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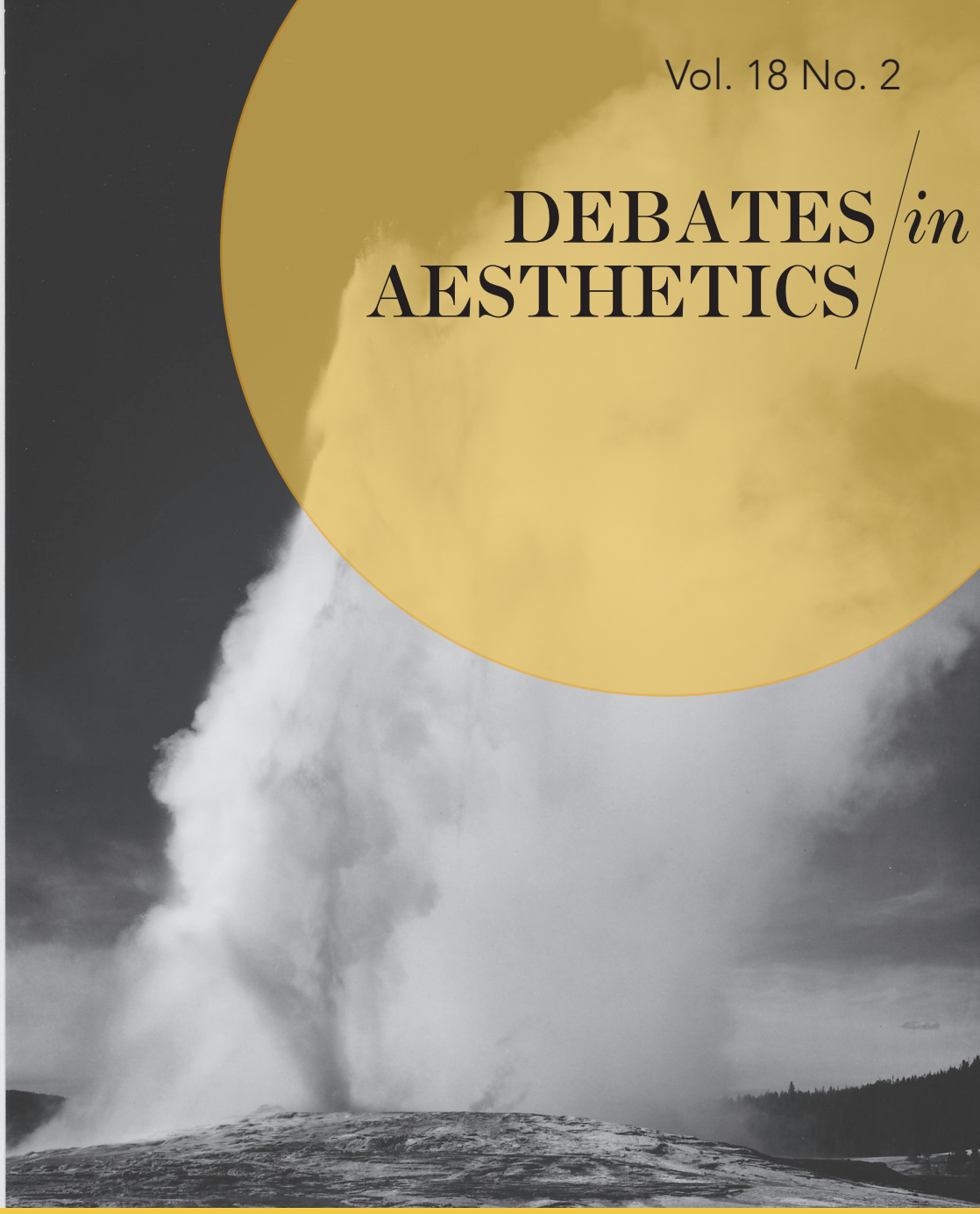

Debates in Aesthetics is a peer-reviewed, open-access journal for articles, interviews and book reviews. The journal's principal aim is to provide the philosophical community with a dedicated venue for debate in aesthetics and the philosophy of art.

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PHOTOGRAPHY AND ARTISTIC LUCK

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Contemporary philosophers of photography have focused on one topic more than any other: scepticism concerning the status of photography as an artform. The Scrutonian form of scepticism that these philosophers generally focus on may not be the form that most worried actual photographers and art critics in the past, or so one might be inclined to think after reading Robin Kelsey's Photography and the Art of Chance (2015), a recent work of art history. According to Kelsey, the historical source of doubt concerning the potential for photographs to count as art has more to do with the way photographs are or can be the products of luck than with the idea that photographs mechanically capture mind-independent properties in the world. Reconstructing the informal arguments that Kelsey suggests were historically of concern, I carefully distinguish between and formulate two luck-based sceptical arguments. I argue that both arguments fail, partly by drawing on the philosophical literature on luck. In the end, Scrutonian scepticism may be the philosophically more interesting form of scepticism regarding the artistic status of photography, even if Kelsey's reading of the history of photography is correct.

