be enough to say that S does not know not-*h,* and therefore does not know *p.*

Because this skeptical alternative (of it being a disguised mule) seems to counter how we usually view the ability to know things, Cohen introduces criterion ii, the internal criterion of relevance:

(ii) an alternative (to *p*) *h* is relevant, if S lacks sufficient evidence (reason) to deny *h*, i.e., to believe not-*h*.

This highlights the fact that S's evidence alone is a contributing factor to his overall reasons for believing *p.* One must identify how strong S's justifications are for his

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[11] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 102.

belief, and his own evidence is as much a part of this strength as the external evidence is. In both cases, criterion i and criterion ii, it is context-sensitive. Meaning, it depends on the context in which the knowledge attributions are made.[12] By situating it in this way, Cohen allows us to better understand what factors one must consider and how relevant they are to S's knowledge, given his epistemic position.

This outlines the basics of Cohen's theory of relevant alternatives, but before turning to morality, I want to give an overview of how Cohen approaches deeming an alternative, or a threat to knowledge of *p,* as relevant. He phrases it by saying one must consider if the possibility of error is salient, and if it is, we should be reluctant to attribute knowledge.[13] Consider the lottery example. Given the statistical nature of lotteries in general, even if the chances of winning are highly unlikely, we do not say that one knows they did not win. People participate in lotteries due to the chance of winning and the fact that they are (hopefully) completely fair. So, the alternative, though highly improbable, is nevertheless salient because it would not be correct to say that, before the results are given, one knows they did not win.

Contrasting this to the case of a newspaper reporting a different winner, we do attribute knowledge. This is because, even though the skeptic tries to undermine knowledge by saying newspapers can sometimes make mistakes, the chance of error, though not zero, is not salient in terms of how alternatives and relevance functions in the current contexts. The skeptic is attempting to shift the standards of relevance by treating certain alternatives as if they have the same statistical nature as measurable as chances in a lottery. But, if we are to remain consistent, in this case we can say S knows he did not

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[12] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 103.
[13] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 106.

win when he relies on the newspaper report. In the case of the fair lottery in itself (without the newspaper input), however, the alternative remains relevant for S, therefore making it the case that S does not know he did not win. Cohen summarizes this by saying, "The standards of relevance are such that either S lacks sufficient reason to deny h, or the probability of h is too great in the circumstances (or both)."[14]

The fact that the criteria for relevance and the salience of error are very context-sensitive will translate nicely to moral knowledge in the next section. It accounts for the situationality of ethics, yet also allows for the plausibility of moral knowledge and therefore moral truths. In the next section I will lay out how these alternatives function when it comes to morality, what makes them relevant, and the components that go into accurately justifying our moral beliefs.

4.2 Justifying Moral Beliefs

Rather than identifying the factors that contribute to moral knowledge as "internal" and "external" in the way Cohen does with knowledge in general, I will be replacing those terms with "experience" and "reason." Due to morality being a more specific epistemic realm, it makes sense that "internal" and "external" need to be replaced with more particular concepts. There are, admittedly, worries that will come with deeming experience or reason as solely external or internal, so my aim here is to not go too much into depth concerning what exactly constitutes experience and what exactly constitutes reason, in terms of moral knowledge and justification. Rather, when one talks about experience and reason, this does, to some degree, incorporate both internal and

[14] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 107.

external factors in the way Cohen sketches them.[15] Again, these terms come with many different interpretations in the ethical literature. One could argue that experience refers to external aspects of our moral-epistemological agency, and reason is a more internal and reflective process. But, one could also argue that experience ends up being something very "internalized" and reason is more objective or external in its (at least attempted) removal from the individual subject.

My overall goal is therefore more modest and is to show how the work Cohen has done in epistemic fallibilism fits into a moral framework, and how his theory of relevance and of what alternatives are relevant fits into that picture. His criterion provide a general framework, and I am narrowing it for the purposes of its proper application to ethics and metaethics.

