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A Feminist Defense of Moderate Moral Intuitionism

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A thesis submitted in partial fulfillment of the requirements for the Doctor of Philosophy degree in Philosophy

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A FEMINIST DEFENSE OF MODERATE MORAL INTUITIONISM

(Thesis format: Integrated-Article)

by

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Graduate Program in Philosophy

A thesis submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy

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ABSTRACT AND KEYWORDS

The three integrated articles of this dissertation are concerned with the epistemic status of moral intuitions. The first article argues in favour of moderate moral intuitionism, the view that while any successful moral epistemology must be intuitionist to at least some extent, it must also take intuitions to be fallible. This is accomplished by synthesizing work by Robert Audi and George Bealer into a view of moral intuitions which is capable of overcoming some major contemporary objections against intuitionism, particularly from Sharon Street and Peter Singer.

The next article raises a more powerful objection to intuitionism, applying feminist ethics and moral epistemology to suggest that powerful social forces impair our ability to distinguish mistaken intuitions from reliable ones. This objection is addressed with an argument, based on work by Michele Moody-Adams and Cheshire Calhoun, to the effect that the possibility of moral knowledge and resultant responsibility allow us to retain the capacity for making this important distinction between intuitions. Nevertheless, as George Sher argues, there is still reason to think that the intuitions we rely on to shape and justify our moral beliefs contains important mistakes which negatively impact the reliability of our resulting moral judgements.

This major problem, that of distinguishing helpful from harmful moral intuitions, is the topic of the third article. Henry Sidgwick attempted to develop a decision procedure for this purpose in *The Methods of Ethics*, positing four major criteria, the fulfilment of which would confer the highest possible level of certainty on an intuition. Sidgwick's four tests are evaluated primarily with reference to contemporary feminist scholarship, and

though they constitute a promising start to a rigorous intuitionist moral epistemology, they are also wanting in a number of ways. The article improves the epistemic status of Sidgwick's tests with a hybrid Sidgwickian-feminist theory, reinterpreting his tests as values to be respected but which allow flexibility and even tension. While this approach may not be able to confer the same level of certainty as Sidgwick's, it is more respectful of the complexities and nuances of a more reliable moral epistemology.

Keywords: intuitions, feminism, Henry Sidgwick, moral epistemology, Robert Audi, responsibility, foundationalism, moral realism, pluralism, fallibilism

DEDICATION

To Pam, whom I need like food and water and sunlight. Ethics would be impossible without her, because nothing is right without her.

To my parents, for filling the house with books and continuing to read them to me even after I could very well do so myself.

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INTRODUCTION – A DEFENSE OF MODERATE MORAL INTUITIONISM

In the broadest sense, my work attempts to give an answer (or perhaps improve an answer already given) to the question of how we know what we ought to do. The number of different answers given to this question approaches the number of moral philosophers, and what makes it particularly difficult is that answers to moral questions like this are frustratingly difficult to come by through any direct or straightforward means, even for those who claim to have them. Genuine ethical questions, those which are not answered by simple appeal to constantly varying social and cultural mores, always need to be teased at carefully and deliberately, because their answers are not to be found by direct observation.

Indeed, the closest thing to clear and direct moral knowledge ever experienced by most people is what is often called “moral intuition.” Though the feeling of having a moral intuition can and has been described in many different ways, what they share is the insight into moral questions which they seem to convey. This phenomenal sense serves as the most immediate source of justification for moral judgements and has played some part at least (though under various names) in virtually every major theory in modern Western moral philosophy. The importance of intuition to ethics cannot be overstated.

Intuitions, however, can be notoriously unreliable, not to mention vary wildly between different societies, even different individuals. This fact is the basis for many major objections against moral intuitionism. And yet, it is not clear how we might do ethics without intuitions. Therefore, my purpose is to clarify what we should mean by the notion of a “moral intuition,” to show why this conception does not fall prey to some

popular objections, and to show how an intuitionist response against various objections based on the unreliability of intuitions and the problem of disagreement might look.

This dissertation is composed of three related papers. In the first paper of my dissertation, I will briefly contextualize the central role played by intuitions in the history of modern moral philosophy, before presenting and justifying my particular conception of intuitions and what I call “moderate moral intuitionism.” I will then respond to some major initial objections against intuitionism coming out of contemporary naturalist (specifically evolutionary) approaches to ethics. The second paper, through the lens of feminist philosophy, will consider a more powerful objection stemming from the concern that intuitions are often the product of archaic and harmful social forces, giving some reason to think that this objection can be circumvented while also pointing out just how powerful and wide of scope it is. The third and final paper will present a hybrid structure for evaluating and amending our intuitions, combining feminist arguments with Henry Sidgwick's moral epistemology into a novel approach to moderate moral intuitionism. And while it is beyond the scope of my project to actually apply my view in a practical way to any particular intuitions, my work here puts us in a strong position to apply an initial framework and begin actually distinguishing reliable intuitions from the rest.

Although the three papers which comprise this dissertation make autonomous arguments and come to conclusions which stand on their own, they nevertheless have a natural progression presenting the framework of an overarching theory about ethical intuitions. This wider theory could be characterized as being a 1) moral epistemology which is 2) realist, 3) foundationalist, 4) intuitionist, 5) fallibilist, and 6) feminist. In what follows, I will explain the way each of these characteristics features in the theory.

First, this is primarily a project in moral epistemology. Presenting a novel approach to the possibility and nature of moral knowledge, and specifically how it is to be justified, is the driving purpose of this dissertation, and therefore moral epistemology forms the overt subject matter of each paper. I focus on this because it is important that the reader keep in mind that all arguments and evidence presented, even that which does not directly involve moral knowledge, is ultimately meant to serve this wider purpose.

Second, I see my dissertation as arguing for a realist conception of ethics, whereby moral statements can and do have meaningful truth values. I consider a powerful objection to this position in the first paper, “A Preliminary Defense of Moderate Moral Intuitionism.” Specifically, I address Sharon Street's evolutionary argument that moral realism is scientifically implausible. In the course of doing so, however, I agree with her on most matters, responding simply that her view of what ought to count as realism is too narrow. Granted, a complete and thorough defense of my wider position would require that the truth values of moral statements be grounded in some metaphysical truth-makers found somewhere in the world. But as I have said, the focus of my project is epistemological, and therefore I leave the particulars of what those might be to future work.

Third, that metaphysical grounding of the truth of moral propositions has an epistemological counterpart, in that I take my intuitionist approach to be foundationalist. The particular conception of moral intuitions I develop in the first paper is primarily informed by the work of George Bealer and Robert Audi, and among the requirements they set out for a plausible intuitionism is that it have a foundationalist epistemology. The details of this conception make up the larger part of the positive work of my first paper,

and the specifically foundationalist elements also arise in the discussion and ultimate rejection of Rawlsian reflective equilibrium to be found in the second of my three papers, “A Feminist Critique of Ethical Intuitions.” These latter arguments also incorporate a good deal of Margaret Urban Walker's work, but remain focused on intuitionism's foundationalist requirements.

Fourth, as should be clear by now, I argue that moral intuitions form the epistemic foundation of moral knowledge. The most obvious concern here is that there is no standard and widely accepted philosophical definition of intuitions, let alone moral intuitions. Indeed, conceptions can vary so widely that what comes off as a trivial point on one conception of intuitions might seem wildly absurd on another. For this reason, I want to make it clear that I am defending a very specific type of intuitionism. On my view, an intuition is i) a cognitive phenomenological state, which is ii) self-evident and iii) not a belief, and which is both iv) reliable as a source of evidence for justified beliefs and v) fallible. A moral intuition, more specifically, is simply such an intuition which takes a morally relevant issue as its content. Certainly, others have meant different things when discussing moral intuitions, but this is the definition best suited to the theory I will defend. Again, however, my reasoning for adopting each of these criteria is too detailed to go into here, but I discuss this at great length in the first paper, “A Preliminary Defense of Moderate Moral Intuitionism.”

Fifth, while I mentioned fallibilism as among the characteristics of intuitions as I see them, fallibilism also figures prominently in my wider theory as well. The fallibilist nature of intuition as a means of epistemic justification forces us to incorporate other tools and resources into our moral epistemology. At the same time, intuitions retain their

key role as the foundation of my view. This suggests that no one approach is completely infallible, or even nearly so. This in turn colours one's whole view of moral epistemology (or perhaps corroborates a preexisting view), such that one tends to be less concerned with absolute moral certainty and knowledge but more concerned with identifying and reducing the errors which are sure to occur, in accordance with generally reliable moral and epistemic principles. While such an approach certainly makes ethical judgements more difficult and moral deliberations far more complex, it nevertheless allows us to get more of the truth than we would if we were to rely on unreliable oversimplifications. For these reasons, I adopt a fallibilist approach to all the major resources of moral epistemology, including careful reflection, communication with others, and consistency as well as intuitions, working to make them better without expecting them to be perfect. This fallibilist approach is first discussed in the first paper of my dissertation, but also plays a major role in the second and is perhaps the primary motivation behind much of the third paper, "A Sidgwickian-Feminist Approach to Moral Intuitions."

Sixth, and finally, as suggested by the titles of the latter two of my dissertation papers, my project is explicitly feminist. The second paper in particular is largely focused on a major objection against adopting intuitions as the foundation of our moral epistemology. This objection points out the malleability of our intuitions and other cognitive processes in the face of powerful social forces, many of which are patriarchal and extremely harmful in nature. As a result, without the capacity to distinguish between reliable and harmfully warped intuitions, we have good reason to doubt all of them. This is a powerful argument best (though not exclusively) expressed through the lens of feminist ethics. And while it is beyond the scope of my dissertation to thoroughly refute

this objection against moral intuitionism, we can nevertheless apply feminist arguments to offer a strategy for overcoming or at least addressing this argument. I present one such approach in the second paper, applying the work of Michele Moody-Adams and Cheshire Calhoun to argue that the possibility of moral responsibility despite the presence of harmfully warped intuitions gives us reason to think that intuitionism remains a viable moral epistemology. Unfortunately, there remain reasons to doubt the reliability of intuitions even with this argument in hand, as I discuss toward the end of the second paper with regard to a convincing argument from George Sher. For this reason, the third and final paper of my dissertation is committed not only to Sidgwick's attempt to shore up intuitionism (as mentioned in my discussion of fallibilism), but to demonstrating how a contemporary feminist approach can better address this major remaining objection against intuitionism. Over the course of this work, I argue that we are better served revising the tests Sidgwick sets out for the certainty of intuitions, adjusting them in the face of feminist arguments and concerns and viewing them not as absolute tests to be passed and failed but as values to be adopted and weighed.

This synthesis of intuitionist moral epistemology, Sidgwick, and feminism is the end product of the combination of the six major characteristics laid out at the beginning of this chapter. In other words, what I hope to have ended up with after these three papers is a consistent and plausible form of moderate moral intuitionism, an intuitionist moral epistemology which is realist, foundationalist, fallibilist and feminist, as well as ready for future application to practical cases of intuitions.

A PRELIMINARY DEFENSE OF MODERATE MORAL INTUITIONISM

1) Introduction

The aim of this paper is to offer a partial defense of the claim that intuitions rightfully occupy a central place in moral reasoning. At the outset, I will be taking the notion of “ethical intuitions” very broadly, such that virtually every significant moral outlook in modern philosophy can be shown to depend, at some level, upon such intuitions. By the end of the paper, however, I will be presenting a much narrower conception, one capable of serving as the foundation for a comprehensive and wide-ranging moral epistemology.

Following a brief overview of the varied and key role played by intuitions of one form or another in the history of modern moral philosophy, I will begin by narrowing down exactly what I mean by ethical or moral intuitions. My argument will involve an appeal to what seem like undeniably true moral beliefs. Such beliefs come down to the nature of intuitions and what might be called the “self-evidence” of moral intuitions, so I will spend some time detailing what I mean by intuition and self-evident moral principles, and why I think we are justified in holding the resulting beliefs. This will specifically involve dealing in some detail with work by George Bealer and Robert Audi on these concepts, and will also help in shoring up my defense against various objections.

In the course of refining my conception of intuitions, I will flesh out my substantive view as to why ethical intuitions should be seen as trustworthy, or at least as a viable foundation for making moral judgements and otherwise conducting the practice of ethics. This view, which I call “moderate intuitionism,” following Robert Audi, will build

upon the groundwork laid by the evidence and arguments I present earlier. In the end, my defense of intuitionism against various objections will rely on the position that self-evident propositions can be known (though not infallibly) without additional proof or evidence, i.e. that intuition can serve as a reliable source of evidence in and of itself.

This will lead into a description of how intuitionism can offer a general defense against moral skepticism in a way which may be unavailable to non-intuitionist ethicists. This is the main reason why I think that intuitionism of one form or another is not only a viable moral epistemology, but actually preferable to non-intuitionist approaches.

Finally, I will defend the value of moral intuition in general from a popular kind of contemporary objection stemming from evolutionary ethics. I will specifically be considering two arguments, one made by Sharon Street and one made by Peter Singer (based on work by Joshua Greene and others). I take evolutionary approaches to be the most significant contemporary strain of mainstream objections against ethical intuitionism, and therefore a successful response will go a long way towards securing the general legitimacy of my approach.

2) Intuitions in the History of Modern Moral Philosophy

Moral philosophy in the modern era, varied though it may be, has relied on different forms of intuition. I suggest this is true of virtually every school of moral thought, even for those who explicitly reject intuitions as a foundation for ethics and hold something else at the core of moral epistemology.

Aside from giving a taste of just how universal this reliance on intuition really is, so long as we take the notion of “moral intuition” broadly enough, this section also serves a deeper purpose in my argument. One of the key tenets of my position is that moral

intuitions are necessary for making sound ethical judgements and otherwise going about the practice of ethics. But I do not think it would be feasible to attempt to demonstrate that all possible attempts to do ethics without relying on moral intuitions are bound to fail.

For one, aside from the sheer amount of space it would take, even hypothetically, to categorize every plausible moral theory according to whether it relied fundamentally on intuitions, and then show *a posteriori* why those which do not are somehow lacking, such an attempt would always be incomplete, since new and previously unconsidered moral theories are always possible.

Another, shorter possible approach to conclusively proving my position on this would be to attempt some kind of deductive impossibility proof, whereby any moral theory which does not rely on intuitions is shown *a priori* to be somehow inconsistent. But, to put it briefly, I do not think that any such proof is forthcoming, and may not even be possible, given that moral discourse is often far from clear enough to allow for such straightforward deductive reasoning. So instead of trying to show that all non-intuitionist moral theories are somehow problematic, I will take a more modest approach. I will settle for showing that intuitions play an important part in a whole range of historically significant moral theories, that intuitionism need not fall victim to some of the more common objections made against it, and that intuitionism actually possesses certain wide-ranging advantages over non-intuitionist views. This is not meant to show definitively the fundamental unworkability of non-intuitionist ethics, and is certainly open to the possibility of new non-intuitionist views which share the advantages of intuitionism I will describe. But this more modest defense of intuitionism is why I think it is appropriate to begin my argument with a survey of intuitions' role in some of the major beats of moral

philosophy.