1 Introduction

In the Anglo-American philosophy of photography literature that burgeoned after the publication of Roger Scruton's "Photography and Representation" (1981), scepticism concerning the status of photography as an artform has been discussed more than any other topic. With few exceptions, this discussion has not involved embracing the idea that "pure" photography is *not* art. Instead, it has been powered by the thought that we might reasonably expect to learn a great deal about the nature of photography, as well as, perhaps, the nature of art, through attempting to figure out exactly where arguments of a Scrutonian kind go wrong.[1]

It may surprise people familiar with this literature that a serious work of historical scholarship suggests that the sceptical concern at the locus of so many discussions in the philosophical literature has not actually been the sceptical concern that most worried actual photographers and critics in the past. An important recent work of art history, Robin Kelsey's *Photography and the Art of Chance* (2015) suggests philosophers have overlooked an historically more influential sceptical concern. On Kelsey's reading of the history of photography, the main source of doubt about its suitability to be art is the thought that even the most aesthetically appealing photographs may be the product of luck. Thus, photographers may deserve little or no aesthetic credit for their work.

1 The sceptical conclusion is endorsed by Scruton, and Robert Hopkins (2015) is a rare example of the conclusion being endorsed by another philosopher. Hopkins's sceptical argument differs from Scruton's, but it is of the same general kind, focusing on the relation between mind-independent properties and their counterparts in the content of photographs. In any case, several papers have demonstrated where Scruton goes wrong (see Phillips 2009 and Lopes 2003 especially, but also the overviews of the relevant literature in Lopes 2016 and Costello 2017). The idea that we can learn a good deal about the art(s) of photography by studying a sceptical argument of the general kind discussed by Scruton is an explicit theme of Lopes' *Four Arts of Photography* (2016). Lopes distances himself from Scruton by indicating he is not interested in faithfully reconstructing Scruton's argument (2016, fn. 63), but as Diarmuid Costello notes in a response published in the book, "The kind of skepticism that Lopes focuses on is clearly of Scrutonian descent" (2016, 136).

Kelsey himself does not discuss either the contemporary philosophy of photography literature or the philosophical work on luck that I'll draw on here (although he does discuss, a little, the history of ideas with respect to probability). He uses the concepts of luck and chance to refer to several different phenomena, generally without registering that he is bunching together different things (e.g., the chancy chemical processes that early photographers depended on when taking and developing photographs, unforeseen changes in scenes photographed just before or during the period in which they are being taken, and indeterministic chaos in the world). Nor does Kelsey formulate a precise sceptical argument. His interests, quite reasonably, lie elsewhere. He focuses on the history of practical attempts to grapple with the anxieties concerning photography's aesthetic status engendered by thoughts about chance. The first aim of the present paper is to reconstruct two precise sceptical arguments from Kelsey's account of the history of photography.

I am not claiming that Kelsey himself would ultimately wish to defend either of these arguments or any similar sceptical argument about the artistic status of photography. I take it that he is not a sceptic about the artistic merits of a great many photographs. He does sometimes write *as if* certain sceptical considerations are compelling, but I take it he mainly does this to help the reader appreciate why some artists and art critics might have found such scepticism either compelling or threatening. He at times encourages us to sympathetically (if temporarily) adopt a sceptical perspective so that we might better understand those who took such a perspective in the past. That said, I suggest below that there is one place where he appears to take on the sceptical perspective himself in a way that is problematic, and this is when it comes to his interpretation of Henri Cartier-Bresson and photographers that have followed him in chasing "the decisive moment." One genre of photography associated both with this phrase and many of Cartier-Bresson's best photographs is *street photography*. This genre is more relevant for reflecting on artistic luck than one might think from reading Kelsey's book. For this reason,

I include a few examples of street photography (Figures 1 to 3). These photographs were not staged in advance, and the reader might like to think about the role of luck in their production before proceeding to the next section.

Figure 1. "What Was I Doing?", New York, 2022 (photo by the author).