What do I mean when I talk about experience and reason? As for experience, this includes the empirical and socially relevant aspects of a particular moral concern. Take for instance the moral concern of climate change. There are observable features that are relevant to the arguments that relate to experience within society, whether that be destructive forest fires or polluted water. When it comes to this conversation, the empirical evidence and its effects on us will be part of the justifications for believing what should be done about it. Another important thing to note about individual (or group) experience is that it is crucial for weighing certain perspectives in terms of their justificatory relevance, because our epistemic positions differ from each other. This is not meant to endorse any kind of appeal to relativity, but rather to implement a kind of

[15] Cohen himself is unsure of the precision of the external/internal differentiation, so my replacements do not need to be either. The importance is understanding the nature of the justifications.
Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): footnote 24.

standpoint epistemology[16] that recognizes certain people or groups have a more privileged position, epistemically speaking, compared to others.

There is another side to the story though, which is our ability to reason, analyze, reflect, etc. When I talk about reason, I am referring to the more theoretical concepts involved in practical deliberation and discourse, or anything that requires careful reflection relating to things we may (as far as individual or collective limitations) not have actual experience or empirical means of knowing. When it comes to climate change for example, this could be the capacity to understand the severity of a disaster you did not yourself go through, or the broader, and more abstract, concept of our possible obligation to the physical world around us. The purely moral consideration of whether we have such an obligation to take care of the Earth and look out for those that will come after us is not something that can be observed or experienced; it is something one must work through using their mental faculties in the light of relevant experience.

It is these two aspects that will more or less equally help determine what is relevant when it comes to the grounds for justifying moral beliefs and claims, and ultimately lead us to whether moral belief *x* is justified and is true.

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[16] Origins of perspective-driven accounts of knowledge can be seen as early as Nietzsche's perspectivism, though he used this to support relativism. Sandra Harding has done much work in standpoint theory, in which she (and many others) uses a strong feminist lens. While I agree with her notion of strong objectivity and marginalized groups having a better epistemic position, my use of standpoint is more about the general understanding that perspective does impact one's account of and justification for knowledge. Thus, some people have stronger objectivity when it comes to that evidence for said belief. The marginalization of certain groups is surely a part of this, it is just not the focus for this argument.
Friedrich Wilhelm Nietzsche, Horace B. Samuel, and J. M. Kennedy, The Genealogy of Morals (New York: Modern Library, 1887).
Sandra Harding, "Standpoint Theories," *Feminist Theory Reader*, 2020, pp. 324-328.
Nancy C. Hartsock, "The Feminist Standpoint," *Feminist Theory Reader*, 2020, pp. 267-277.
Alison M. Jaggar, Feminist Politics and Human Nature (Totowa, N.J.: Rowman & Littlefield, 1988).

4.3 Case Study: Abortion

As I develop my theory in more detail, I will be utilizing the question of whether abortion is morally permissible as a lens to illustrate moral fallibilism and its application. Let *x* represent the proposition that abortion is, in most cases, morally permissible, and ~*x* represent the proposition that it is in most cases not permissible, or possibly not permissible at all. The conversation here is about the general positive or negative proposition, and we are not getting too much into the details of each possible situation involving the matter. The variables are deliberately open-ended to leave room for those considerations, while not directing the discussion too much into the complexities of when exactly the termination of a pregnancy is or is not permissible, and under what circumstances that is the case.

The endeavor of the moral fallibilist is to determine what is relevant when it comes to evidence that would threaten or contribute to either belief, look at these justifications and the evidence, and decide which proposition is the most likely to be the case or should be accepted given the evidence, based on the cogency of the justification. Implementing the model above, when looking at the criteria for what is relevant when it comes to these propositions, one must look to experience and reason. When it comes to Cohen and whether S knows a particular non-moral proposition, recall that he says this is context-sensitive, and that external factors (meaning removed from the epistemic position of S) and internal factors (S's own epistemic position, including his limitations) are what concurrently determine the relevant alternatives and if S actually possesses knowledge.

I want to remind us that there is a clear difference between a justified false belief and knowledge for the fallibilist. One could be under the impression that they know ~*x* to

be true, and have sufficient grounds for justifying said moral belief, but they are nevertheless ultimately mistaken in holding it to be true. It is the job of the moral fallibilist to outline the specific conditions necessary for strong justification in that domain of knowledge. This will then help us to understand when a person may truly be justified in their belief, such as in moral disputes where person A holds *x* to be true and person B holds ~*x* to be true. This requires looking at the evidence on either side that led to said beliefs, as well as to any other, not necessarily normative, evidence that needs to be looked at in general epistemic terms. Only then will one of the two aforementioned moral deliberators (A or B) have acquired knowledge, which for the fallibilist amounts to a justified true belief.