I will begin by looking at Joseph Butler's views. His appeal to conscience as the font of morality is both thoroughly developed and well-suited to my initial presentation of intuitions. He writes:

...we naturally and unavoidably approve some actions, under the peculiar view of their being virtuous and of good desert; and disapprove others, as vicious and of ill desert. That we have this moral approving and disapproving faculty, is certain from our experiencing it in ourselves, and recognizing it in each other...whether called conscience, moral reason, moral sense, or divine reason; whether considered as a sentiment of the understanding, or as a perception of the heart; or, which seems the truth, as including both.¹

Here he describes the moral “faculty” that he sees as the primary guiding force for morality, but does not presuppose or even seem to support a particular metaphysical view as to what exactly this faculty is. At this point, I will also follow him in declining to specify exactly what I mean by intuitions (this task will be left primarily to Section 4). I should clarify, however, that I take this approach not so that I can cram any number of square-pegged moral theories into the round hole of intuitionism. Rather, my purpose is to show that intuitionist approaches to moral epistemology are multifaceted and highly diverse, in addition to being fairly ubiquitous. That is, I think that even though modern moral philosophy is almost always founded upon some form of intuitionism, different forms of (at least possibly) internally consistent intuitionism can nevertheless be mutually exclusive.

Another early modern moral theory which could reasonably be called intuitionist is that of Catherine Trotter Cockburn, as exemplified in her defense of John Locke's

¹ Joseph Butler, *The Works of Joseph Butler*, ed. W. E. Gladstone (Oxford: Clarendon Press, 1897), 326-328.

moral epistemology. Patricia Sheridan argues this position in detail, but the general thrust is that while Cockburn “was strongly invested in the adequacy of Locke's *epistemological* principles as a foundation for the knowledge of natural law,”² she saw the ontological justification for that epistemology very differently. Specifically, Cockburn “viewed the normativity of natural law as consisting in its connection with human nature,”³ which Locke himself “saw it as consisting in its divine authorship.”⁴ It would be not really be right, then, to call Locke an intuitionist. But Cockburn's appeal to human nature, specifically “‘reflection’ – that is, the epistemological faculty that...afforded knowledge of the operations of our own minds,”⁵ fits very well within the tradition of early modern moral intuitionism as I see it.

To continue my survey of intuitionism in the history of moral philosophy, and also to begin demonstrating the variety alluded to above, we can look to David Hume. Early on in *An Enquiry Concerning the Principles of Morals*, he says the following:

The final sentence, it is probable, which pronounces characters and actions amiable or odious, praise-worthy or blameable; that which stamps on them the mark of honour or infamy, approbation or censure; that which renders morality an active principle, and constitutes virtue our happiness and vice our misery: It is probable, I say, that this final sentence depends on some internal sense or feeling, which nature has made universal in the whole species.⁶

Though Hume also stays vague about the details, it is easy to see how his “internal sense or feeling” is getting at something along the same lines as Butler's “sentiment of the understanding or...perception of the heart.”

2 Patricia Sheridan, “Reflection, Nature, and Moral Law: The Extent of Catherine Cockburn's Lockeanism in her Defence of Mr. Locke's Essay,” *Hypatia* 22 (2007): 134; emphasis in original.

3 Ibid.

4 Ibid.

5 Ibid., 133.

6 David Hume, *An Enquiry Concerning the Principles of Morals*, ed. J. B. Schneewind (Indianapolis: Hackett, 1983), 15.

Now, the broad-stroke similarities between Butler and Hume on this point should not be particularly surprising; both could be counted as moral sentimentalists of some kind (at least if we take this as a reasonably broad epistemic term), well within the traditional bounds of intuitionism. But I believe that similar sentiments can even be found in the foundational moral writings of Kant, whose dedication to reason and rational principles would seem to make him an unlikely proponent of intuitionism. In the *Groundwork of the Metaphysics of Morals*, he writes that “the concept of a will that is to be esteemed in itself and that is good apart from any further purpose...dwells in natural sound understanding and needs not so much to be taught as only to be clarified.”⁷ Kant's assertion that the “concept” of the good will need not be taught and dwells in our “natural understanding”⁸ shows that he counts as some kind of intuitionist, at least when it comes to the epistemological aspects of normative ethics. He can further be seen as agreeing with Butler, at least at the level of action-guiding intuitions, in his assumption that there is widespread agreement about what duty demands of us, if not what motivates us to perform our duties.⁹

There is even an intuitionist foundation at work in the utilitarian tradition, the other major systematic school of modern moral thought which seems opposed to intuitionism. Even leaving aside Henry Sidgwick, who was both a dedicated utilitarian and an intuitionist (at least in the epistemic sense I am using; Sidgwick thought of

7 Immanuel Kant, *Groundwork of the Metaphysics of Morals*, ed. Mary Gregor (New York: Cambridge University Press, 1997), 10.

8 Saying that not any natural understanding will do, that it must be “sound” understanding, is certainly no accident on Kant's part. The significance and nature of the distinction between what might be called “sound” and “unsound,” however, will likely need to be left to a later paper; in any case, I will say more about this later.

9 *Ibid.*, 10-13.

himself as a “philosophical intuitionist,” but also opposed a kind of broad, first-order intuitionism which I do not defend)¹⁰, we can see John Stuart Mill appealing to intuitions of some sort when he says that “whether mankind do desire nothing for itself but that which is a pleasure to them...can only be determined by practiced self-consciousness and self-observation, assisted by observation of others.”¹¹ He also seems to be suggesting that his proof of the premises of utilitarianism relies on some sort of intuitionism (in the form of self-evident propositions¹²) when he says that “this cannot be proof in the ordinary and popular meaning of the term,” but nevertheless that “there is a larger meaning of the word 'proof,' in which this question is as amenable to it as any other of the disputed questions of philosophy.”¹³

Granted, Mill's moral epistemology can be rather opaque at times, but here he seems to rest the argument for hedonism about the good, one of the fundamental commitments of his strain of utilitarianism, on “practiced self-consciousness and self-observation.” I think this can helpfully be included with Kant's natural sound understanding, Hume's universal internal sense, Butler's sentiment of the understanding, and other notions that all seem to be getting at what I have been calling moral intuitions.

At this point, I could continue citing examples of otherwise disparate thinkers coming to agree about such intuitions (at least in general), but I think that having found some common ground between Butler, Cockburn, Hume, Kant and Mill, my point has been made. All of these thinkers rely on some notion of intuitions at the epistemic core of

10 See, for instance, Henry Sidgwick, *The Methods of Ethics*, 7th ed. (Indianapolis: Hackett, 1981), 337-361, 373-390.

11 John Stuart Mill, *Utilitarianism*, ed. George Sher, 2nd ed. (Indianapolis: Hackett, 2001), 39.

12 I will go into detail on intuitions and self-evidence in Section 4, when I consider the work of Bealer and Audi.

13 Mill, 4.

their moral systems, whether or not they go on to construct some highly divergent, non-intuitionist system on top of it. That alone should constitute *prima facie* reason for thinking that the entire enterprise of moral philosophy relies on intuitions,¹⁴ at least at its base. In the following section, however, I will consider a pair of arguments, both stemming from evolutionary ethics, which purport to explain both why this *prima facie* view about the centrality of ethical intuitions ought not actually count for very much and why we ought not base our moral judgements on them.

3) Intuitions, Defeasible Justification, and Self-Evidence

I now want to lay out just what I mean by “ethical intuitions,” why we are justified in using them in our moral epistemology, how they fit with the historical tradition I discussed in the previous section, and how they avoid accusations of vacuousness.

To begin, George Bealer has done some very important work on intuitionist epistemology in general which can lay the groundwork for how I think we ought to conceive of moral intuitionism. I will briefly discuss how Bealer characterizes intuitions and how he thinks they count as evidence before moving on to how Robert Audi's work on moral epistemology allows us to apply such intuitions to ethics in particular. Certainly, Bealer and Audi disagree in some important ways about what intuitions are and what role they ought to play in our epistemology. But taking the best of each of their arguments, a coherent notion of moral intuitions can be constructed and defended.

For Bealer, “intuition is a sui generis, irreducible, natural (i.e. non-Cambridge-like) propositional attitude that occurs episodically.”¹⁵ Intuitions of the sort that we are

14 Indeed, some might argue that all knowledge relies fundamentally on intuitions at some point. This stronger intuitionist thesis, however, is well beyond the scope of this paper, and I do not intend to consider it here.

15 George Bealer, “Intuition and the Autonomy of Philosophy,” in *Rethinking Intuition: The Psychology of*

concerned with here¹⁶ can be distinguished from other kinds of propositional attitudes or mental phenomena by their unique phenomenology, though they are indeed natural phenomena:

We do not mean a magical power or inner voice or special glow or any other mysterious quality. When you have an intuition that A, it *seems* to you that A. Here 'seems' is understood, not in its use as a cautionary or "hedging" term, but in its use as a term for a genuine kind of conscious episode. For example, when you first consider one of de Morgan's laws, often it neither seems true nor seems false; after a moment's reflection, however, something happens: it now just seems true.¹⁷

This particular phenomenological character is the primary reason Bealer gives for thinking that intuitions are distinct from other, similar propositional attitudes. Intuitions should not be confused with beliefs, for instance, not only because there are many things which we might believe but do not seem to us to be true,¹⁸ but also because "belief is highly plastic; not so for intuition."¹⁹ That is, our beliefs can change fairly easily, in light of new evidence or well-presented arguments, while the phenomenal experience of intuitions is such that even when our beliefs come apart from intuitions, our intuitions can persist unchanged long afterwards.

Furthermore, intuitions can involve a certain amount of tension, such that we might have the phenomenal experience of two simultaneous intuitions which nevertheless conflict. If they were a type of belief, this would involve holding two conflicting occurrent beliefs at once, a situation which at best implies serious cognitive dissonance

Intuition and Its Role in Philosophical Inquiry, eds. Michael DePaul and William Ramsey (Lanham, MD: Rowman & Littlefield, 1998), 213.

16 That is, rational intuitions, as opposed to physical intuitions. For more more on the distinction, see *ibid.*, 207-208.

17 *Ibid.*, 207; emphasis in original.

18 *Ibid.*, 208. Bealer gives the example of a mathematical theorem which he believes because he has seen and understood the proof, but which is complex enough that it does not engender any intuitions in him one way or another.

19 *Ibid.*

incompatible with the kind of moderate tension one feels with conflicting intuitions, and at worst implies a contradiction.

Bealer also maintains that intuitions are phenomenologically distinct from judgements,²⁰ guesses and hunches: “Judgments are a kind of occurrent belief...Guesses are phenomenologically rather more like choices...And hunches are akin to merely caused, ungrounded convictions or noninferential beliefs; they too are not seemings.”²¹ Bealer goes on to give a number of arguments showing that such rational intuitions are not reducible to common sense or mere linguistic intuitions,²² and though I will not go through all of them here, I think they show decisively that intuitions are indeed *sui generis* (but nevertheless natural) mental phenomena.

So intuitions exist as a distinct type of propositional attitude. The question now becomes how and why they ought to count as evidence, both in general and in the context of moral philosophy. Bealer addresses the allegation that “the empirical findings of cognitive psychologists...cast doubt on [intuitions'] epistemic worth,”²³ suggesting that these findings do not make the very important distinction between the powerful rational intuitions Bealer focuses on and other, possibly less relevant phenomena. If and when such a distinction is made in empirical psychology, Bealer concedes that scientists “will certainly uncover the fact that a subject's intuitions can be fallible locally,” and even “in a

20 It might seem as if my agreeing with Bealer about intuitions not being a type of judgement (and vice versa) conflicts with some of what I have to say concerning “intuitive judgements.” But I do not think this is a real problem: intuitions and judgements may not be the same kind of thing, but this does not mean that intuitions cannot be the evidentiary source of moral judgements.

21 Ibid., 210.

22 Ibid., 208-210.

23 Ibid., 213. In Section 6, I will discuss the work of Joshua Greene and Jonathan Haidt. These are not among the findings Bealer mentions here, as their work appears mostly after Bealer's, but it is very much in the tradition he is referencing, and I think we can consider Greene and Haidt to be reasonable targets of Bealer's arguments.

more holistic way.”²⁴ But that a source of evidence is fallible is no reason to think that it is unsuitable as a source of evidence; indeed, we should be wary of any view which purports to take all intuitions as decisive reasons capable of rejecting even reflective and well-justified rational positions. As I see it, such fallibility, often overlooked by critics but invariably included by serious supporters of intuitionism,²⁵ is an important and inescapable part of intuitionism, and crucial to developing a systematic approach capable of weighing and deciding between conflicting intuitions.

Taking both the evidential fallibility and plausibility of intuitions to heart, then, Bealer develops a reliabilist theory of evidence, whereby “something is a basic source of evidence iff it has an appropriate kind of reliable tie to the truth.”²⁶ This reliabilism has two main characteristics relevant to our purposes. The first, discussed above, is that it allows for a certain amount of fallibility in our sources of evidence; we can count a source of evidence as reliable without having to say that it can never lead us astray. The second is that it requires not a contingent but a modally reliable tie between intuitions and the truth. For example, if a person happened to guess correctly the result generated by a random number generator ninety-nine percent of the time, purely by chance, we should not count this as a reliable source of evidence because the tie between the truth and the deliverances of this source of evidence are not of the appropriate sort. There should be a

24 Ibid.

25 For instance, Robert Audi, whose work will be examined in more detail later in this section, maintains that it is unfair and inappropriate for critics to think that “for cognition grounded in genuine intuition, intuitionism implies *indefeasible justification* – roughly, justification that cannot be undermined or overridden.” See Robert Audi, “Moral Knowledge and Ethical Pluralism,” in *The Blackwell Guide to Epistemology*, eds. John Greco and Ernest Sosa (Malden, MA: Blackwell, 1999), 280-281; emphasis in original.

26 Bealer, 215. Such “basic” sources of evidence are to be contrasted with non-basic, derived sources of evidence, which might not have such a tie to the truth, but might well be appropriate for forming beliefs or providing justification in certain contexts. See *ibid.*, 214.

modally necessary link between the source of evidence and the truth for it to count as reliable.²⁷

Much more could be said about Bealer's brand of modal reliabilism alone, but that would take us much too far afield. Still, assuming the general plausibility of this reliabilism as applied to basic sources of evidence, there remains the question of whether intuitions ought to be counted among such sources.

Bealer believes, and I agree, that intuitions should count as a form of basic evidence. He begins by arguing that direct, phenomenal experience is, to borrow a phrase from Quine, “epistemologically prior’ to observation and testimony,” along with other sources of evidence,²⁸ and thus that such experience certainly ought to count as a basic, if fallible, source of evidence. He does not spend much time defending this position, thinking that we are justified in “taking it for granted that phenomenal experience is a basic source,”²⁹ but we can go further by appealing to what Michael Huemer calls “phenomenal conservatism.”