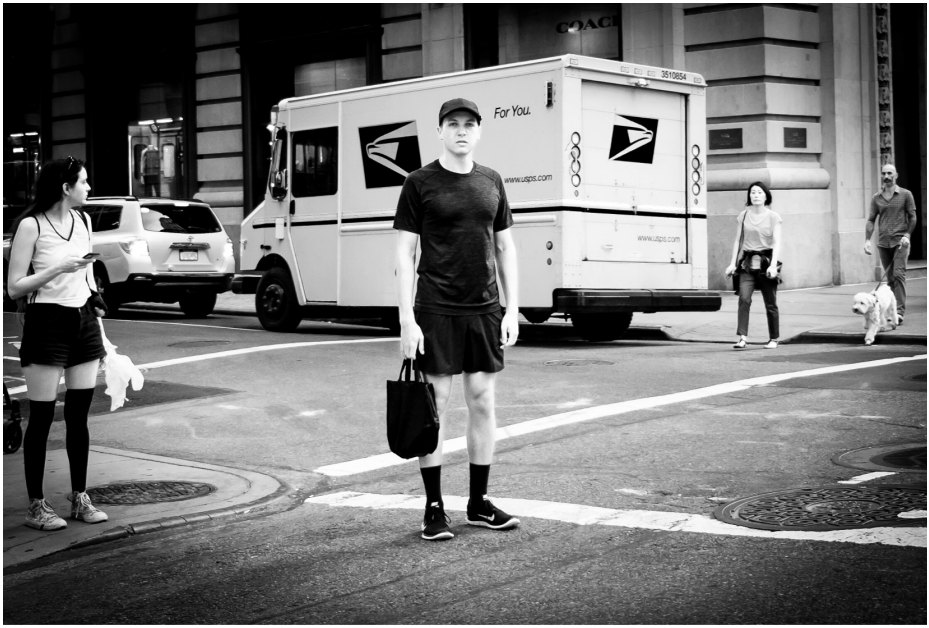

Figure 2. "For You", New York, 2016 (photo by the author).

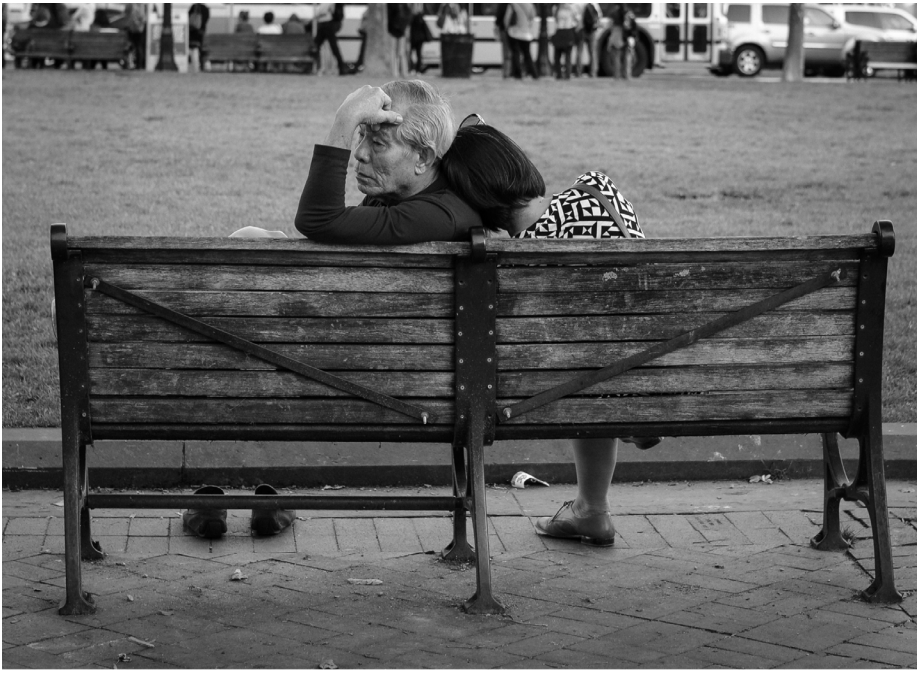

Figure 3. "Thinking and Resting", Boston, 2018 (photo by the author)

The second aim of this paper is to defuse luck-based sceptical arguments concerning photography, partly by drawing on work on luck in contemporary ethics.[2] In this second aim, the philosopher might be said to be arriving late on the scene. That photographers have, over time, been largely successful in overcoming scepticism through their artistic endeavours is evident given the high regard in which photography is now held by art critics and institutions. Nonetheless, we might hope to better understand both photography and art by thinking about where

2 Very little has been written by contemporary philosophers on the role of luck in aesthetics. Ribeiro (2018, 100) focuses on the role of luck with respect to the *appreciation* of art. She distinguishes such "aesthetic luck" from "artistic luck," which involves artists being lucky or unlucky with respect to the creative process (beyond pointing this out, she does not discuss artistic luck). This is a useful distinction to bear in mind, and I've followed her suggestion regarding terminology. See also Brand (2015).

these sceptical arguments regarding the artistic status of photography go wrong.