Let us start by looking at the experience component. What is relevant here, given the context of the topic, is primarily given to people who have gone through, or are at risk of going through, a situation where they experience making a decision about aborting a pregnancy. This is not to say, for example, that the outlook or considerations of people who are not able to get pregnant does not matter, but rather that standpoint theory more heavily prioritizes those that can. Their epistemic position is more crucial because it gives access to unique dimensions of experience regarding the matter, and of its direct social impact. This relates to things such as how one got pregnant, if they feel ready given their current position in life, if they have the financial ability, the limits on resources, etc.

These social and "external" factors will help tell us what is relevant given the context of this specific moral dispute. Just as Cohen identifies that the practices of the zoo and whether S is or is not looking at a zebra contribute to S's knowledge, the factors in the abortion example show that we can understand what is relevant to the conversation

in terms of people's experience and social aspects. In order to help understand whether claim *x* is true, we have to understand the impact that *x* and its ethical substance actually have. It matters what childbearing people have experienced; their insights matter when they have actually gone through what constitutes *x's* subject matter and have seen how society impacts their ability to not just go through with it, but go through with it in a safe and publicly accepted manner. Their stories and understanding of the situation, as well as the social features that can be empirically acknowledged and seen, provide the first side of what is relevant in terms of the justification for a moral claim such as *x.*

Now looking at how reason functions, this brings in the relevance of those who do not and will not have first-hand experience of an unwanted pregnancy. The experience component of moral fallibilism is not saying that only those affected matter, but that their epistemic position has priority over those who are not directly affected. Even so, those who do not have experience can still reason through the ethical question to decide what they believe is right or wrong. Sometimes being removed from something can allow for a different kind of insight. It is important to not fully discount those who do not have the experience, because they can still have an understanding of the moral dilemma in question and what considerations ought to be looked at.

Perhaps the most important way reason functions is by looking at other scenarios that deal with the same theoretical concepts, and to see how we approach those. When it comes to Cohen's argument and the use of relevant alternatives, it requires a bit of an adjustment here. In terms of the disguised mule example, which is the skeptical alternative, the fundamental question is whether or not S knows he is looking at a zebra. So, the question at its core, is whether it is a zebra or it is not. As far as moral dilemmas

are concerned, this is the way I am looking at it; moral proposition *x* is either a justified true belief or not. The proposition itself can have some leeway, with abortion for example, and how it being permissible could still come with limitations of when it is permissible to do. However, given Cohen's use of contextualization, we can avoid being overly robust in a moral claim.

In *moral* fallibilism, it is not necessarily about thinking of relevant *alternatives* (because it is not framed as what an alternative to abortion being morally permissible is, as the only real alternative is that it is not) but rather about looking at relevant *analogies.* As I said before, reason allows us to analyze concepts related to a specific category, which in this case would heavily include bodily autonomy and the nature of personhood. What rights do we have/should we have to our own bodies, and how should we think about assigning moral status to certain living things? In addition, when it comes to ethics, consistency is important. We cannot treat one situation one way and another differently, given that it deals with certain concepts in a similar way. By highlighting other situations where these questions come up, and by further highlighting either how we already are or how we ought to approach them, our responses will act as evidence and justification to further add to the justifications for belief *x.*

4.4 A Relevant Analogy

Here is an example of how reason puts specific examples, thought experiments, and analogies to work in support of developing moral justification: say that I am driving with my sister in the car and we get into an accident. For the purpose of the example, let us assume the accident is not directly my fault. My sister now needs a blood transfusion to survive. I have the ability to save her, as I am a viable option for this transfusion, and it

is certain that if she does not get it from me, she will die. I have the ability to decline this life saving procedure, however. The doctors are not allowed to force me to do it, even if not doing it would be letting my sister die. Given this scenario, the overriding value here is the autonomy over my body. By reflecting on this example, one will probably have an issue with someone being forced into a blood transfusion, even if they could not personally imagine letting a family member die if they could help. We understand that it would be wrong to violate someone else's autonomy even if it was to save the life of another, because we do not view humans as a means to an end this way. Or, because we are concerned that a society condoning these forced transfusions would, in the long run, minimize its citizens' welfare and happiness, or because of other, first-order moral theoretical, reasons.