Huemer holds that “if it seems to *S* that *p*, then, in the absence of defeaters, *S* thereby has at least some degree of justification for believing that *p*.”³⁰ Bealer tacitly endorses such a view in his argument, and he is justified in doing so, because it would be incoherent and self-defeating (i.e. irrational) to reject such a charitably broad and modest version of phenomenal conservatism:

...one who rejected Phenomenal Conservatism would inevitably do so on the basis of how things seemed to himself; he would do so because Phenomenal

27 Ibid., 215-216.

28 Ibid., 216-217.

29 Ibid., 217.

30 Michael Huemer, “Compassionate Phenomenal Conservatism,” *Philosophy and Phenomenological Research* 74 (2007): 30.

Conservatism did not seem to him to be correct, or because it seemed to him to be incompatible with other things that seemed correct. Therefore, if this opponent of Phenomenal Conservatism were right, his belief in the negation of Phenomenal Conservatism would itself be unjustified.³¹

We should not ignore how limited the goals of phenomenal conservatism are: essentially, it asserts only that “our beliefs are based on the way things seem to us,” and that such beliefs are at least partially justified as a result.³² This amounts to another way of saying that phenomenal experience, the way things seem to us, is a basic source of evidence, just as Bealer assumes.

The important question remaining, then, is whether intuitions ought to count as phenomenal experience in the relevant way. On this, Bealer answers adamantly in the affirmative, at least when it comes to rational intuitions: “Intuitively, these intuitions are evidentially as basic as evidence gets. They are intuitively as basic as experiences, much as tactile experiences are intuitively as basic as visual experiences.”³³ Unfortunately, Bealer's language here comes off as question-begging, and he admits that there are radical empiricists who would concede that intuitions are a source of evidence but reject this argument, holding that intuitions are not basic but derived sources of evidence. But to put it briefly, any radical empiricists who offer this response seem to bear a heavy burden of proof, as the phenomenology of intuitions seems to suggest very strongly that they are indeed a basic type of phenomenal experience. We would have to see a very compelling reason to think otherwise before changing our minds about the phenomenology of rational intuitions, and in the absence of such a reason, we can easily accept that intuitions are indeed basic sources of evidence, as Bealer does.

31 Ibid., 39.

32 Ibid.

33 Bealer, 217.

How, then, ought we to apply such a conclusion about rational intuitions in general to ethical intuitions in particular? Looking to Robert Audi's work,³⁴ which focuses specifically on moral epistemology, will be helpful in beginning to answer this question. Audi's account of intuitions differs from Bealer's in some important ways,³⁵ but they also overlap enough to be made compatible, at least for my purposes.

For instance, just as Bealer thinks that seeing rational intuitions as a basic (i.e. not derived) source of evidence allows us to ground other justified beliefs, Audi thinks that intuitionism must be committed to epistemological foundationalism, which “says above all that if there is any knowledge or justification, it traces to some non-inferential knowledge or justification.”³⁶ We can take “non-inferential” to be effectively synonymous with Bealer's use of “basic,” in which case both Audi and Bealer are committed to epistemological foundationalism, and take intuitions to be the basic (non-inferential) source of evidence (justification) upon which other knowledge is built.³⁷

Moving on to Audi's view of the relationship between intuitions and moral epistemology, it is important to discuss his notion of epistemic self-evidence before explaining how this more clear and robust view of moral intuitions fits with my wider approach to intuitionism.

34 For a fully detailed account of Audi's views here, see Robert Audi, *The Good in the Right: A Theory of Intuition and Intrinsic Value* (Princeton, NJ: Princeton University Press, 2004). In this paper, however, I will be relying mostly on Audi (1999), as it offers a more succinct summary of the relevant material in Audi (2004), making it more suitable for my purposes here.

35 The most obvious difference between them is that for Bealer, as we have seen, intuitions are definitely not beliefs but a *sui generis* type of propositional attitude, while Audi counts intuitions as a type of belief in the form of self-evident propositions. I think that Bealer is correct about the phenomenology of intuitions themselves, but since they can clearly one lead to hold propositional beliefs of the form Audi discusses, there is no reason to believe that the two views cannot be consistently synthesized.

36 Audi (1999), 275-276.

37 Or, at the very least, intuitions are one such source. While intuitions form the most important foundation for moral epistemology, this should not be taken to mean that it is not possible for there to be other epistemic foundations for ethics, not to mention non-moral knowledge.

Audi takes as his starting point the kind of thoroughgoing intuitionism proposed by W. D. Ross,³⁸ but sets out to make his view more moderate and adaptable than Ross's. He agrees with Ross that fundamental principles of morality are “in some sense intuitively (hence non-inferentially) known by those who appropriately understand”³⁹ them, and that such principles constitute “self-evident, unprovable moral truths.”⁴⁰ But while he and Ross both think that the truth of such principles is easy to grasp, they disagree strongly on how directly one might grasp the epistemic status of such truths. Audi thinks that two reasonable people might well be expected to agree on the truth of a fundamental principle like “do not wantonly cause unneeded suffering for no reason,” but might very reasonably disagree on whether such a truth is itself self-evident, or empirical, or known by some other method. Ross, on the other hand, takes both the truth and the self-evidence of such moral propositions to be self-evident,⁴¹ and Audi thinks it is this mistake (along with the historical popularity of Ross' formulation) which can make moral intuitionism seem implausible:

Intuitionism as most plausibly developed does not require positing non-inferential knowledge of the self-evidence, as opposed to the truth, of its basic principles. If I am correct, then one apparently common view of intuitionism is a mistake.⁴²

I agree with Audi that it would be asking too much of intuitionism to say that the self-evidence of its deliverances ought itself to be self-evident, while still acknowledging that fundamental moral truths often are self-evident and non-inferential. That is, we can

38 See W. D. Ross, *The Right and the Good*, ed. Philip Stratton-Lake (New York: Oxford University Press, 2002).

39 Audi (1999), 278.

40 Ibid., 279.

41 Ibid.

42 Ibid., 280.

posit a type of intuitionism which sees intuitions as self-evident propositional attitudes without having to say that this point is itself self-evident. But more has to be said about such self-evidence and the truths it purports to deliver before intuitionism starts to seem thoroughly plausible, so I will take some time to do that now.

As noted above, a proposition being self-evident does not make it indefeasible, nor does awareness of a self-evident proposition correspond to infallible knowledge. Rather, on Audi's view, self-evidence corresponds to a particular and unique epistemic status, such that "a proposition is self-evident provided an adequate understanding of it is sufficient for being justified in believing it and for knowing it if one believes it on the basis of that understanding."⁴³ Understanding the meaning of a self-evident proposition provides justification for believing such a proposition in and of itself. This is the characterization of self-evidence which I will adopt, and therefore I will now spend some time clarifying the definition and going over some of the details of its application, again following Audi.

First off, I should re-emphasize how this view does not draw a clear line between obvious, self-evident truths bathed in the clear light of reason, and propositions which do not reach such lofty heights. This definition implies that the degree to which one understands a self-evident proposition corresponds to the degree to which one is justified in believing it, but there are certainly different levels of understanding possible, even for reasonable and intelligent people. Audi explicitly distinguishes between "an occurrent and a dispositional use of 'understanding,'"⁴⁴ with corresponding notions of justification

43 Ibid., 282.

44 Ibid., 283.

in this context: if you currently and adequately understand⁴⁵ a self-evident proposition, then you are currently justified in believing it, but if you are only disposed to understand (or perhaps capable of understanding) a proposition which you have not actually considered, then you only have dispositional justification for it.

And there are other conditions and situations which can render self-evident propositions less than clear, even for someone who understands them. That is, one can have justification for a self-evident proposition but nevertheless not believe it (just as with any other kind of proposition), particularly in the case of complex propositions which are not immediately obvious, or which appear to contradict some other proposition which one takes oneself to be justified in believing. Or there might simply be a delay between understanding a proposition and believing it: “one can see *what* a self-evident proposition says – and thus understand it – before seeing *that*, or how, it is true.”⁴⁶ The point is just to recognize that self-evidence ought to be understood as one particular epistemic resource among many. It may be generally reliable, but it is not perfect or epistemologically sacred.

I can now combine Bealer and Audi's accounts into a specific formulation of moral intuitions. On my view, an intuition is: i) a cognitive phenomenological state, which is ii) self-evident and iii) not a belief, and which is both iv) reliable as a source of evidence for justified beliefs and v) fallible. A moral intuition is just such an intuition

45 Audi does not go into the details of what he means by “adequate understanding,” and this is likely beyond the scope of my argument as well. Nevertheless, we can get a sense of how strong this notion of adequacy must be when he says that adequacy “implies not only seeing what the proposition says, but also being able to apply it to...an appropriately wide range of cases, and being able to see some of its logical implications, to distinguish it from a certain range of close relatives, and to comprehend its elements and some of their relations.” See *ibid*.

46 *Ibid*.

with takes a morally relevant issue as part of its content. Seen in this light, moral intuitions can serve as reliable, if not infallible, sources of evidence for moral reasoning.

In the coming sections, I will go into more detail about how this approach can serve to defend intuitionism from skeptics, moral anti-realists, and even other types of moral realists,⁴⁷ specifically those who worry about intuitionism being vacuous. But first I want to take stock of where we are at this point, before going into more detail about how we should look at intuitions in the specific contexts of moral judgement.

To recap, moral intuitionism as it should be seen, based in this case primarily on Bealer's epistemological arguments about the phenomenology of intuitions and Audi's arguments about the role intuitions play in ethics, does not allow any and all possible intuitions to act as final arbiters when it comes to moral judgement. On my view, which synthesizes Bealer and Audi, intuitions are a *sui generis* type of propositional attitude, with a unique phenomenology, and they can serve as a reliable source of evidence because the truth of propositions suggested by intuitions is self-evident, in the sense that they are justified to the extent that one understands them.

And yet, as we have seen, they are not indefeasible, and one can be a moral intuitionist without maintaining that intuitions are epistemically privileged, capable of providing some kind of “epistemic veto” over beliefs justified by other reliable means. Rather, we can hold intuitions themselves to certain widely accepted epistemic standards,

⁴⁷ I should be clear in saying that I do consider my view to be a type of moral realism, though as will become clear, I also think that some views of moral realism are overly narrow and perhaps unfair. My view is foundationalist, and at some point (at least in principle) we must be able to point to something as the foundation for moral intuitions. But the range of metaphysical possibilities for this foundation is enormous, and since my arguments here are primarily epistemic and I do not want to privilege any particular underlying metaphysics, the specifics about such metaphysical questions are largely beyond the scope of this paper.

in order to distinguish generally reliable intuitions from unreliable ones. This comes out in what Robert Audi calls “moderate intuitionism,” which will be the subject of the next section.

4) Moderate Intuitionism and an Intuitionist Approach to Moral Judgement

This section will be dedicated to showing how my interpretation of what Audi calls “moderate intuitionism” addresses many major objections generally made against intuitionism, giving us some tools for distinguishing generally reliable moral intuitions from unreliable ones. This in turn points us toward a major reason for thinking, *contra* moral skepticism, that not only is it theoretically possible to make true moral judgements but that we can often actually do so, even with our limited and fallible epistemic capacities. My reply to the skeptic will be the subject of the next section.

I have argued, following Audi and Bealer, that moral intuitions are the phenomenal expression of self-evident moral truths, such that adequate understanding of them amounts to adequate justification for believing them. But this leads to perhaps the most common objection made against intuitionism, especially where intuitions are presented as self-evident: if our intuitions allow us access to self-evident propositions, and self-evident propositions must be true, then how is it that people hold conflicting moral intuitions, and presumably the corresponding, conflicting, “self-evident” beliefs?

As I said, this is a very common objection, but moderate intuitionism has a fairly straightforward response, so long as we understand some of the underlying concepts. The most important of these is Audi's distinction between “hard” and “soft” self-evidence. According to Audi, propositions which possess hard self-evidence are:

- (a) strongly axiomatic, roughly in the Aristotelian sense that there is nothing

epistemically prior to them...as perhaps holds for the proposition that if no philosophers are cowards, then no cowards are philosophers; (b) immediate [i.e. readily understood by normal adults]⁴⁸...as in the logical truth just cited; (c) indefeasibly justified; and (d) compelling, i.e., cognitively irresistible.⁴⁹

Soft self-evident propositions possess none of these properties, and of course, there is wide range between “fully hard” and “fully soft” self-evidence. Audi takes this distinction to be important for the intuitionist response to the problem of disagreement because intuitionism only requires soft self-evidence, meaning that the relevant propositions can be self-evident without being obvious. Indeed, they may not be easily understood by many people even after extensive reflection and discussion.⁵⁰

Their soft self-evidence is also what makes the deliverances of intuitionism defeasible (at least in principle), and also what allows them to deal with a second major objection: the incommensurability problem. This problem comes about when we acknowledge that our intuitions lead us to a plurality of values and self-evident propositions (a characteristic of virtually all approaches to intuitionism), and also that at least some of these values conflict with one another. It appears to be a fundamental problem with our working notion of self-evidence and therefore moderate intuitionism,⁵¹ if it cannot even maintain internal consistency on this score.

The intuitionist response is that while self-evident intuitions serve as an essential

48 For details, see Audi's distinction between mediate and immediate self-evidence in Robert Audi, “Moderate Intuitionism and the Epistemology of Moral Judgment,” *Ethical Theory and Moral Practice* 1 (1998): 22.

49 Ibid., 24.

50 Ibid., 28-29. Admittedly, the problem of disagreement can be presented much more powerfully, and this answer is not likely to satisfy a sophisticated critic of intuitionism with regards to it. In particular, there are very powerful and troubling feminist arguments on the matter. But a comprehensive treatment of the problem is beyond the scope of this paper, and better left to subsequent works.

51 It is worth nothing, however, that Audi thinks that virtually any moral theory will face at least some version of the incommensurability problem; see *ibid.*, 42. But for the sake of brevity and charity, I will consider it here to be a problem specifically aimed at intuitionism.

source of evidence for ethics, they are not the only resource we have at our disposal, and it would be highly uncharitable to assume that a moderate intuitionism must rely solely on intuitions when determining what one ought to do in any situation. More specifically, as Audi explains, “intuitionism does not imply that we typically have non-inferential knowledge of *final* duty...it is essential to distinguish higher-order knowledge...regarding the overridingness of a duty...from the first-order knowledge that a given action...is obligatory (or otherwise reasonable in some overall way).”⁵² When we only have first-order knowledge of *prima facie* duties, i.e. when we only have moral intuitions, this does not imply that we know the right thing to do in any specific situation. For genuinely thorough moral understanding, including confidence in the justification underlying our moral beliefs and the “overridingness” of any particular duty, we must be willing to incorporate other sources of justification. These would certainly include reflection, discussion, imagination and comparison with previous similar cases, among other epistemic resources.