2 Mind Independence Based Skepticism and Luck Based Skepticism

This is not the place to discuss the kind of skepticism that has exercised the minds of philosophers of photography following Scruton (1981). Its historical predecessors include one of the inventors of photography, William Henry Fox Talbot (1844), who tellingly titled his book about photography *The Pencil of Nature*. Since I do not have the space to discuss either Scruton's famous paper or its historical predecessors, let me simply provide an interpretation of Scruton's skeptical argument that will be helpful in the present context. There is no need for us to determine the best version of that argument here (perhaps it is the argument set out in Lopes 2016, 17, 133-34). The reason I articulate premisses 4 through 6 in the precise way that I do here—referring to *artistic creditworthiness*—is to point to one place where this and the otherwise very different subsequent arguments might be similar.[3] Here it is:

1. Photographs only contain imprints of features of the world that are independent of the mind of the photographer.

3 It is very much beyond the scope of this paper to defend a particular account of artistic creditworthiness. Suffice to say that I take it that three necessary conditions for artistic creditworthiness are: (1) responsibility for the relevant artistic acts (this may require attributability, but not accountability [see Watson 1996]), (2) the employment of artistically relevant skills, and (3) that the resultant artwork is aesthetically valuable in ways at least somewhat related to the artistic skills of the artist. If the reader happens to be unsympathetic to any general approach to art that would make use of the concept of artistic creditworthiness, he or she should feel free to view it as simply a tool for analyzing the sceptical arguments I am interested in here (and for understanding Kelsey's book, as this concept provides us with a productive way of interpreting his take on the history of photography). That being said, I do think the concept is helpful when it comes to understanding and appreciating art in general. Some recent work in aesthetics backs up my thought that skilful activities or achievements are an especially significant dimension of artistic value: see, for instance, Carroll (2016), Lopes (2018, Ch. 5), and Cavedon-Taylor (2021). A particularly relevant earlier work is Davies (2004).

2. If something only contains imprints of features of the world that are independent of the mind of the photographer, then it does not depictively express thoughts.

3. Photographs do not depictively express thoughts (from 1 and 2).

4. If something does not depictively express thoughts it is not artistically creditworthy.

5. Photographs are not artistically creditworthy (from 3 and 4).

6. Art is always artistically creditworthy.[4]

7. Photographs are not art (from 5 and 6).

Introducing the different kind of skepticism that is the subject of his book, Kelsey writes:

> Can photographs be art? Photography is prone to chance. … Pressing the button fosters a sense of having produced the picture, but how far does that responsibility extend? Has the person who has accidentally taken a superb photograph made a work of

4 When I describe photographs or art as artistically creditworthy, I am, in effect, employing a shorthand description since it is the relevant human agents that we take to be responsible for doing something creditworthy, rather than the objects themselves (similarly, in the literature on moral praiseworthiness, acts are sometimes described as praiseworthy, but this is generally taken to be shorthand for saying that the relevant agents are morally praiseworthy for doing the relevant acts). 'Art is always artistically creditworthy' is shorthand for 'Every artwork is such that there is an agent, or agents, that are artistically creditworthy for having created that artwork.'

> art? The conspicuous role of chance in photography sets it apart from arts such as painting or literature. (Kelsey 2015, 1-2)

Two concerns expressed here are that (1) excellent photographs, unlike excellent paintings or works of literature, can be produced *accidentally* (perhaps by rank amateurs), rather than *skillfully*; and (2) this is due to the ubiquitous role of chance or luck in photography.

Kelsey goes on to argue that for early photographers and critics, the ubiquitous role of chance in photography was the source of serious doubt as to its suitability as an art form. Chance appears to undermine any claim that the photographer is *responsible* for the attractive features of photographs; that is, that he or she deserves credit for the photograph having such features. In other words, at least some of the time, Kelsey's primary concern appears to be metaphysical, rather than epistemic. He sometimes appears to think that the principal question is not whether it is difficult or impossible to determine *when* photographs are works of art, but rather, simply, whether photographs are ever works of art. He makes it very clear that he has artistic *credit* in mind when it comes to the scepticism he is interested in: "For photography as art, credit … has been the tricky issue. Chance has threatened to fill the disconcerting gap in the medium between intention and result" (2015, 9). I take the argument that best sums up this type of scepticism to be the one that follows.