In this situation, there is no question about the moral status of the sister. She is a fully developed human being, and yet bodily autonomy still reigns supreme in the moral dilemma. So, when it comes to abortion and the murkier waters of whether a fetus is a person, that would not be the nail in the coffin for the argument for the right to choose. Because, even if we give the fetus moral status, if bodily autonomy is the biggest value at play, it gets primary consideration. Even if abortion would cause the loss of a (possible) life, we strongly value people's rights and decisions over their own bodies. An entire pregnancy, birth, and caretaking of a child is an even bigger commitment than a blood transfusion, yet we still prioritize autonomy in the latter case.

Another important feature of the argument worth mentioning is the concept of risk. When someone chooses to have sex and ends up getting pregnant, part of the argument against abortion is that they took a known risk when it came to that act, so they

should assume responsibility. However, in the case of driving a car, one is also assuming a risk. Similar to having sex, we can take all the precautions necessary to ensure safety: keeping the car in good condition, wearing a seatbelt, paying attention to the road, etc. But other factors ultimately remain out of our control, and a car accident may still occur. Just like we can be diligent about safety measures against pregnancy, but it can still end up occurring. Does this mean the person who was diligent has to pay the price regardless of the severity of the consequences? What if the sister needed an organ transplant instead of a blood transfusion? Even if many would do a lot to save a loved one, it is difficult to justify being able to strap someone down and take an organ against their will to save their sister. And in the case of pregnancy, it may also be unfair to expect one to go through a hefty commitment even if they did everything right to minimize the risk.

One can look to real-life examples, or create thought experiments, but either one helps to highlight the concepts involved and how we approach them or reason through them in other situations. It is about illustrating how these broader principles and concepts tell us what is relevant and what we should be analyzing further in certain contexts. In terms of autonomy, it shows us what other moral dilemmas it creates a bridge with. For example, human euthanasia deals with similar considerations, but in a different way and for different reasons. But, if autonomy tells us something about one situation, it will surely tell us something in another. By reasoning through these more theoretical concepts, we can see these bridges more clearly and show how the broader “umbrellas" cover more than just the features in regard to abortion. Contrasting this with the earlier example of climate change, there would not be a bridge there because in that context we are not concerned with questions of personhood and autonomy of persons.

As far as the other relevant theoretical concern of personhood, one would need to identify what criterion must be met to reach the moral status of a person, in which there are of course many attempted answers within the philosophical literature. Again, once this criterion is identified, it would be applied to other ethical questions where it is relevant, such as animal rights. Many have looked to self-awareness as the key, but one issue here is that there are mentally disabled or otherwise incapacitated humans who do not possess self-awareness. It would seem wrong to me to then deem it morally justified to not attribute moral concern to these people. Some have looked to viability, which we know is not possible for fetuses until a certain point. This also brings up the question of those hooked up to machines to live and how we view their personhood status. While an answer very well needs to be decided here, this just shows how it is not an easy task to identify what makes a, let us say in this case, non-viable fetus a person other than appealing to some anthropocentric view, or without running into other ethical difficulties when it comes to needing to be consistent.

It is not necessary at this point to answer all these substantive questions concerning the morality of abortion, which would take much more time and detract from the central purpose of this particular project. What is necessary here is to illustrate the function of reason in the moral fallibilists' approach, and how attempting to answer or work through these more theoretical concerns will be part of the justifications for moral knowledge. Whatever is decided on the question of personhood will surely impact the question of the moral permissibility of abortion, but it is only part of the story. It will not decide if it is or is not permissible, but rather help shape how we approach the debate. As another brief example, if viability is the main threshold, it does not rule out abortions

altogether, it just possibly gives a cut off point for when it is no longer permissible. But again, there are other aspects of the justificatory process that, even if viability ends up overruling other personhood criteria, perhaps other parts of the justifications (experience and the importance of bodily autonomy) may affect how heavy a role personhood ultimately plays.

Experience and reason together frame our evaluative attitudes and point us to what we ought to value. Cohen's theory of relevance helps to achieve this construction where we have the criteria providing what is relevant given a certain context, which is the same thing Cohen is doing, but finding a way for it to fit the moral epistemic framework. This is achieved by substituting experience and reason for the external and internal considerations, and by determining what counts as a relevant analogy rather than relevant alternative.