But this process would also include considering the evidential weight of other people's intuitions; as Audi says, “it is incumbent on conscientious intuitionists to factor into their moral thinking, particularly on controversial issues, the apparent intuitions of *others*.”⁵³ Even though our personal intuitions alone are not to be trusted completely when it comes to making final moral judgements, this is not to say that they are not a major part of the process of moral judgement. Intuitions are not arbitrary, and not independent of reason or reflection;⁵⁴ they occupy a space between pure, ephemeral,

52 Ibid., 30; emphasis in original.

53 Audi (1999), 292; emphasis in original.

54 Ibid.

individual phenomenal experiences and transferable, sharable, rational beliefs. And it is this unique character and all that it entails, as I have been arguing, which allows them to serve as the non-arbitrary foundation of moral epistemology, without ruling out other important aspects of a complete and comprehensive moral epistemology. In summary, this view is best understood as a “fallibilist, intuitionistic moral rationalism that uses reflection as a justificatory method...encompassing both intuitions as *prima facie* justified inputs to ethical theorizing and reflective equilibrium as a means of extending and systematizing those inputs.”⁵⁵

This answers how moderate intuitionism is capable, at least in theory, of distinguishing reliable from non-reliable intuitions. The important step now is to address objections from thoroughly holistic moral skepticism, those which are directed against any view which suggests both a) that there is such a thing as moral truth, that right and wrong do indeed exist; and b) that we are capable of grasping moral truth with some amount of reliability. Though such objections are not targeted at intuitionism in particular, and I will not be able to thoroughly refute moral skepticism in this one section, I believe that intuitionism points the way towards a general response to the skeptic. It is this response as much as anything, in my view, which moves intuitionism beyond being a plausible theory, on par with any number of other plausible moral theories, and makes it superior to any view which does not incorporate intuitionism into its moral epistemology.

5) An Intuitionist Defense Against Moral Skepticism

My response to skepticism relies on a fairly simple point at heart. Again, I will appeal to

⁵⁵ Ibid., 297. There is a significant difference between this approach to using reflective equilibrium and the largely non-reflective, coherentist appeal to raw intuitions to which both Singer and I object, as I will describe in Section 6.

Audi, this time regarding the minimal epistemic demands made by intuitionism, but I will go beyond what he says and discuss how those minimal demands suggest not only that a proper account of moral intuitions shows moral skepticism to be an implausible and unreasonable position, but that intuitionism makes this case against skepticism more clearly and effectively than other non-skeptical moral theories.

My case is based on Audi's claim that when it comes to rebuttals against moral skepticism in general (i.e. not specifically directed against intuitionism), we should “consider the various epistemic standards the skeptic says moral judgment cannot meet and argue that either the standard is too high or the judgment can meet it.”⁵⁶ This strategy itself relies on the separate claim that holding any kind of view which allows for the truth of certain clear-cut moral judgements, no matter how one characterizes them, is much more epistemically plausible than holding the skeptical view that genuinely truth-functional moral judgements are impossible. As Audi puts it, “surely it is more intuitive that we are justified in judging that flogging infants for pleasure is wrong than that no one is justified in holding moral judgments.”⁵⁷ If this intuitively compelling claim is true, then moral skepticism begins to look very epistemically shaky indeed.

The obvious skeptical reply is that this objection appeals to the epistemic value of intuitions, which are the very thing that the skeptic is denying, at least when directing her objection against intuitionism; therefore, this attempted rebuttal begs the question against skepticism. But this response overlooks the fact that the general skeptical objection at work here is not directed just at intuitionism, but at all non-skeptical moral theories.

⁵⁶ Ibid., 296.

⁵⁷ Ibid.

What separates a plausible, well-developed type of intuitionism from other moral theories is precisely that it relies upon an independent, epistemically justified notion of intuitions and self-evidence which goes beyond just moral intuitions. So this skeptical reply might be effective against, say, a utilitarian with a strictly empirical moral epistemology, since it is not obvious how this utilitarian could justify an appeal to utilitarianism simply being more “intuitive” than full-blown moral skepticism, even if we think that this is true. But it does not work against intuitionism, or at least not so simply, because a responsible intuitionist would have independent reasons to believe in the justificatory strength of intuitions. To put it in the context of this paper, for such a skeptical reply to succeed, it would have to go beyond just accusing intuitionism of begging the question and show why Bealer's strictly epistemological arguments about intuitions as a legitimate source of evidence are wrong (or at least how they do not serve the purpose to which I put them). In this way, intuitionism offers a superior rebuttal to moral skepticism than non-intuitionist views.⁵⁸

Assuming this intuitionist advantage regarding skepticism, the question now becomes whether a skeptic could effectively show that the epistemological justification of intuitions is somehow incorrect. Here, I will again appeal to Audi, and the distinction he makes between “rebutting a skeptical view – showing that the case for it is unsound – and refuting it, which is showing it false by establishing that there *is* the relevant kind of knowledge or justification.”⁵⁹ I do not think it would be possible to successfully refute

58 It is worth noting that intuitionism is superior in this way only to moral views whose moral epistemology cannot make an effective appeal to intuitions; this is why I contrast intuitionism here specifically with strictly empirical utilitarianism. But since I think virtually all non-skeptical, roughly realist approaches to ethics rely on moral intuitions at some level, this criterion should only exclude a small and vigorously anti-intuitionist proportion of realist moral views.

59 Ibid., 295-296; emphasis in original.

moral skepticism in this paper; indeed, I have doubts about the ultimate possibility of ever doing so entirely. But I think that the argument I have presented does constitute a genuine rebuttal against this kind of skeptical argument. Skepticism fails against moderate intuitionism either because its epistemic standards are too high (where it would wholly reject intuitions as a reliable source of evidence, despite all arguments to the contrary), or because intuitionism better meets the epistemic standard at work (as in cases where terrible atrocities actually being wrong seems more plausible than there being no such thing as moral judgement).⁶⁰ And again, even though the epistemic standard we are discussing here is itself an intuitive one, this does not beg the question against skepticism. As discussed above, this intuitive standard is supported by independent, plausible reasons, at least from the perspective of moderate intuitionism as I have presented it.

But the real upshot is that for intuitionism, skepticism simply becomes irrelevant to anyone who takes moral judgement seriously. This seems obvious, and might appear to be true even for someone (say, the strictly empiricist utilitarian mentioned above) who takes morality seriously but does not think that intuitions can or do serve the foundational role I would assign them. But such non-intuitionists do not have much to say about why the skeptic is wrong in saying that we should not take morality seriously; this is, after all, the ultimate point of moral skepticism, and to deny it outright would indeed be to beg the question against the skeptic. But on the intuitionist view, moral judgements, at least some of the time, are self-evident, and therefore justify themselves. One need not appeal to anything beyond the self-evidence of such judgements to justify them, and thereby rebut the skeptic, applying *modus tollens* to disprove the truth of the conclusion and therefore

⁶⁰ Audi (1998), 43.

the soundness of the argument.

The power of intuitionism here might be demonstrated by an analogy with the power of experience in defeating broader conceptions of skepticism. The appeal of global skepticism might be characterized as residing in the observation that despite the clear and obvious data we receive from direct experience, there is no equally clear second-order justification for why we should accept the truth of such appearances. This uncertainty is all the skeptic needs to make the next step and suggest that since we don't know that our clear and distinct experiences track the truth, then it is possible that they do not. Anil Gupta characterizes this core skeptical argument as follows:

...the phenomenological transparency of experience has no epistemic or semantical force: it yields no unmediated entitlement to ordinary judgments of perception, and it establishes no privileged semantical links...Hence, neither the semantical linkage nor the justification issues solely from the experience. Some other factors must also be in play.⁶¹

But Gupta also begins pointing the way out of this problem with his reference to “other factors.” It may well be that, in the context of semantic skepticism, direct experience alone “does not have the capacity to establish, as if by some mental magic, a connection between a name and an object.”⁶² But this is not to say that no such connection is possible. Indeed, such connections do exist, and they are “made possible by certain facts...and by the complex linguistic and conceptual structure that is already in place,”⁶³ rather than by experiences themselves (be they linguistic or otherwise). In the semantic context, the connection between name and object is independently justified in this way, while in the epistemological context, the connection between direct experience

61 Anil Gupta, *Empiricism and Experience* (New York: Oxford University Press, 2006), 146.

62 *Ibid.*, 145.

63 *Ibid.*, 145-146.

and justified belief is itself justified by analogous conceptual structures, along with other epistemic structures, such as those of empirical and deductive reasoning.

In light of this, global skepticism (which Gupta calls “solipsism,” focused as he is on the context of empirical epistemology) simply lacks rational justification compared with non-skeptical alternatives. Specifically, it “has this peculiar *rigidity*: irrespective of the series of experiences that impact it, the solipsist view never shifts...The world can be structured in all sorts of different ways...But solipsism is blind to all these possibilities.”⁶⁴ And no such rigid view is admissible, because it is not responsive to reasons of any kind, virtually by definition.⁶⁵ For this reason, solipsism “does not undermine empiricism.”⁶⁶ Anyone seriously engaged in epistemology, and not just empiricists like Gupta, must be responsive to changes in the world and the reasons relevant to one's arguments, and anyone who is not so engaged need not trouble serious epistemologist with unjustified doubts. But empiricists are particularly well-placed on this view because they are particularly concerned with evidence and justification coming out of experience, i.e. those things the ignoring of which is the precise source of solipsism's irrelevance. Indeed, it is difficult to see what someone not so concerned with experience would be responding to in making rational adjustments to her view, and so empiricism (broadly construed) appears to be the only approach which enjoys this non-skeptical responsiveness.

Making the analogous argument with moral skepticism, we can imagine intuitions taking the role played by direct experience with regard to epistemological skepticism.

64 Ibid., 154-155.

65 Ibid., 155; cf. this opposition to any view which does not adjust in light of relevant changes with the insistence by moderate intuitionists (including myself) that intuitions be seen as fallible, even if they are generally reliable.

66 Ibid., 154.

The problem here is that while intuitions would appear to justify certain moral beliefs and rule out others, that ostensibly truth-tracking link between intuitions and moral beliefs is not itself independently justified. The possibility of skepticism follows, since room now exists to suggest that there is no such link.

But just as various independent conceptual and epistemic structures serve to justify relying on experience in the case of empiricism, intuitions need not magically provide this link on their own. They are justified in doing so because of various complex underlying epistemic structures, as I touched on in discussing Bealer in particular.⁶⁷ This serves as a defense against the rhetorical thrust of moral skepticism, and makes skepticism look particularly unreasonable, as it is unresponsive to the evidence provided by moral or epistemic considerations of any sort, including intuitions, no matter how powerful or numerous. Anyone who takes the enterprise of moral philosophy seriously, then, need not be concerned with moral skepticism, as it is not amenable to moral reasoning of any sort. And just to complete the analogy with Gupta's argument, this conclusion is particularly helpful for intuitionists, who are most directly concerned with intuitive evidence and justification, the rejection of which is the precise (or at least most obvious) reason for moral skepticism's irrelevance, while those who would reject any and all moral intuitions as reasons for revising their view might well fall into the same trap of unresponsive irrelevance as the skeptic.

The most significant critiques of intuitionism, however, do not come from skepticism, an approach which tends to come from the margins in most cases. Instead,

⁶⁷ Bealer himself, of course, goes into a great deal more detail about these structures, but that is beyond the scope of my paper.

many of intuitionism's most important challenges come from sophisticated and compelling contemporary arguments which call upon modern scientific findings to question the truth and usefulness of moral intuitions. I broadly refer to such arguments as “evolutionary objections,” and try to defend moderate moral intuitionism from two major examples in the next section.

6) Evolutionary Objections to Moral Intuitionism

The first evolutionary objection I want to consider comes from Sharon Street. In her “A Darwinian Dilemma for Realist Theories of Value,” she argues that moral realism is not “compatible with natural science,”⁶⁸ specifically with any reasonable understanding of human evolutionary development. The view I have been defending is that not only are reliable moral intuitions necessary for making sound moral judgements, but they are also sufficient for moral judgement; that is, the existence of reliable moral intuitions allows us to make real, substantive pronouncements about ethics. Furthermore, I think that such reliable intuitions exist, and so it is reasonable to think of my view as some type of moral realism. Street's argument against moral realism therefore targets my position directly, along with other, often quite different, strains of moral realism.

She maintains that given the massive effect that evolutionary forces have presumably had on human mental development, including our evaluative attitudes, “the challenge for realist theories of value is to explain the relation between these evolutionary influences, on the one hand, and the independent evaluative truths that realism posits, on the other.”⁶⁹ That is, she takes value realism (and therefore moral realism, *a fortiori*) to

68 Sharon Street, “A Darwinian Dilemma for Realist Theories of Value,” *Philosophical Studies* 127 (2006): 109.

69 Ibid.

posit the existence of mind-independent facts about values, and argues that it therefore faces a serious dilemma.

On the one hand, a realist could maintain the existence of independent evaluative truths, but deny that our actual evaluative attitudes have any relation to them other than chance, because there is no connection between the actual evolutionary pressures we have undergone and these evaluative truths. But I agree with Street when she says that this does not leave the realist in a tenable position, since it leads to “the implausible skeptical conclusion that our evaluative judgements are in all likelihood mostly off track, for our system of evaluative judgements is revealed to be utterly saturated and contaminated with illegitimate influence.”⁷⁰ This kind of realist could safely say that evaluative truths exist, but would also have to hold that most of our evaluative judgements are false, and I find it difficult to imagine who would be both attracted to moral realism and satisfied with this position.

The other horn of the dilemma is equally untenable, according to Street, primarily because it is “unacceptable on scientific grounds.”⁷¹ She suggests that this ought to be the more appealing route for realists, and therefore offers significantly more numerous and detailed arguments as to why evolutionary biology cannot support value realism. I will not go into the details of her argument here, largely because I agree with her on all significant matters. Her point is essentially that, next to scientific accounts based purely on the adaptive advantages of certain evaluative attitudes, any plausible realist account of the link between such attitudes and mind-independent evaluative truths “has no

70 Ibid., 122.

71 Ibid., 109.

comparable explanatory power. Its appeal to the truth and falsity of the judgements in question sheds no light on why we observe the specific *content* that we do...in the end, it merely reiterates the point that we *do* believe or disbelieve these things.”⁷² In light of the “parsimony and clarity”⁷³ of purely adaptive accounts, Street sees little reason for holding to a realist view here. And I agree with her on this point as well.

As it stands, then (and assuming, as Street does explicitly, that “the evolutionary facts are roughly as [she postulates]”⁷⁴), my position as a moral realist appears to be in trouble, and with it the importance and reliability of moral intuitions. But my view is not in this kind of trouble because I have not built any ontological assumptions into my account of intuitionism.⁷⁵ My position is an epistemic one about how we come to have moral knowledge and how it is justified, with nothing at all to say about whether there are any metaphysical truth-makers behind moral intuitions, let alone what they would look like.⁷⁶ My view therefore avoids this criticism of Street's.