1. The content of a photograph is the product of luck.

2. An object whose content is the product of luck cannot be artistically creditworthy.

3. Photographs are not artistically creditworthy (from 1 and 2).

4. Art is always artistically creditworthy.

5. Photographs are not art (from 3 and 4).

Before I diagnose this argument, let me briefly say something more about how it relates to Kelsey's book. It might be thought that this argument cannot be one that either Kelsey or the historical figures he discusses would take seriously, perhaps because they reject the first premiss of the argument from the get-go.[5] The first important thing to say in response to this concern is that there are many places in the text where it is clear Kelsey is interested in a metaphysical issue, rather than a merely epistemological one (despite the fact that the epistemological argument I discuss in section 3 might be thought to be a better argument). He writes, for instance, "Can photographs *be* art? … Chance has threatened to fill the disconcerting gap in the medium between intention and result." (1, 9, emphasis added). Second, as I say in the next section, there is at least one important *type* of luck that makes the first premiss quite attractive, if not always true. Third, Kelsey constantly moves back and forth between examples of different types of luck in his book, without registering that he may not be talking about the same kind of thing as he does so (which is not uncommon outside of careful philosophical discussions of luck, to be fair). This can easily lead to the kind of equivocation that can make unsound arguments appear sound, as I make clear below. Sadly, history is littered with unsound arguments that were not thought to be unsound (or not fully teased apart thoughts that correspond to such arguments), and which moved highly intelligent people to make unwarranted assertions. Fourth, Kelsey's discussion of Cartier-Bresson, to some extent, relies on taking this form of scepticism seriously, as I discuss briefly below. Finally, one could weaken the argument above by specifying throughout that one

5 A concern pressed on me by an anonymous referee.

is simply talking about a very large set of photographs, a set which may include most photographs ever taken. Doing so would very much push us in the direction of the alternative argument I consider in section 3. Then, one would be most interested in the issue of *how* to pick out the photographs that deserve praise from those that do not. Perhaps separating the wheat from the chaff is, in fact, the dominant concern of the photographers that Kelsey is interested in. Even if this is the case, it is instructive to first see where the metaphysical argument, expressed in very general terms, goes wrong.

3 Where Luck-Based Skepticism Goes Wrong

Thomas Nagel (1979) famously pointed out that there are different kinds of luck. Two, in particular, interest us here.[6] *Circumstantial luck* is luck with respect to "antecedent circumstances" (antecedent to particular actions), whereas *resultant luck* is luck "in the way one's actions and projects turn out" (Nagel 1979, 28). An assassin may get lucky by accidentally running into a victim at an opportune moment, or may instead get lucky by managing to kill at a distance sufficient to make it unlikely that he would succeed. It should also be said that when we speak of good or bad luck, we're not *merely* speaking of an event that had a low probability of occurring and whose occurrence was outside of an agent's control. We also take it that the event was of some significance to the agent in question (Pritchard 2005, 132-33).

Very often, agential control can diminish the relevance of resultant luck

6 A third kind of luck that Nagel discusses, constitutive luck, might be thought to pose the greatest threat to attributions of creditworthiness in general. A talented artist could have been an untalented artist, and we might think they deserve no credit for being talented (even if their talent is produced by them being hard-working, they could have been born lazy). But we need not here consider scepticism about responsibility and creditworthiness in general, since if there is no (artistic) creditworthiness *in general* then sceptical arguments concerning artistic creditworthiness and the art of photography, in particular, are completely redundant. For the present project to make sense, the truth of any one of several reasonable positive views about free will and responsibility defended by contemporary philosophers (compatibilist, semi-compatibilist, libertarian, etc.) will suffice.

through the employment of skills, without ever completely ruling out a need for the world to cooperate. Consider the following example. Soccer is a game where chance is generally thought to play an enormous role in determining the outcome of games. A professional soccer player might score a goal in a way where her skills play no role (e.g., the ball bounces off her head because she looked up to attend to a fan), or she might instead score a goal in a way where her skills play a crucial role. In the second case, we will admire her, no matter how *circumstantially* lucky she is to have been where the ball was at the time she scored a goal. In fact, we might admire her even more when we judge that she is circumstantially lucky. The fact that the ball suddenly ended up somewhere on the field where she did not expect it to be may mean her successful response to her circumstances was even more agile than it might otherwise have been (even if she had still scored a goal). The relevant *resultant* luck, good or bad, from the moment the professional begins her attempt to score a goal to the moment she either succeeds or fails in her endeavour, is *skill-independent* (my term). The extent to which it is because of her skills that she scores a goal (or gets close to doing so) is precisely the extent to which the outcome of her act is *skill-dependent,* rather than the product of resultant luck. If she kicks the ball skilfully from a distance, between other players, etc., and the only thing that prevents her from actually succeeding is a sudden gust of wind, then she is very unlucky, and her skilful *attempt* at scoring a goal, at least, is creditworthy (although spectators may fail to recognize this).