5. Objections and Replies

5.1 Experience

A possible objection arises when it comes to placing ethical importance on experience. First, there seems to be an implicit normative value claim being placed on experience itself. This could end up looking like an instance of begging the question: experience is relevant when it comes to justifying moral knowledge because experience has moral significance. But where is the justification coming from for the claim that experience itself has this significance? Not only that, but how is it helping to do the "heavy lifting" in terms of acquiring moral knowledge in a roughly equal way to reason? One might think that reason alone is doing the heavy lifting and question how experience does in fact play such a vital role.

Recall the earlier discussion of Mackie and how he ends up concluding moral values are queer properties strongly due to us not having empirical means to know them. There is much more to Mackie's argument as I've discussed, but this is a substantial element of his rationale. By implementing experience, it creates an observable means to justify and access moral values. It does not need to solely be empirical, as Shepski pointed out. And, a property having a possibly queer feature does not mean no part of it is empirically accessible. In this case, experience serves as the key to those empirical means and justifications that we need to achieve moral knowledge, it just cannot be the whole story.

The main reply to this concern lies again in Cohen's theory of relevance. While I used the abortion debate as a way to showcase the application of moral fallibilism, it was intended primarily as an argument of how to understand the acquisition of moral

knowledge, rather than as an argument in applied ethics. So, given the claim that experience is crucial to the evidence that is included in whether we can know moral claim *x,* it can be easy to misunderstand where this value claim about experience is coming from or how it is itself justified. The reason why experience is important is because it is encompassed in the internal and external factors Cohen is using to justify knowledge claims.

It would be hard to deny that experience is part of the justification process for our evidence relating to beliefs and knowledge. Cohen identifies perceptual evidence multiple times when it comes to ways S can know *p.* So, it then ends up being important in the realm of moral knowledge as well. Just as Cohen is adamant about this missing piece of the fallibilists puzzle (since he is the one who implemented the internal criteria when others were only appealing to external ones), I have shown how it is an equally important piece in the moral fallibilists account. It is not about making an inherent value claim about experience in of itself, it is about relating my account to Cohen's claim that an individual's specific epistemic position is involved in the justification for general knowledge (epistemic fallibilism). And, given we are talking about another but more specific form of knowledge, would the individual's unique epistemic position not still be very much relevant when it comes to what is or is not known?

Overall, the focus of fallibilism needs to remain at the forefront, which is about the justifications for knowledge and where that lies, and we are given a structure for where it is located by Cohen. The goal is to make an accurate transfer of these features to another epistemic domain. The factors remain very similar, they just become more specific to fit this transfer of Cohen's criteria well. Experience is vital insofar as it applies

to the evidence for a justified belief, and just as Cohen does not seem to place priority on either the internal or external side, I need not place priority on experience or reason. They both serve a more or less equal purpose when it comes to justifying moral beliefs, but the detailed balance between the two is dependent on the context of the attempted knowledge acquisition, making one side possibly more relevant given the particular moral consideration being assessed.

5.2 Probability

Another possible worry is, given fallibilism functions on epistemic or inductive probability, how do we measure how probable the evidence must be in order to attribute knowledge? We know, given the fallibilist structure, that our beliefs must be justified, and once we have a justified true belief, we can say we have knowledge.[17] Having said that, we are not dealing with statistical probability that can be conclusively calculated. Such as the statistical likelihood of winning a lottery. The kind of probability in epistemology is not so clear cut, so how can one be confident in when they have knowledge? Or, how does one know when their evidence is sufficient enough to know *p* and *not-h* (*p's* alternatives). While Cohen does reference this concern, he approaches it in a slightly different way. Overall, he does not think that there needs to be some precise threshold identified, but he focuses more on his theory of relevance and how there does not need to be a general account of relevance.[18] In other words, the vagueness involved in his criteria for relevance does not mean the concept cannot be useful or successfully applied.

[17] I am for now sidestepping Gettier-like worries, but this remains a relevant concern for accounts of descriptive knowledge.
[18] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 116.