Indeed, despite my earlier assertion that I support a type of moral realism (and I maintain that my view is certainly in the spirit of realism), I think it is quite compatible with a class of views that Street counts as antirealist, and therefore immune to her criticisms of realism. As she explains it, the relevant difference here between realism and antirealism has to do with the “direction of dependence”⁷⁷ between evaluative truths and

72 Ibid., 134; emphasis in original.

73 Ibid.

74 Ibid., 112.

75 It is certainly possible that, as an unforeseen consequence, certain relevant ontological facts follow from the truth of my view. But if they exist, they are not obvious, and barring an argument to the contrary, I am comfortable treating my view as for the most part ontologically neutral.

76 Admittedly, it is strange to talk about our having true or reliable intuitions while at the same time maintaining that I make no metaphysical assumptions about the underpinnings of such intuitions. But I think this *prima facie* counterintuitive position can indeed be overcome, even if the epistemological focus of this paper means that I will not attempt to do so here.

77 Ibid., 154.

evolutionary pressures about value judgements:

The realist understands the *evaluative truths* to be prior, in the sense that evolutionary causes are understood to have selected us to track those independent truths. The antirealist, on the other hand, understands the *evolutionary causes* to be prior, in the sense that these causes (along with many others) gave us our starting fund of evaluative attitudes, and evaluative truth is understood to be a function of those attitudes. Both accounts offer an explanation of why it is no coincidence that there is significant overlap between evaluative truths and the kinds of evaluative judgements that natural selection would have pushed us in the direction of...Antirealism explains the overlap not with any scientific hypothesis...but rather with the metaethical hypothesis that value is something that arises as a function of the evaluative attitudes of valuing creatures...⁷⁸

On this kind of antirealist view (which Street calls “constructivist”⁷⁹), there is nothing wrong with saying, for instance, that “the breaking of our bones *is* bad,”⁸⁰ so long as we do not tie the truth of such a statement to pre-existing, mind-independent metaphysical facts about the world.

Street's critique of realism, then, is not a critique of the notion of evaluative truth itself, but only of any such notions which do not take evolutionary causes to be prior to evaluative truth. And as my position is, or at least strives to be, a purely epistemic, metaphysically neutral account of moral intuitions (which, for the purpose of engaging with Street, ought to be taken as a subspecies of evaluative attitudes), I therefore take it to be consistent with Street's view.

Admittedly, it might turn out that an intuitionist approach like mine must eventually rely on the existence of very real, ontologically solid truth-makers, in which case I would owe Street a much more straightforward answer. But I do not take this to have been shown, and the necessary arguments would be well beyond the scope of this

78 Ibid.; emphasis in original.

79 Ibid., 153.

80 Ibid., 154; emphasis in original.

paper. Moreover, as mentioned above, I see no good reason to think that intuitionism is inconsistent with the type of constructivism Street endorses, so long as both can admit the possibility of evaluative truth, whether prior to evolutionary causes or not.

In this case, however, Street would likely consider my view to be antirealist, or at least consistent with antirealism, while I have generally characterized it as realist.

Resolving this dispute involves determining whether it makes sense to call a position antirealist when it admits the possibility of evaluative truth, i.e. whether one must affirm the existence of metaphysical truth-makers tied to evaluative attitudes in order to be considered a moral realist. But I have little stake in such taxonomical disputes, and am comfortable saying that my position and Street's appear to be consistent with each other.

Furthermore, moderate intuitionists explicitly incorporate epistemic resources other than raw intuitions into their moral judgements, and this offers another line of defense against objections like Street's. Katarzyna de Lazari-Radek and Peter Singer make this point in their defense of Henry Sidgwick's moral epistemology against Street:

...given that philosophers like Sidgwick have long said that it is our capacity to reason that enables us to grasp moral truths, and given that we can explain why a capacity to reason would have been evolutionarily advantageous, it is odd that Street does not directly confront the idea that the capacity to grasp moral truths is simply an application of our capacity to reason, which enables us to grasp a priori truths in general, including both the truths of mathematics and moral truths. For if the ability to grasp moral truths is an aspect of our ability to reason, and to respond to reasons, it is easy to give an account of how it arose.⁸¹

So while Street is right to think that our moral intuitions *per se* are indeed fallible, moderate intuitionism's acceptance of this and insistence on applying other epistemic

81 Katarzyna de Lazari-Radek and Peter Singer, "The Objectivity of Ethics and the Unity of Practical Reason," *Ethics* 123 (2012): 18.

resources to final judgements, particularly reason, allows the view to escape the brunt of Street's objections, though it would certainly still pose a problem for pure intuitionists.

Peter Singer's evolutionary objection, however, seems to be a much clearer and more straightforward assault on my position. He begins by saying that he shares a view championed by James Rachels rejecting “the idea that the role of moral philosophers is to take our common moral intuitions as data, and seek to develop the theory that best fits those intuitions.”⁸² He then spends the bulk of this paper reviewing modern findings from neuroscience and evolutionary theory to develop some “new knowledge of ethics,”⁸³ eventually coming to a distinctly anti-intuitionist conclusion:

Advances in our understanding of ethics do not themselves directly imply any normative conclusions, but they undermine some conceptions of doing ethics which themselves have normative conclusions. Those conceptions of ethics tend to be too respectful of our intuitions. Our better understanding of ethics gives us grounds for being less respectful of them.⁸⁴

Singer's argument takes its inspiration from evolutionary psychology and contemporary empirical neuroscience. His evolutionary argument proceeds by applying a modern Darwinian understanding of moral psychology to some of the discussion of morality in Hume's *Treatise of Human Nature*, refining a number of Hume's positions⁸⁵ and coming to the view that “all these different forms [of human morality] are the outgrowth of behaviour that exists in social animals, and is the result of the usual evolutionary processes of natural selection. Morality is a natural phenomenon.”⁸⁶

As for the psychological evidence behind his argument, Singer cites, for instance,

82 Peter Singer, “Ethics and Intuitions,” *The Journal of Ethics* 9 (2005): 332.

83 *Ibid.*, 333.

84 *Ibid.*, 349.

85 *Ibid.*, 334-337.

86 *Ibid.*, 337.

social psychologist Jonathan Haidt, who has compiled an impressive body of data suggesting that “people have quick and automatic moral intuitions, and when called on to justify these intuitions they generate post hoc justifications out of a priori moral theories.”⁸⁷ Haidt and Joshua Greene have collaborated on the neuroscience behind intuitive responses to “trolley problem” tests of moral dilemmas. Their results seem to show that findings like Haidt's can be justified by brain physiology as well as social psychology:

[Greene and colleagues] found that responding to personal moral dilemmas, as compared with impersonal and non-moral dilemmas, produced increased activity in areas associated with social/emotional processing...By contrast, impersonal and non-moral dilemmas as compared with personal dilemmas produced increased activity in areas associated with working memory...They found comparatively little difference between the impersonal moral and non-moral conditions, suggesting that impersonal moral judgment has less in common with personal moral judgment than with certain kinds of non-moral practical judgment.⁸⁸

The upshot of all this scientific work, for Singer's purposes, is not that morality is somehow illusory or unreal, but that it is a natural outgrowth of our evolutionary history. Greene and Haidt's work suggests that this is especially true of, and relevant to, “raw” moral intuitions, as opposed to deliberate and consciously reflective moral reasoning. This in turn suggests that intuitions stem primarily from the adaptive pressures which drove our moral evolution, and not from some underlying and normatively significant truth-makers. In Street's terms, evolutionary causes are prior to moral intuitions.

Certainly, the suggestion that empirical science can shed some light on moral

87 Jonathan Haidt, “The Emotional Dog and Its Rational Tail: A Social Intuitionist Approach to Moral Judgment,” *Psychological Review* 108 (2001): 823.

88 Joshua Greene and Jonathan Haidt, “How (and Where) Does Moral Judgment Work?,” *Trends in Cognitive Sciences* 6 (2002): 519. Greene and Haidt go into more detail about their distinction between “personal” and “impersonal” moral thinking in Box 1 on the same page.

reasoning, or even deflate some seemingly significant aspect of morality, is not new, and such approaches have faced a good deal of criticism from many fronts.⁸⁹ Singer recognizes the difficulty of applying evolutionary or otherwise empirical findings to moral arguments, admitting that “the direction of evolution neither follows, nor has any necessary connection with, the path of moral progress.”⁹⁰ But he also maintains that this “does not mean that recent advances in our scientific understanding of ethics have no normative significance at all. These advances are highly significant for normative ethics, but in an indirect way.”⁹¹ It is this indirect critique of Singer's that poses a genuine threat to intuitionism, and I will consider it now.

According to Singer, “a dominant theme in normative ethics for the past century or more has been the debate between those who support a systematic normative ethical theory...and those who ground their normative ethics on our common moral judgments or intuitions.”⁹² This debate has often descended into intuitionists using *ad hoc* intuition-pumping thought experiments to show that utilitarianism and other forms of consequentialism have some intuitively unacceptable consequence. But intuitionism made an important step toward a comprehensive metaethical framework in John Rawls' *A Theory of Justice* with the notion of “reflective equilibrium.” This approach suggests that “where there is no inherently plausible theory that perfectly matches our initial moral judgments, we should modify either the theory, or the judgments, until we have an

89 For an excellent and influential general critique of such approaches, see Philip Kitcher, “Four Ways of ‘Biologizing’ Ethics,” in *Conceptual Issues in Evolutionary Biology*, ed. Elliott Sober, 2nd ed. (Cambridge, MA: MIT Press, 1994), 439-450.

90 Singer, 342.

91 *Ibid.*, 343.

92 *Ibid.*

equilibrium between the two.”⁹³

As Singer sees the intuitionist view,⁹⁴ reflective equilibrium takes moral intuitions surrounding a moral theory to be akin to data collected when testing a scientific theory. But this is a mistake, he thinks, because “the analogy between the role of a normative moral theory and a scientific theory is fundamentally misconceived.”⁹⁵ A scientific theory is trying to explain the raw data with which it is presented, and it is inconceivable that such a theory could reject all of its data (or even a large portion of it) and still be a well-founded, successful theory. But a normative moral theory, Singer maintains, is not primarily concerned with explaining moral intuitions, or any other facts for that matter. Normative theories are concerned with questions about what we ought to do and why, not about why we have the beliefs we do about moral questions. On this view of the role of normative theories, such a theory “might reject all of [our common moral intuitions], and still be superior to other normative theories that better matched our moral judgments.”⁹⁶ For example, if we found good scientific evidence of a malevolent deity who was constantly filling our minds with mistaken moral intuitions, it would still make sense for us to search for a sound normative theory, even though we would have good reason not only to ignore our moral intuitions but often to believe the exact opposite.

So the simple analogy between empirical data and scientific theories on the one hand, and intuitions and reflective equilibrium on the other, does indeed appear to break

93 Ibid., 344.

94 Singer goes out of his way to note that Rawls himself saw reflective equilibrium not as an intuitionist view but as a form of Kantian constructivism; cf. John Rawls, “Kantian Constructivism in Moral Theory,” *Journal of Philosophy* 77 (1980): 515. But reflective equilibrium has certainly been employed extensively by intuitionists, so I think that Singer's targeting of it is indeed fair.

95 Singer, 345.

96 Ibid.

down under such circumstances. And while Singer does not suggest that there is any evidence of such an evil demon, he does think that the recent empirical evidence he cites earlier shows reflective equilibrium to be based, at least partly, on distinctions between intuitions which are not morally salient.

If we accept all of Singer's premises, then intuitionism of any kind faces a serious challenge to its basic legitimacy. But we do not have to accept his premises, because his challenge seems to rely on a somewhat myopic distinction between morally irrelevant, gut reaction-based reflective equilibrium on the one hand, and properly reflective, comprehensive, systematic, rational moral empiricism on the other. And while intuitionism as a moral epistemology must rely on intuitions at the epistemic level as a means of justifying moral judgements, it need not claim that intuitions themselves constitute reasonable moral judgements. An intuitionist theory which embraces the former but rejects the latter can circumvent Singer's objections.

A plausible form of intuitionism need not be unreflective or unsystematic in the ways to which Singer objects. He allows that "it is possible to interpret the model of reflective equilibrium so that it takes into account any grounds for objecting to our intuitions,"⁹⁷ and further allows that he would have no objection to an intuitionist or reflective equilibrium system which was "truly wide enough to countenance the rejection of all our ordinary moral beliefs."⁹⁸ Indeed, Singer seems to end up admitting the crucial and irreplaceable role of intuitions in moral philosophy when he says that "even a radical ethical theory like utilitarianism must rest on a fundamental intuition about what is good.

97 Ibid., 347.

98 Ibid.

So we appear to be left with our intuitions, and nothing more. If we reject them all, we must become ethical skeptics or nihilists,”⁹⁹ positions which Singer summarily rejects.

But Singer is careful to distinguish the “more reasoned” intuitions necessary for founding a systematic ethical theory like utilitarianism from the evolved and, according to him, morally irrelevant intuitions discussed in the empirical work he cites:

It might be said that the response that I have called “more reasoned” is still based on an intuition, for example...the intuition that it is a bad thing if a person is killed. But if this is an intuition, it...does not seem to be one that is the outcome of our evolutionary past...It may be closer to the truth to say that it is a rational intuition, something like the three “ethical axioms” or “intuitive propositions of real clearness and certainty” to which Henry Sidgwick appeals in his defense of utilitarianism in *The Methods of Ethics*.¹⁰⁰

This leads him to a much more moderate conclusion than his generally anti-intuitionist stance would suggest, wherein we ought to “attempt the ambitious task of separating those moral judgments that we owe to our evolutionary and cultural history, from those that have a rational basis.”¹⁰¹

If this is Singer's final conclusion, then I am inclined to agree. One can accept intuitionism as the foundation of one's moral epistemology without having to say that any and all moral intuitions have the same epistemic weight, regardless of their source or rational justification. I would just add that I do not think that rational intuitions and those “we owe to our evolutionary and cultural history” are mutually exclusive groups, and so Singer's dichotomy here is a bit too simplistic. Our evolutionary history is no more devoid of rational causes and explanations than rational positions are unrelated to our

⁹⁹ Ibid., 349; cf. the passage I quoted from Mill earlier regarding fundamental intuitions about utilitarianism and the good (in Mill's case, what is desired).

¹⁰⁰Ibid., 350-351. Singer is here citing Sidgwick, 373. Also, cf. Mill, 4: “The subject [of the proof of utilitarianism] is within the cognizance of the rational faculty; and neither does that faculty deal with it *solely* in the way of intuition” (emphasis added).

¹⁰¹Ibid., 351.

historical development, and I see no reason to think that the same cannot be said of intuitions. This may make evaluating intuitions more difficult, but does no harm to the overall soundness of moderate moral intuitionism.

Singer still seems concerned, however, that making our preferred version of moral intuitionism “as all-embracing as this may make it salvageable, but only at the cost of making it close to vacuous.”¹⁰² Such an approach would be capable of “[rejecting] judgments that we might otherwise retain,”¹⁰³ a requirement if it is to be capable of distinguishing reliable intuitions from unreliable ones. But the worry is that it would make these distinctions either on an *ad hoc* basis, in which case it is not really superior to unreflective and unappealing types of intuitionism, or it would do so based purely on rational, non-intuitive moral principles (assuming they exist), and as such could not be called intuitionism in any fundamental sense.