Now that we have the distinction between circumstantial and resultant luck before us, we can see where the above argument goes wrong.[7] It is important for a defender of the argument to avoid equivocation on 'luck' across premiss 1 and premiss 2, since equivocation will render the argument invalid. Take circumstantial luck first. Suppose we

7 See Cavedon-Taylor 2021 for a discussion of a different but also relevant distinction between structuring causes (e.g., the scene in front of a camera) and triggering causes (e.g., an agent's decision to take a photograph at a particular moment).

assume that photographs are always the result of a considerable degree of circumstantial luck (this may at least be true of some types of photography that we take to be art, so let's just grant it for the sake of argument; see my comments about street photography below). Then we are assuming the first premiss is true. But now it's obvious that the second premiss is false since objects whose content is the product of circumstantial luck can be artistically creditworthy, just as the soccer player who kicks a goal only because she was lucky to be standing in the right place on the field is still creditworthy (for a different example, consider an artist who paints a masterpiece she would otherwise not have painted if she had not, luckily, been given the right kinds of paint at the right time).

If, on the other hand, we take the luck in 1 and 2 to be resultant luck, and we take the claim in 1 to be that the content of a photograph is always *completely* the product of resultant luck, then 1 is not true. We have seen outcomes are very often a product of resultant luck *and* skill, and we have no reason to deny that photographers possess skills that prevent photographs from being even largely, let alone completely, the product of resultant luck (much of the time). If, instead, we take premiss 1 to say that photographs are always at least *partly* the product of resultant luck, then premiss 2 won't be true since creditworthy success in skillful actions cannot and does not consist in them being altogether resistant to resultant luck. All human acts that extend into the world (so are not merely internal mental acts) require the cooperation of the world to some extent to succeed, but this cooperation can be highly, if not perfectly predictable (at least to suitably situated agents, where being well-situated often depends on having relevant skills or discriminatory abilities).

At this point, the reader might worry about cases where photographers *do* get very lucky when it comes to capturing a worthy scene that they do not see coming at the very moment they take a photograph.

Although I am claiming this should be considered the exception rather than the rule, I do not mean to deny that it ever happens. If we interpret premiss 2 so that it is about cases that involve only skill-independent resultant luck (so no skills are involved) and restrict the subject matter to photographic imprints at the exact time the photograph is taken, it still turns out that premiss 2 is not true. This is because artistic credit can be earned by a photographer through skillfully selecting images from a series of negatives or digital image files (that is, deciding that a particular image will be a publicly displayed photograph) and skillfully curating a series of photographs. There is, in addition, artistic credit to be earned in "post-processing" negatives or image files through burning and dodging, choosing particular colour or black and white tonal profiles, etc., but here the photographer is altering the content of the final photograph. That is to say, post-processing provides counterexamples to premiss 1 rather than premiss 2.

Let us now consider a particularly relevant section of Kelsey's book. Surprisingly, for a book on the role of chance in photography, Kelsey spends very little time discussing street photography. One might have thought this genre would deserve much discussion in a book on photography and chance, since it is a genre where certain photographic artists excel at highlighting incredible coincidences and rarely-seen juxtaposi-

tions.[8] Good street photographers often search out the accidental in an extremely skilful fashion. But one would not glean this from reading Kelsey's critical discussion of photographs of this kind, which centres on Henri Cartier-Bresson (200-210). Kelsey here targets a view that he ascribes to Cartier-Bresson on the basis of some of his writings concerning the "decisive moment" (although the discussion also mentions Jung and others). This is the view that street photographs that meet Cartier-Bresson's ideal somehow capture a feature of an underlying cosmic significance to events that we don't ordinarily see, and that the skilful street photographer thereby succeeds in combating the randomness of events in the world by revealing an underlying order of things.

This last idea is somewhat obscure, and to the extent I understand it, I think it is simply false. Kelsey thinks the idea of street photographers being able to reveal a hidden cosmic order through taking photographs at the right moment is not worth taking seriously, and I agree with him. Furthermore, to the extent his interpretation of Cartier-Bresson's writings is correct and fair, we should not look to those writings to understand street photography. These writings are very much distinct, after all, from Cartier-Bresson's often excellent photographs. People

8 In the discussion above of where the first luck-based argument goes wrong, I focused on cases where people might be circumstantially very lucky. I don't mean to leave the reader with the false impression that I think all (artistically noteworthy) street photography is spontaneous in a way that is analogous to the soccer player just happening to be in the right part of the field when the ball ends up there. Some excellent photographs (or goals kicked) are produced this way, and some are not. Street photographers will not normally manipulate subjects or stage scenes (that one must not do such things is considered a constitutive norm of the genre), but they will often spend a considerable amount of time in a carefully chosen location waiting for the right combination of elements to occur. There can be considerable skill involved in the street photographer choosing some features of her circumstances carefully while allowing others to remain open to chance (while, of course, in other genres, especially those involving the use of a studio, more is done to diminish the role that circumstantial luck plays before photographs are taken). For a history of this genre that discusses how art historians have sometimes in the past looked down their noses at or downplayed the artistic importance of street photography, which also contains reprints of many fine examples of the genre, see Westerbeck and Meyerowitz (2017).