There are many areas of philosophy where these questions of thresholds act as possible complications. Using abortion again as an example, when it comes to determining at what point a fetus should (if ever) have moral significance is a line people try to identify. A fallacy often committed in these situations is the perhaps lesser-known "slippery assimilation." This fallacy is committed when there is a thing in a series where there is little difference between each stage, and then that thing, at any stage, ends up getting treated the same. So, as far as abortion is concerned, this happens when you look at each stage of a fetus, and it doesn't seem so different from the directly previous stage, but at some point, the beginning looks very different from where we are now. A fetus at month one is not so different from month two, which is not so different from month three, and so on. This is a mistake because those changes add up and at some point, the distinction is not arbitrary. One cannot treat the fetus at month one the same as month nine, but finding where the relevant change happens is difficult and can seem arbitrary when you try to draw that line, or are instead seeing it as one indistinguishable chain.

Why is this example relevant to the current objection? It helps to highlight why having to choose a threshold can many times be difficult, yet not threaten the task at hand. In other words, picking a week or month when a fetus has moral significance (let us say in this case we choose week 25) comes with the problem of mistaken arbitrariness. What I mean by this is, if that is the relevant week identified, those at 26 weeks who then want to seek an abortion could say well how is an extra week so different? Why must such a harsh line be drawn when it is barely past that timeline? This is mistaken arbitrariness because, if one is to draw a line somewhere, the line itself must have significance, such as a strong chance of viability.

This is how justifications should be looked at when it comes to having any kind of knowledge. It is not about finding a precise way to measure how probable *p* is given the relevant evidence, but rather look at the significance of the evidence itself. We know there are external and internal criteria provided, where each has a definition or foundation to look to, and there are alternatives to consider, the relevance of which can be determined by these criteria and the context. Vagueness cannot be completely eradicated; you can have the more clear and strong evidence on one side and the weak radical skeptical alternatives worth denying on the other, but there will always be those cases in the middle that are not so clear.[19]

Just as fallibility will remain a consistent feature of our justifications for knowledge, it does not mean we cannot have knowledge. And vagueness being a feature of a theory, or any conceptualization of knowledge, does not mean the theory is itself incorrect or useless. We can call it intuition based on experience, or reason, or the defended synergy of both, but when it comes to assessing one's evidence that contributes to a belief, the bar should be high for knowledge, and the fallibilist agrees with this. And, given the criteria laid out above and how to think about knowledge as a fallibilist, the leap has to inevitably be made at some point where it becomes a justified true belief. When that leap can happen is not a question that has to be answered, what can be answered is what is entailed in the evidence for said belief, and if it is strong enough to say S knows *p*.

[19] Stewart Cohen, "How to Be a Fallibilist," *Philosophical Perspectives* 2 (1988): 95.

6. Conclusion

If fallibilism is correct, then it surely has important ramifications for our conceptions of moral knowledge. By accepting fallibilism at all, one is committed to assumptions being made about knowledge in general, and certain strong, absolutist positions are ruled out immediately from the start. Moreover, if one accepts the intuitive strength of this epistemic framework and attitude, and therefore accepts its moral-philosophical significance as presented in this paper, one can rule out the unattractive features of moral skepticism and relativism.[20] One can also avoid the pitfalls of moral dogmatism, while acknowledging that nuances may still need adjustment regarding moral fallibilism and the attempted implementation of epistemological theories like Cohen's.

Moral fallibilism allows us to not only have knowledge about morality, but to have knowledge about what is right and wrong more broadly understood. We are strongly justified in holding certain FOMP to be true (and others to be false). The fallibilist paradigm reminds us that the place we should be looking to first and foremost, in order to achieve this status of competent moral deliberators, is our justifications and evidence for moral beliefs, rather than trying to discover any "queer" (Mackie) ontological features of the universe that knowledge claims in ethics have supposedly attempted to reflect. While justifications of moral claims are therefore fallible/compatible with the particular proposition in question being false, when these justifications are strong enough to support moral belief *x,* we can confidently assert that we have knowledge in multiple domains,

[20] Mackie wanted to do this as well, to some extent. He understood that robust skepticism, or reducing ethics to one's personal attitudes, was problematic. His error theory comes with a certain acceptance of skepticism and subjectivism, but not in the way I am also ruling out.

pending adjustments to the context-sensitive nature of the justification and of the relevance of alternate scenarios.

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