But again, Singer's objection relies on a false dichotomy, because there is a better approach to intuitionism, wherein intuitions form a substantive, *sui generis* epistemic category which can nevertheless be a source of reflective, rational moral judgments, allowing us to accept some moral intuitions and reject others. This is moderate moral intuitionism as described in Sections 3 and 4, based on Bealer and Audi's work, and it is capable of overcoming Singer's worries about diluting and universalizing intuitionism to the point where it becomes vacuous. This account is broad enough to accept Singer's minimal demands for a reasonably reflective intuitionism, without being so vague and ill-defined as to be unverifiable or trivial, as I will now argue.

¹⁰²Ibid., 349.

¹⁰³Ibid., 348.

I will first show how the kind of intuitionism I am defending is indeed capable of fulfilling Singer's minimal demands. Singer's main concern is that intuitionism either a) collapses into a rationalist, non-intuitionist moral epistemology because it does not offer any substantive guidance of its own and only considers reflective, carefully reasonable deliberations as morally significant; or b) does indeed rely on intuitions but does so in an *ad hoc* way, either causing distinctions to be made for morally irrelevant reasons or failing to make appropriate distinctions.

The latter possibility forms the most important challenge to intuitionism in general, but can be addressed by way of a detailed description and defense of moderate moral intuitionism, particularly its incorporation of non-intuitive epistemic resources. And since this was the topic of Sections 3 and 4, I will not go over it again here. As for the first possibility, my view of intuitionism does make substantive claims, and cannot invariably accept whatever caveats might be asked of it, as I will now show.

The most important example of this becomes clear when we remember that intuitionism of this sort presupposes epistemological foundationalism. Since foundationalism is hardly an uncontroversial epistemic position, and its truth is a necessary but not a sufficient condition for intuitionism to be true, intuitionism is, *a fortiori*, not trivially true. But a full defense of foundationalism is well beyond the scope of this paper, so even though I believe that it can in fact be defended, I will not address the matter any further here.

Nevertheless, while I think that assuming the truth of epistemological foundationalism might be necessary for a plausible formulation of intuitionism, it might also rule out certain other kinds of intuitionist views. The most obvious instance where

this might be the case, *prima facie*, is reflective equilibrium. Reflective equilibrium is generally taken to involve a constructivist, coherentist approach to moral intuitions. On such a view, “evaluative truth is a function of how all the evaluative judgements that selective pressures (along with all kinds of other causes) have imparted to us *stand up to scrutiny in terms of each other*.”¹⁰⁴ That is, evaluative truths rely not on some foundational property but are to be determined by comparison with and reflection upon other evaluative truths, such that all evaluative truths are products of human consciousness and constructive reflection.

Reflective equilibrium can certainly be regarded as a form of intuitionism (recall that Singer sees reflective equilibrium as determining to a significant extent “the acceptability of a moral theory...by its agreement with those of our prior moral judgments that we are unwilling to revise or abandon”),¹⁰⁵ but on its coherentist interpretation it does not assume a foundationalist epistemology. It does not take moral intuitions as self-evident, independent, primary sources of evidence worthy of evaluation on their own. Instead, it evaluates them in terms of one another, comparing them to the largest and most deeply held set of coherent moral beliefs and justifying them in terms of their agreement with that set. As Margaret Urban Walker puts it, on this explicitly coherentist approach to reflective equilibrium,

[Intuitions] are seen at once as the *data* for the construction of moral theory...and as assumptions that are negotiable (revisable, or dispensable) in the course of working out what 'we' think morally. 'We' (theorizers of ethics?) get to prune and adjust the data going in, selecting the 'best considered' ones to set the balance for reflective equilibrium. Further, we may decide to disqualify some of these data if they impede a particular state of epistemic

104Street, 154; emphasis added.

105Singer, 345.

equilibrium that we prefer.¹⁰⁶

So whatever else one might think of this approach to reflective equilibrium, it is not a foundationalist position. Insofar as one maintains the importance of foundationalism to intuitionism, then, one must reject this popular view of reflective equilibrium.

And the popularity of this view is indeed important. Not only is reflective equilibrium generally a coherentist view, but it constitutes a fairly widely held type of coherentism about ethics. Furthermore, I assume that any view which rejects outright a view which many competent thinkers take to be defensible is non-trivial. Therefore, that my approach to intuitionism rejects reflective equilibrium, or at least the coherentist formulation thereof, suggests that it is non-trivial.¹⁰⁷

To be fair, as mentioned above, Audi believes that even his foundationalist approach to moral intuitionism leaves room for reflective equilibrium, and may in fact benefit from adopting it, particularly when it comes to balancing intuitively justified moral principles with apparently conflicting singular judgments.¹⁰⁸ But even here, reflective equilibrium serves as a tactic or heuristic for viewing propositions as having “[graduated] to the status of justified belief or even knowledge.”¹⁰⁹ In such cases, it is not that a proposition's coherence with our larger set of justified judgements constitutes justification; rather, such coherence leads us to recognize more easily the foundational justification which the proposition itself possesses.

¹⁰⁶Margaret Urban Walker, *Moral Understandings: A Feminist Study in Ethics*, 2nd ed. (New York: Oxford University Press, 2007), 70-71; emphasis in original.

¹⁰⁷This would not follow if it turns out that coherentist reflective equilibrium is somehow absurd or self-contradictory. But I assume that it is at least a viable ethical theory, and that acceptance of it does not somehow make one irrational, even if I do not accept it myself. I take the truth of reflective equilibrium to be an open question, and therefore any view which rejects it to be non-trivial.

¹⁰⁸Audi (1999), 294-295.

¹⁰⁹*Ibid.*, 295.

So far, I have argued that the formulation of intuitionism which I support is not vacuous because it assumes foundationalism, and more specifically rejects certain prominent versions of reflective equilibrium. But there is at least one other reason to think that this version of intuitionism is substantive and not unfalsifiable: it assumes a philosophy of mind which, while not especially strange, is not a foregone conclusion either. Intuitionism requires the possibility of *a priori* justification and *a priori* knowledge, and very strictly empirical approaches to philosophy of mind may well disallow such notions of justification and knowledge, if they are committed to the view that only sensor experience can serve as a reliable foundation for knowledge. But even if it is true that the philosophy of mind required for intuitionism does indeed constitute a substantive and falsifiable hypothesis, this fact will probably not serve as the basis for a very strong objection to intuitionism. As Audi explains,

[Intuitionism] does not, so far as I can see, presuppose either a mysterious mental faculty or a scientifically unlikely mode of access to entities that cannot causally affect the brain. It *may* be that we can have a priori knowledge or a priori justification only if we can in some sense grasp abstract entities...But if this kind of apprehension is required for a priori knowledge and justification, it is not obvious that the apprehension is either obscure or scientifically unlikely, or in any event not required for a grasp of elementary arithmetic truths and other apparently a priori propositions essential in both everyday reasoning and scientific inquiry.

It is perhaps true that we will have a simpler philosophy of mind, at least ontologically, if we can avoid positing any “non-empirical” objects, such as numbers or propositions or concepts. But if properties are abstract entities, as many philosophers hold, then it is not clear that even generalizations about the physical world can be known apart from some kind of grasp of abstract entities...there is at present no clearly adequate, thoroughly empiricist account of justification in general...¹¹⁰

So a strict empiricism rejecting moral intuitionism because its philosophy of mind posits

¹¹⁰Ibid., 292; emphasis in original.

too many unnecessary entities would be a case of throwing the baby out with the bathwater, abandoning mathematics and physical science because of some relatively mild *a priori* justification.

It is fair to conclude at this point that the intuitionism I am defending is not trivial or vacuous, as Singer worries. It does take intuitions to be a reasonably reliable, primary source of evidence for making moral judgements. And while it can indeed accommodate the possibility of reasoned reflection upon our intuitions (a characteristic of any plausible intuitionism, as I have been maintaining), thereby satisfying Singer's primary concern, it cannot accommodate any and all possible approaches to ethics and epistemology, so it is not vacuous. As I have said, this view takes intuitions to be a primary and on-balance reliable guide for moral judgements, but that is not to say that they are indefeasible, or the only possible guide for such judgements. In Audi's words, "the appropriate attitude to adopt in the light of all this is a fallibilist humility. It permits moral conviction, but forswears ethical dogmatism."¹¹¹

If we combine this point with the arguments made in Sections 3 and 4, these final worries of Singer's are not so potent. Moderate moral intuitionism is neither vacuous nor entirely reliant upon *prima facie* intuitions, with no way of subjecting moral intuitions to further scrutiny.

7) Conclusion

This essay has had a number of related goals. I have attempted to show that intuitions of one sort or another have played a significant role in many, if not all, the major moves in the history of modern moral philosophy, even if this significance has often gone

¹¹¹Audi (1998), 44.

unacknowledged. This gives us a good reason to treat moral intuitions very seriously.

This was largely a lead up to the bulk of my paper, however, which was committed to presenting a positive case for intuitions as a reliable source of evidence for moral philosophy. Specifically, I argued that the best general account of intuitionism comes from combining George Bealer's rigorous intuitionist epistemology with Robert Audi's refining of moral intuitionism, though I believe that this synthesis is effectively similar enough to Audi's final view to warrant sharing the name "moderate intuitionism." Ultimately, my view is one which posits a foundationalist moral epistemology, where intuitions form the bulk of that foundation, allowing us at least the possibility of making sound moral judgements. But such intuitions are neither infallible nor immune to revision or rejection by other rational means. This is the sense in which this intuitionism is moderate, and how it gets around the major objections generally directed towards it.

I therefore went on to respond to a number of these objections, beginning with a rebuttal (though not necessarily a refutation) of moral skepticism which relied on the independent epistemic justification I argue that intuitions possess, along with the insensitivity to rational revision shown by skeptics. This was explained by way of an analogy with the way that Anil Gupta argues against solipsism in the face of epistemic and semantic empiricism. I take this reply to the skeptic as available to any thinkers who are willing to engage seriously and openly with moral philosophy, but I doubt that this group includes any who entirely reject intuitionist evidence.¹¹²

Finally, I considered and responded to two common evolutionary objections

¹¹² Though I do think that ethicists who do not consider the evidence of intuitions at all are not likely to be among those who engage seriously and openly with moral philosophy, I have not argued for this fully, and so I am willing to concede the opposite possibility here. In any case, the value of my paper as a whole does not rest on this point.

frequently levelled against intuitionism, thereby clarifying my notion of intuitions and how intuitionism need not be committed to some of the uncharitable and less plausible claims occasionally attributed to it. Street and Singer's arguments are important, with many compelling points, but ultimately they are directed against more naive views, and are not enough to refute a sufficiently sophisticated version of intuitionism.

But even though I think that intuitions in general are a reliable source of evidence for moral judgement, this is not to say that I have here defended (or even presented) a thoroughly workable and comprehensive intuitionist moral theory. Instead, I have broadly illuminated and defended the foundations of an intuitionist moral epistemology. Because I take intuitions to be defeasible as well as reliable, the specific question of whether and how we might tell trustworthy moral intuitions from pernicious ones remains. This problem, and my proposal for a solution to it, will be the subject of future work.

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A FEMINIST CRITIQUE OF ETHICAL INTUITIONS

1) Introduction

In a previous article, I argued that ethical intuitions ought to serve as the foundation of any genuinely reliable moral epistemology.¹ I put forward an intuitionist theory which overcomes many significant objections to intuitionism and also offered a rebuttal against a particular type of moral skepticism (which targets all realist moral epistemologies, and not just intuitionism) which I believe is largely unavailable to non-intuitionists. In this paper, therefore, I will assume the importance and appeal of moral intuitionism in some form to the general enterprise of ethics. Also for the purposes of this paper, unless otherwise stated, I will take an intuition to be i) a cognitive phenomenological state, which is ii) self-evident and iii) not a belief, and which is both iv) reliable as a source of evidence for justified beliefs and v) fallible. So a moral intuition is any such intuition which takes a moral issue as part of its content. These conditions will be detailed further in this paper as necessary.²

My particular goal here is more focused. I will examine a specific type of objection to intuitions as a reliable source of evidence for moral knowledge which was too large and complex to address in the earlier paper. Briefly put, feminist thinkers have pointed out the ways in which sexist social forces can have a powerful influence on what

1 See my "A Preliminary Defense of Moderate Moral Intuitionism," manuscript.

2 For a great deal more relevant considerations and arguments, see *ibid.* A particularly noteworthy consequence of this view of intuitions, since it will come up in a number of further sections, is that because intuitions are purely phenomenal, they do not have propositional content themselves, though particular intuitions can certainly predispose agents to particular beliefs, which do have propositional content.

moral intuitions we have and the cognitive resources we use to evaluate them. This means that we may hold mistaken and harmful intuitions and lack obvious epistemic resources for distinguishing them from reliable ones, since having such resources would be the kind of thing which could prevent us from adopting false intuitions like these in the first place. I will argue that this objection can get around the responses which can be offered against most anti-intuitionist arguments, and that it therefore poses the strongest threat to my strain of moderate moral intuitionism.

As long as intuitions provide a reasonably strong, necessary link between our beliefs and the truth (that is, as long as they constitute a reliable source of evidence),³ then intuitionism can be defended against many major objections to it, and in turn provide a promising defense of some form of moral realism against skepticism. But this modal link may not be as strong as it needs to be for intuitionism to be truly workable at the end, at least when it comes to moral intuitions. Indeed, there are some powerful arguments coming out of feminist ethics and epistemology suggesting that we have good reason to think that this truth-tracking link may often be defective in important ways.

My aims in this paper are to make explicit these possible problems with my intuitionist moral epistemology, and to clarify how and to what extent they pose a threat to moral intuitionism as a general approach. As mentioned above, this will primarily rely on feminist philosophy, but I will also refer to some mainstream arguments based on the problem of disagreement. In the end, however, I also think that feminist philosophy can help point the way out of the problem as I see it, though this paper will be focused mainly

3 For more on this, see George Bealer, "Intuition and the Autonomy of Philosophy," in *Rethinking Intuition: The Psychology of Intuition and Its Role in Philosophical Inquiry*, eds. Michael DePaul and William Ramsey (Lanham, MD: Rowman & Littlefield, 1998).

on the problem, and not on its solution. That is, I will discuss a general strategy for getting around the main objection of this paper, but also show why might not be as straightforward as it initially appears.

I will begin by briefly laying out my conception of intuitions, and why we have good *prima facie* reason to guide our actions in accordance with them. After this short section, the largest part of the paper will be concerned with laying out the assorted feminist arguments which together suggest the serious objection which I have mentioned. This will be followed by how feminist philosophy also points to a way past this objection for intuitionism, and the reasons we should think that even this possible solution is not entirely satisfactory. I will finish by discussing the only feasible way for intuitionism to move past this objection, and how one might go about doing so.