often have skills that they misdescribe. All this being said, the fact that there is no artistic photographic skill that involves capturing a hidden cosmic order does not mean there is no artistic skill at all involved in encountering and making something good of circumstantial luck in the way street photographers do continually. Yet Kelsey seems to think it is precisely any skill in encountering (circumstantial) luck that we should reject on the basis of considering Cartier-Bresson's flawed conception of the decisive moment:

> The issue… does not turn on a distinction between those subject to chance and those who have mastered it… Any such distinction would be predicated on a firm bond between person and photograph that chance will not allow (2015, 209-10).

Here, we see Kelsey appearing to assert that the nature of chanciness simply will not allow some to be more skilled at taking advantage of luck in their photographs than others. On the contrary, chance does often allow there to be a firm bond between a skilled individual and the products of their endeavors, and this bond is absent in the case of the amateur. This is as much true of the art of photography in a genre where luck of a certain kind (circumstantial luck) is constantly being made evident, as it is in a sporting game, soccer, where such luck is constantly being made evident. In order to appreciate this, it is crucial to understand both that resultant luck is a very different thing than circumstantial luck (it's particularly important to notice that one can have a lot of the second without much of the first, but the reverse is also true), and that some limited degree of resultant luck is still compatible with photographic activities being skilful and artistically creditworthy.

4 An Alternative Luck-Based Argument and Where It Goes Wrong

Kelsey's view regarding Cartier-Bresson (and, by inference, much other photography) illustrates that at least some of the time, Kelsey is con-

cerned to think about luck in metaphysical terms. This may explain why he thinks Cartier-Bresson's impressive work is not a good place to look for a response to scepticism about the actual artistic status of photographs. In any case, my discussion of that argument above demonstrates that it is flawed. We can reconstruct another, quite different, sceptical argument based on other things Kelsey says about certain moments in the history of photography. This alternative argument focuses on luck and *knowledge*, and it's possible that it better reflects the history of photography's reception in the art world. Kelsey himself doesn't carefully distinguish between the epistemic issue highlighted by this argument and the metaphysical issue we examined earlier. It is perhaps not entirely clear which form of scepticism we might interpret him as targeting when he writes:

> Even if we accept the possibility of a photographer embodying Cartier-Bresson's ideal of feline reflexes… we will still lack criteria for distinguishing photographs produced by an enlightened union with the moment from those produced by dumb luck. (Kelsey 2015, 205)

I think Kelsey is probably best understood to be making a claim about *epistemic* criteria at this point. Here is the epistemic luck-based argument as I would reconstruct it:

1. It is very difficult to *know* whether or not the content of any particular photograph is the product of skill-independent luck.

2. If it is very difficult to know whether or not the content of any particular photograph is the product of skill-independent luck, then it is very difficult to know whether or not that photograph is artistically creditworthy.

3. It is very difficult to know whether or not the content of any particular photograph is artistically creditworthy (from 1 and 2).

4. Art is always artistically creditworthy.

5. It is very difficult to know whether or not any particular photograph is art (from 3 and 4).

The conclusion of this argument, while weaker than the conclusion of the previous argument, is certainly strong enough for it to have the potential to produce anxiety in photographers, art critics, and institutions when it comes to the question of whether photographs should be treated as art in practice. The first premiss is consistent with many photographs actually being works of art—that is, with a rejection of the first luck-based argument. Putting that argument to one side, then, why might one be tempted to think the first premiss of this alternative argument is true?

It's an important idea for Kelsey that chanciness makes it hard to determine when photographers deserve credit for their work: "Photography is prone to chance. Every taker of snapshots knows that. … *Once in a blue moon, a rank amateur produces an exquisite picture.*" (2015, 1-2, emphasis added). Let's assume this last statement is true. If this possibility looms large in our mind, and we know nothing about how a particular photograph was produced, it can seem that, even if we grant that some photographs are art, we may never know whether any particular photograph is merely the product of skill-independent luck or, instead, the product of artistic skills. Add to this one more consideration. Photographs are *of* things in the world. This may remind us of the mind independence argument, and the concern that photographs simply reproduce what is seen by the photographer. To the extent one finds that argument attrac-

tive (I don't), one is likely to downplay or overlook the considerable skill that is generally required to take good photos. Thus, one is more likely than one otherwise would be to think that there will be many cases where one will not be able to tell whether an attractive photograph was taken skillfully or by accident.