2) Moderate Moral Intuitionism⁴

I maintain that intuitions are an extremely important, even necessary, source of evidence for moral epistemology. They serve as the epistemic foundation upon which we can engage in moral reasoning and make justified moral judgements. Rational intuitions are phenomenologically distinct, a type of “*sui generis*, irreducible, natural (i.e. non-Cambridge-like) propositional attitude that occurs episodically.”⁵ On my view, moral intuitions (a subtype of rational intuitions) are not themselves beliefs, but a unique type of propositional attitude which can lead to beliefs. This is the fundamental epistemology of intuition as I see it. Propositional attitudes like these are what ought to be the subject when discussing plausible intuitionist moral epistemology.

4 This section is essentially a summary of the main positive points made in my “A Preliminary Defense of Moderate Moral Intuitionism.”

5 Bealer, 213.

Furthermore, the type of intuitionism I support does not treat our moral intuitions as dogmatic, rigid insights into the obvious truth of all moral questions. The beliefs which we come to by way of intuitions are self-evident, but that does not make them obvious or infallible; it simply means that for such a belief, “an adequate understanding of it is sufficient for being justified in believing it and for knowing it if one believes it on the basis of that understanding.”⁶ Justification by self-evidence comes in degrees, and thus it can be entirely reasonable to not believe even true self-evident propositions, if one does not entirely understand them. Furthermore, we can even be mistaken about the epistemic justification of beliefs we come to by intuition, so even if intuitions are a reliable source of evidence, they are still far from indefeasible.

Moreover, this approach to self-evidence and intuitions allows plenty of room for other means of moral reasoning and sources of evidence for moral judgements. In general terms, moral intuitions underdetermine what is right and wrong in specific instances.⁷

This is the crucial sense in which this type of intuitionism is moderate: even though intuitions supply us with the foundations of moral reasoning, responsible moral reasoning does not end there. Perfectly reasonable intuitions can, after all, conflict, or at least very much appear to, and it would be highly uncharitable to hold that this alone means that there cannot be an intuitionist moral theory which is internally consistent.

The question now becomes what epistemic resources beyond raw intuitions are available to moderate intuitionism, and how they ought to be applied.⁸ Such resources

6 Robert Audi, “Moral Knowledge and Ethical Pluralism,” in *The Blackwell Guide to Epistemology*, eds. John Greco and Ernest Sosa (Malden, MA: Blackwell, 1999), 282.

7 See Robert Audi, “Moderate Intuitionism and the Epistemology of Moral Judgement,” *Ethical Theory and Moral Practice* 1 (1998): 30.

8 I offered a general answer to this question in “A Preliminary Defense of Moderate Moral Intuitionism,” but since even that longer response would not do against the primary objection I will be considering in

would include careful reflection, discussion, imagination, comparison with other similar cases, and “particularly on controversial issues, the apparent intuitions of *others*.”⁹ Seen this way, intuitionism is to be distinguished from non-intuitionist moral epistemologies because it considers our intuitions seriously and systematically, going so far as to say that they are indispensable, even foundational, to responsible moral reasoning, but not because it fails to take seriously any other available epistemic resources.

What we are left with is a moral epistemology with its foundations in self-evident intuitions, but which is open to reason and the distinct possibility of even careful thinkers being mistaken about the truth or justification of their beliefs. As Audi puts it, “the appropriate attitude to adopt in the light of all this is a fallibilist humility. It permits moral conviction, but forswears ethical dogmatism.”¹⁰

This is a healthy attitude to take towards moral philosophy in general, so I take this conclusion as a point in favour of moral intuitionism. But there is a risk that this intuitionism concedes too much, admits of too much fallibility. Good moral theories should indeed avoid dogmatism, but they should also make helpful assertions about what we ought to do, at least some of the time. In the next section, I will describe in detail the important objection against intuitionism on which this paper is focused, and which comes down to a straightforward concern stemming out of moderate moral intuitionism's admission of fallibility: if we think that some of our intuitions can be wrong, then how can we be justified in thinking that any particular intuition is correct?

3) A Feminist Critique of Intuitionist Foundationalism

this paper, I will not go into it at length.

9 Audi (1999), 292; emphasis in original.

10 Audi (1998), 44.

It is a virtual truism of feminist philosophy that social forces can have significant cognitive effects, often affecting us much more deeply than we can know ourselves. This section will give a general overview of the feminist argument to the effect that oppressive social structures can warp our intuitions in harmful ways, both morally and epistemically. I will then discuss precisely how this presents a major dilemma for moderate intuitionism, detailing the scope and severity of the challenge.

Though I think that this challenge is most clearly and directly presented through the lens of standpoint epistemology, its roots in feminist philosophy go deeper than that. Indeed, the view that social forces influence at least one's desires and values is one of the oldest positions in the history of feminist thought, evident as far back as Simone de Beauvoir¹¹ and even John Stuart Mill.¹² As for contemporary philosophy, an excellent expression of this view comes from Marilyn Frye, who argues that the nature of oppression, particularly patriarchal oppression, is such that it is rapidly internalized and its effects are not easily parsed out, even upon careful inspection. Specific oppressive forces at work may not be obvious at all “if one's focus is riveted upon...the particularity of the individual man's present conscious intentions and motives and the individual woman's conscious perception of the event in the moment,”¹³ because “many of the restrictions and limitations we live with are more or less internalized and self-monitored, and are part of our adaptations to the requirements and expectations imposed by the needs and tastes and tyrannies of others.”¹⁴

11 See, for instance, Simone de Beauvoir, *The Second Sex*, trans. Constance Borde and Sheila Malovany-Chevallier (New York: Alfred A. Knopf, 2010).

12 See *The Subjection of Women* in John Stuart Mill, *The Basic Writings of John Stuart Mill*, ed. J. B. Schneewind (New York: Modern Library, 2002), 123-232.

13 Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Berkeley: Crossing Press, 1983), 6.

14 *Ibid.*, 14.

This is how oppressive social forces can cognitively warp us, such that we come to see our attitudes not as warped but as completely natural, even obvious. Frye applies this view to the specific example of the attribution of gender and sex roles. After describing some of the myriad ways in which it occurs, she says that “along with all the making, marking and announcing of sex-distinction goes a strong and visceral feeling or attitude to the effect that sex-distinction is the most important thing in the world.”¹⁵ This “strong and visceral feeling or attitude,” at least some of the time, constitutes a moral (or at least normative) intuition: it is foundational and non-inferential, it has the phenomenology of “seeming” which Bealer takes as uniquely associated with intuitions, and it seems self-evident to the person experiencing it. But we would not want to base our moral judgements on such an intuition because, as Frye points out, intuitions¹⁶ like this one are the basis of gender concepts responsible for sexism and all the morally repugnant consequences thereof.¹⁷

Now, the plausible fallibilist intuitionism I have described is capable of admitting that some of our moral intuitions might be misguided and capable of leading our moral judgements astray, so on the face of it an example like this one need not pose a serious problem to moderate intuitionism in general. But it soon becomes clear that the repercussions of this objection are not so easy to dismiss. First of all, the problems caused by this intuition are far from negligible: without putting too fine a point on it, this and similar intuitions could historically be said to shoulder much of the blame for the violations and moral crimes committed as a result of patriarchal social structures. Any

15 Ibid, 26.

16 She does not use this term, but I think it is appropriate, and will apply it for the sake of brevity and consistency.

17 Ibid., 38.

moral theory worthy of the name should not allow the possibility of this sort of thing, crossing well over the line between reasonable fallibilist oversight and the kind of atrocity which constitutes a *reductio ad absurdum* in ethics.

More importantly, from the perspective of moral epistemology, it is difficult to say what separates unacceptable intuitions like those Frye describes from the reliable ones which are supposed to form the foundation of moderate moral intuitionism. If we posit that all such moral intuitions, right or wrong, have a similar phenomenology, the deciding factor between “good” and “bad” intuitions (for lack of better terms) remains disturbingly obscure. I might be able to look from my current epistemic position and give any number of good reasons to reject sexist intuitions and accept better ones, but this would almost certainly involve an appeal to my current set of moral intuitions and beliefs, in light of which sexist intuitions would fail to meet my epistemic standards upon reflection, discussion with others, and so on.

But even this is fairly optimistic in that it assumes that there is value inherent in the consistency of my set of beliefs and intuitions, without saying what independently justifies any members of that set. And since moderate intuitionism requires a foundationalist, not coherentist, moral epistemology,¹⁸ this assumption isn't really allowable for intuitionists. We are left with no obvious epistemic reason to reject bad intuitions in favour of good ones, and no clear justification for saying that purportedly good intuitions are not worth abandoning themselves. What is worse, any oppressive epistemic structures which generated harmfully deformed intuitions would also serve to justify those intuitions by way of apparent successes in application, as Elizabeth

18 Audi (1999), 275-276.

Anderson argues.¹⁹ These apparent successes inform underlying epistemic structures and justify theories which operate upon sexist assumptions, or at least ignore feminist attempts to draw attention to and correct these assumptions.²⁰ This is the core challenge to intuitionism this paper will consider, posited through the lens of feminist philosophy.

This feminist objection against straightforward intuitionism might find its most powerful and substantive expression in Margaret Urban Walker's work on intuitions and what she calls "feminist skepticism." Walker is not long troubled by the standard problem of skepticism in moral philosophy, which doubts whether there can be such a thing as moral knowledge. Instead, she is concerned with a problem of justification "about *people's claims* to knowledge and their *credibility* in entering those claims."²¹ This worry faces problems stemming from the possibility of reinforcing oppressive epistemic norms because "all would-be knowers are *situated* in...epistemic *communities*," and "it is communities, not individuals, that maintain the resources for acquiring and certifying knowledge."²² And "if knowledge is embodied in communities of inquiry upon which individual knowers depend, anyone's credibility implicates the credibility of others."²³

The general problem, then, comes from the recognition that knowing and many other epistemic activities are not endeavours of pure reason conducted by individuals at a remove from all the other factors governing human life. Knowing is something which occurs within a community which shares values and epistemic norms, at least to some

19 Elizabeth Anderson, "Feminist Epistemology: An Interpretation and a Defense," *Hypatia* 10 (1995): 50-78.

20 A particularly illustrative example of this can be found at *ibid.*, 77-78, where Anderson describes early IQ tests being adjusted after the "embarrassment" of results showing girls scoring higher than boys, with sections where girls did better being excised and questions on which boys did better being inserted.

21 Margaret Urban Walker, *Moral Understandings: A Feminist Study in Ethics*, 2nd ed. (New York: Oxford University Press, 2007), 81; emphasis in original.

22 *Ibid.*, 64; emphasis in original.

23 *Ibid.*, 81.

extent.²⁴ But these values and norms are unlikely to be challenged within the community, and any belief presented as a candidate for knowledge will face increased difficulty insofar as it challenges or conflicts with the norms accepted by the community. This is what motivates Walker's push for "strong objectivity":

Strong objectivity requires an epistemic community to examine itself, noticing the discourses, instruments, processes, and relations of authority by which it produces what it claims to be knowledge. Strong objectivity requires forums and institutions that invite and reward evaluation and criticism of knowledge claims that are based on public standards. It requires examination of cognitive authority to make sure it does not cloak cultural, political, or economic dominance or suppress relevant criticism from diverse viewpoints. It requires critical techniques to reveal the specific powers and limits of the discourses and instruments that enable us to know. It needs research on biases and saliencies and the specific ways they make possible what we know and what we can't or don't.²⁵

So conscientious feminist epistemology requires a critically reflexive approach to one's own epistemic community, and particularly to the values and assumptions which structure that community. The relevant question now is how we ought to think of intuitions in light of such a commitment.

On my view, moral intuitions are significant epistemic resources and a fundamental source of candidate-for-knowledge moral beliefs. But they are also situated within a particular epistemic community, with an accordant set of background assumptions. This means that intuitive beliefs which conflict with the epistemic community's dominant assumptions are not likely to be received very easily (or to be very common in the first place), while those which agree with those assumptions are

24 Walker does not hold that such norms and values ("moral understandings," for her purposes) are ever completely, or even nearly, homogenous, and conflicts between them can be a major source of tension when it comes to moral agreement (see *ibid.*, 78-79). Nevertheless, some amount of epistemic agreement is necessary to form a reasonably coherent epistemic community, and this is all that is assumed by the objection I am discussing here.

25 *Ibid.*, 65.

likely to go unquestioned, regardless of how objective they might actually be.

As discussed above, this is the general status of any class of beliefs, no matter their source, and so it might seem as if the easy answer is just to critically, reflexively determine and evaluate intuitions as a type of situated knowledge like any other, subject to social forces but also conceivably justifiable from a feminist perspective. But there is reason to believe that intuitions and any beliefs which might be inferred from them might not be dealt with so easily.

Part of the essential character of intuitions, what separates them from other epistemic categories, is their non-inferential character. In those cases where intuitions are put forward as an appropriate source of justification, such as moral epistemology, they are the foundation upon which ensuing inferential beliefs are built. Furthermore, on my view, intuitions are *sui generis* and self-evident. So it is not only that they need not be justified by inference from other sources of evidence; it is not clear how they are at all answerable to other forms of justification and sources of evidence.

Now this is not to say that they are not answerable to other sources of evidence. It is simply that the details of what this would look like are fuzzy at best. Moderate intuitionism is very much open to applying reflection, comparison, reflexivity and other epistemic tools with regard to the judgements which result from one's intuitions *prima facie*. But it is another thing entirely to put those tools to use with a view to examining and possibly changing the intuitions themselves. Intuitions are phenomenologically immediate, and while there are certainly instances of intuitions changing over time, even within the same individual, the processes involved remain frustratingly opaque.

Consider an example, wherein I am a reasonably intelligent person with

reasonable willpower and rationality, generally motivated by morality but far from perfect when it comes to determining the ideal course of action. When confronted by a relevant moral question, say whether I ought to quietly embezzle some amount of money in order to help my family prosper, knowing that I will almost certainly never get caught, I have an intuition suggesting that I ought always prioritize the action which would be best for myself and those close to me. As a result, I make the judgement that I ought indeed to embezzle the money, since it will make my family better off and the small chance of being caught means there is little real risk of negative consequences. But after discrete discussions with friends and colleagues, my judgement changes and I come to the belief that embezzlement would nevertheless be wrong in this case, and that I therefore should not do it. This comes about by reflection and comparison of my intuitive beliefs with those of others whom I respect, and also conceivably by critical reflection, whereby I come to realize why I had the initial intuition and its accordant beliefs, where they come from, what they reflect about my moral and epistemic community, and so on.

At this point, it seems that I have come to a reliably justified position with regards to my judgement about embezzlement in this case. After all, I have become explicitly conscious of the source of my intuition, and been able to reflect on it within its social context, to the extent that I have actually realized that it is wrong and decided that I ought not act in accordance with it. Nevertheless, this does not mean that the relevant intuition I had has changed at all, let alone that I have come to a position of justified confidence in its epistemic status. I may well still have the intuition that I ought to favour the action which would be most rational for me and mine, even if I have come to believe that this intuition is morally misleading. This is a consequence of the phenomenology of

intuitions, along with their being non-inferential. I may be capable of reasoning out that a moral intuition is mistaken somehow, thereby ignoring its implications and adjusting my behaviour accordingly, but this is not the same as changing the intuition itself.