In a quotation I provided earlier, Kelsey asks, "Has the person who has accidentally taken a superb photograph [thereby] made a work of art?" Perhaps the right response to this question is "no." In the previous section, I granted that there might be odd occasions where even a skilful photographer takes a photograph such that its positive qualities are not due to the use of their skills. This might mean we sometimes misidentify photographs as works of art when we would be less likely to do so with paintings or other kinds of artwork. In giving voice to sceptical concerns, it is clear that Kelsey is generally thinking of *single* photographs. He says "inference of mastery *from any particular photograph*, due to the role of change in the medium, is unwarranted" (2, emphasis added).

Crucially, however, this doesn't mean the first premiss of our second luck-based argument is true. Expert appreciators and critics are expected to know a lot about the *oeuvre* of an artistic photographer and not simply examine one photograph in isolation. Even if art appreciators, more generally, are not familiar with the *oeuvre* of an artistic photographer, they still often encounter the photographer's work as part of a carefully arranged and printed series of photographs in either an exhibition or a photobook. Thanks especially to the efforts of art historians and museum curators in recent decades, now more attention is paid to the important artistic unit of the photobook (see Parr and Badger 2007 for an influential and much-discussed book on this topic). This is partly because, throughout the history of photography, photographic artists have often been particularly keen to create carefully edited photobooks.

The fact that a good artistic photographer can be counted on to *relia-*

bly produce good artistic photographs indicates why premiss 1 is, as a general claim, well and truly false. The mistake is to think that the only way we could demonstrate that premiss 1 is false is by looking at the evidence particular to a single photo. But why should we not be able to infer that a particular photograph is a creditworthy work of art from facts external to the content of that particular photo? There is no good reason to think that induction from other cases (other photographs by the same artist) cannot be the basis of our knowledge that a particular photograph is, in large part, the product of artistic skill. Induction can be an epistemically justifiable, generally reliable process for forming beliefs in many domains. It is widely accepted in epistemology that processes for forming beliefs do not need to deliver infallibility within a domain to count as reliable enough to undergird knowledge within that domain (when other conditions are also met).

Interestingly, this explanation for why premiss 1 is false leaves open the possibility that it was very difficult (or perhaps even impossible) for *early* photographers and critics to come to know whether or not particular photographs were the product of artistically creditworthy skills. We might think we are sometimes in a parallel epistemic situation when we consider students of photography who are still in the process of developing skills. Returning to experienced photographers, one might add to the point just made about induction that there is also no good reason, in general, to think that we cannot come to know that an artist relied on their skills on a particular occasion, rather than merely got lucky, simply through considering and trusting the testimony of that artist (although there can, of course, be reasons to doubt testimony on particular occasions).

Our discussion of this argument enabled us to say something informative about how scepticism, powered by considerations to do with luck, might be related to the type of scepticism that has, to date, most interested contemporary philosophers of photography. When we con-

sider the rank amateur, as Kelsey insists we should, we are likely to find ourselves focusing on the automaticity of a significant part of the photographic process. This suggests that it may be the ingredients of the mind independence argument that are really the source of our doubts on these occasions. This provides a diagnosis of why Kelsey himself discusses, in passing, historical predecessors of Scrutonian scepticism (although not under this description; see, especially, Chs. 1 and 2). He does this because he thinks they bolster the luck-based scepticism that he argues is *the* kind of scepticism that produced anxiety in early photographers and critics. He may or may not be right about the historical dominance of luck-based scepticism. In any case, he fails to register that he is in the vicinity of a logically independent sceptical argument when mentioning concerns about the mechanical nature of photography. At this point, we may suspect that the philosophers that I began by admonishing for overlooking the scepticism that has been the subject of this paper have, in the end, been focusing on a more fundamental, or at least more interesting form of skepticism. Perhaps they just got lucky!

Rather than end on that jokey note, let me conclude by returning to the thought mentioned at the beginning. Considering sceptical arguments can be instructive, even when one thinks they are unsound. It can be interesting to think about where these arguments go wrong. How has considering our two luck-based arguments helped us better understand or appreciate certain aspects of photography? In the case of the first argument, we learnt that it is very important to distinguish between two types of luck, each of which plays a significant role in photography (in varying ways, depending on genre), and that by distinguishing carefully between the two we can see how paying attention to the kind of factors that give rise to each of them can be important to photographic artists in quite different ways. In the case of the second argument, we learnt that it is important to distinguish between artistic credit in relation to single photographs and artistic credit in relation to an *oeuvre,* or to smaller artistically significant collections of photographs. The grain of

truth in the second luck-based sceptical argument is that when we do *only* focus on individual photographs, and lack evidence regarding how exactly a photograph was taken, it may be very difficult or impossible to know whether the photographer is creditworthy or not. Luckily, we are often not in that situation at all.[9]

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