On its own, this might not seem like much of a problem for my brand of intuitionism because I explicitly bring to bear other epistemic resources. But moderate as it may be, mine is still an intuitionist theory, and it does hold that sound moral judgements (along with many not so sound judgements) rely at their base on intuitions. Other moral considerations can be brought in to amend and even reject judgements based on dubious intuitions, but such propositions will themselves be derived from other intuitions at some point. We can continue to regress our attempts at justification, but in the end we are likely to be left with a collection of self-evident, non-inferential phenomenological states which may or may not be coherent with one another,²⁶ and which themselves may or may not be consistent with feminist reflection and values.

This is particularly worrisome given that intuitions do not exist in an epistemic Platonic heaven, immune to the warping and distortion brought on by destructive social forces. They often arise in environments which are “not subject to critical pressure,”²⁷ allowing for a whole set of intuitively justified, internally coherent moral principles which nevertheless constitute what might legitimately be called a “bad morality.”²⁸ And if a person starts off in this kind of state, it is difficult to see how she might be able to

26 This suggests at least one ultimately fruitful product of a dedicated quest for objectivity when it comes to intuitionism: it ought to reveal whether our core set of intuitions even cohere with each other. Of course, this does not solve the real problem shaping up for intuitionism here, but since I think that coherence in fundamental beliefs is a worthy value on its own, this is just one more reason for thinking that critical reflection is epistemically worthwhile.

27 Jonathan Bennett, “The Conscience of Huckleberry Finn,” *Philosophy* 49 (1974): 125.

28 *Ibid.*, 123-124.

escape it, because all the obvious resources of moral epistemology are based on intuitions which have been warped to the point of no longer being reliable.

So despite all the tools of moderate moral intuitionism, it may not be able to fully satisfy the feminist concerns discussed above. We would still have to know that at least some of our starting intuitions are justified, or else we would not have a basis from which to examine and critique any of our intuitions or the moral beliefs which stem from them.

Applying this to the earlier example, even when I have carefully examined my intuition that I ought to embezzle the money for my family and judged that the intuition is wrong, this second-order judgement itself relies on a whole other set of intuitions. This would include, for instance, the intuition that the opinions of my morally responsible friends and family carry some epistemic weight; the intuition that the dubious social origin of this intuition casts some doubt on the reliability of my initial intuition; and others.²⁹ But for the rejection of my initial intuition about embezzlement to be justified, these second-order intuitions must themselves be justified.

The problem is exemplified more clearly as follows. Having reached a level of moral maturity such that I am psychologically capable of reflecting on my moral beliefs and the reasons for them, and also having read and accepted arguments like Walker's, I would like to subject my set of beliefs to the rigours of strong critical reflection. Specifically, I want to be able to view my beliefs and intuitions as thoroughly situated,

²⁹ It is worth recalling here that on my view intuitions are not a species of belief but a *sui generis* phenomenal state, though they can cause beliefs. The problem is that it is difficult to talk about the content of non-belief phenomenal states without using language usually reserved for beliefs, as I have here. So for the sake of clarity and brevity, readers should take the construction “the intuition that” to be roughly equivalent to “the intuition from which one could directly infer the belief that.” And even this should not be taken to imply that there is a one-to-one correlation between intuitions and resultant beliefs, a question the truth and relevance of which I will not address here.

understanding their social provenance and the contingent forces which have given rise to them as well as possible. This would also involve subjecting the moral and epistemic values of my community to such scrutiny as well.

If I am a moderate intuitionist, it is plausible that I should begin by considering the intuitions which ground my moral beliefs, one by one. Say I have the intuition from the previous example, whereby I ought always prioritize the action which would be most rational for myself and those close to me; I will call this intuition *Family First*. I can examine the social and historical forces which have led me to experience *Family First*. But even if I learn that it stems from harmful forces, this alone is not enough to guarantee that I would be right to reject any beliefs which resulted from this intuition; it is at least possible, after all, that positive and morally helpful intuitions might accidentally be the result of less benign historical forces. To what, then, might I appeal in deciding whether to accept or reject this intuition?³⁰ As I see it, there are two basic options.

First, I might appeal to other moral beliefs, based on entirely different intuitions. If it turns out that *Family First* is inconsistent with the majority of my other intuitions, I might decide that I am justified in rejecting it. If it turns out otherwise, I might decide that I ought to keep it. I could then go down the list of all my other intuitions and do the same, rejecting them if they clash with my larger set of moral intuitions and accepting them if they do not.

The problem is that this strategy simply is not foundationalist moderate

30 In “A Preliminary Defense of Moderate Moral Intuitionism,” I argued that intuitions are significantly more persistent than beliefs, which might make it strange to speak of “changing” or “rejecting” intuitions. But while I certainly do think that beliefs are more quickly and easily shifted than intuitions, I see no reason to conclude that intuitions cannot change. Indeed, I can conceive of many instances of my own moral intuitions shifting as I grow older, gradually but significantly.

intuitionism as I have been describing it. Rather, this is a type of intuitionist coherentism, comparable to popular interpretations of Rawlsian reflective equilibrium. On such a view, we are not looking for “demonstrable or incorrigible foundations but 'reasonably reliable agreement' – coherence – between 'our' intuitive judgements about particular cases and those principles we can recognize as 'the premises of their derivation.’”³¹ But this coherentist view of intuitions has a number of problems as an approach to moral theory, as Walker discusses.³² Reflective equilibrium is not the right path for overcoming the problems I have presented for intuitionism. In addition to being coherentist and not foundationalist in the way required by moderate intuitionism, it does not satisfy the requirements of reflective feminist epistemology either.

We are now left with the other option for determining whether I ought to accept or reject *Family First*. This would involve appealing to something more fundamental to justify legitimate intuitions and reject illegitimate ones. For instance, naturalists might appeal to human evolutionary history to say, in one sense or another, that our intuitions are the result of an evolved psychology which has been beneficial to our well-being, at least on average and over the long run.³³ Or a modern divine command theorist, following the view put forward early in Plato's *Euthyphro* that “what is dear to the gods is pious, what is not is impious,”³⁴ might hold that moral truth is determined by some divine will, our intuitions reliable to the extent that they are consistent with that will. There are any number of other possible ways of explaining intuitions in terms of something more

31 Walker, 70. Walker herself is quoting here from John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 20.

32 Ibid., 70-71.

33 For a few example of attempts to accomplish this sort of thing, see Richard Joyce, *The Evolution of Morality* (Cambridge, MA: MIT Press, 2007), 156-174.

34 Plato, *Five Dialogues*, trans. and ed. G.M.A. Grube (Indianapolis: Hackett, 1981), 7a.

fundamental, in either the causal sense (as with naturalism) or the justificatory sense (as with divine command theory).

Leaving aside what we might think of these moral theories in and of themselves, however, they will not offer the solution that intuitionists are looking for because they entail abandoning intuitions as the core of moral epistemology. Such views might incorporate intuitions into their moral epistemology in some way, for example as an important means by which the divine will is communicated to us. But they take something other than intuitions as the ultimate source of and guide to moral knowledge. And since moderate intuitionism takes intuitions as the ultimate foundation of moral knowledge (indeed, this is what makes something an intuitionist moral epistemology, rather than something else), any view which has intuitions serve as something other than the foundation of moral epistemology cannot be appealed to by intuitionists who want to keep thinking of themselves as such. Such a view might indeed be foundationalist, thereby avoiding problems associated with coherentism, but not intuitionist.

A commitment to rigorous feminist moral epistemology, then, seems to leave moderate moral intuitionism in an uncomfortable position. On the one hand, we can evaluate our basic, self-evident intuitions in terms of other intuitions, in which case we would be both abandoning the foundationalism required by this type of intuitionism and adopting problems that come with reflective equilibrium and other forms of coherentist intuitionism. On the other hand, we can adopt some view on which intuitions reduce to something more fundamental, but even assuming that this new foundation is strong enough to support the edifice of a reliable moral epistemology,³⁵ it would no longer be

³⁵ In truth, I doubt that such an approach could work out, but for brevity's sake I will not go into why here.

intuitionist in an important sense. It seems, then, that neither of these options is open to the moderate intuitionist who also wants to satisfy the concerns set out in this section.

Therefore, in the next section I will apply some other feminist approaches to moral epistemology which will outline a way around such objections for intuitionism, allowing it to stay true to its foundationalist core without abandoning a commitment to its core values. This ought to clarify some of the surrounding issues and put us in a better position to defend moderate intuitionism.

4) A Proposed Solution: Affected Ignorance and Moral Knowledge

At its heart, the wider problem here is the difficulty or perhaps impossibility of obtaining moral knowledge. I have argued that moderate intuitionism offers a means of doing so by way of self-evident, *sui generis* phenomenological states which can lead to reliable moral beliefs, so long as they are considered carefully and responsibly. But the requirements of feminist moral epistemology suggest that this path is more difficult than that, if it is even possible at all. In this section, I will apply some feminist arguments, primarily from Michele Moody-Adams and Cheshire Calhoun, suggesting that moral knowledge is indeed possible, even under very strict conditions. This is not to say that their arguments will constitute a wholesale vindication of the suitability of intuitionism for this role; indeed, the next section will explicitly show how their approaches do not entail a defense of intuitionism. But this is nevertheless a first step towards a comprehensive argument showing that intuitionism can satisfy both feminist and more mainstream critics.

To begin, Moody-Adams considers the claim that “cultural influences can, and

My “A Preliminary Defense of Moderate Moral Intuitionism” gives many reasons for thinking that intuitionism is the most promising approach to moral epistemology.

often do, constitute serious impediments to responsible agency,” thereby leading to “widespread moral ignorance.”³⁶ She calls this “the inability thesis about cultural impediments,” its core claim being “that sometimes one's upbringing in a culture simply renders one unable to know that certain actions are wrong.”³⁷ This notion reflects the concerns discussed above about intuitionist moral epistemology (indeed, any moral epistemology) being warped and made unreliable by destructive social forces.

Moody-Adams, however, challenges this view, arguing that the power of culture to warp our intuitions and other moral attitudes is often overstated. What appear to be attitudes irrevocably shaped by culture might in many instances actually be cases of “affected ignorance – choosing not to know what one can and should know.”³⁸ Briefly put, she does not think that the cultural warping which poses such a threat to intuitionism (if one accepts the arguments presented in Section 3) is as inevitable as it might initially seem, and therefore that it might not render people non-responsible for their moral attitudes and actions (or at least not so much so).

On her view, “talk about culture is talk about a useful theoretical abstraction that outlives its usefulness when we attempt to think of cultures as 'forces' or 'causes' that make things happen.”³⁹ Cultures are not agents or forces or anything else which might have some kind of physical or causal instantiation, and analogies which suggest otherwise contribute to the obfuscation of relevant issues, rather than clarifying things. “Culture is created, and even transmitted, by people,”⁴⁰ and any theories which suggest

36 Michele M. Moody-Adams, “Culture, Responsibility, and Affected Ignorance,” *Ethics* 104 (1994): 292.

37 *Ibid.*, 293.

38 *Ibid.*, 296.

39 *Ibid.*, 304.

40 *Ibid.*

otherwise (and therefore support the inability thesis) come off as “ontologically queer.”⁴¹ This leads Moody-Adams to doubt any theory which posits the possibility of “severe incapacitation or impairment as the result of a particular cultural or 'subcultural' upbringing,”⁴² at least without the intervention of some other significant factors. Culture alone cannot cause someone to be impaired or “insane” to the point that she cannot be held responsible for her moral beliefs or actions. As Moody-Adams puts it, a person for whom culture forms the only apparent barrier to sound moral beliefs is

not beyond the reach of rational argument – as one whose impairment is “like insanity” surely would be. [Such a person] may be angry, his belief may be incomplete or even incorrect, and his action – even on true beliefs – can be either indefensible or defensible. But he does not suffer from an impairment; his condition is not even remotely “like insanity.”⁴³

Moody-Adams takes this even further and argues that “to deny that an unimpaired person [is capable of engaging] in wrongdoing – even if there are compelling reasons to mitigate our response to the behaviour – is to deny the humanity of the person in question.”⁴⁴ Again, this comes down to her position that culture is not some impersonal force with which people must cope, but a mutable artifact of human life upon which we can reflect and which we should sometimes change. She maintains, correctly, that thriving cultures “depend for their success upon the preservation of the individual's capacities for the exercise of judgement and discretion.”⁴⁵ And if this is so, then “any culture that worked to impair these capacities would be creating the conditions for its own demise.”⁴⁶

41 Ibid., 305.

42 Ibid., 304.

43 Ibid., 305-306.

44 Ibid., 306.

45 Ibid., 307.

46 Ibid.

I agree that culture alone cannot make one incapable of appropriately careful reflection. It may make it easier or more difficult to gain true insight into the rightness or wrongness of any particular moral judgement, but it cannot be the sole deciding factor on its own. If this is so, however, then a major part of the feminist objection to intuitionism presented in the previous section can be overcome. I have suggested that intuitionism faces a challenge in distinguishing which fundamental intuitions to rely upon, when it is clear that some are harmfully warped by social and cultural forces. But Moody-Adams's arguments show that a genuinely persistent culture, hardy and long-lived enough to enact such powerful changes, must also allow people to retain the capacity for careful judgement, all other things being equal. In other words, human cultures allow people not otherwise impaired to fulfil the epistemic conditions required for evaluating intuitions.

Assuming, then, that some intuitions stand up to such scrutiny, this now provides us with a better guide for distinguishing reliable intuitions from unreliable ones: since those intuitions which are not so hardy are those which tend to create the conditions for a culture's demise, reliable intuitions will be those which can withstand the rigours of strong reflexivity, and thereby contribute to a culture's flourishing.⁴⁷ Granted, this only drives the problem back another step, since it does not even tell us what it means for a culture to flourish or go into demise, let alone how we might tell which tendency an intuition promotes. But the "Moody-Adams test," whereby intuitions are deemed acceptable insofar as they tend towards causing a culture to flourish, at least gives us an additional criterion for distinguishing between intuitions, such that we no longer need appeal to the coherentism of reflective equilibrium or some epistemic resource more

47 This is at least a necessary condition on my view, if not necessarily a sufficient one.

foundational than intuition.⁴⁸ Difficulty of practical application might mean that it is not the kind of thing to which we can expect everyone to appeal to in their everyday moral reasoning, but it is nevertheless a promising theoretical test.

The upshot here is that we should not think that being raised in a particular culture, no matter how much that culture might propagate patriarchal and otherwise wrong-headed notions in a powerful and deep-seated way, can on its own excuse a person from moral responsibility. Anyone raised under conditions which could legitimately be called culture and not subjected to brainwashing, posthypnotic suggestion, torture or other potentially impairing traumas⁴⁹ retains the capacity for critical judgement. And those who claim not to know what they can and should know, despite their capacity for judgement, are guilty of affecting ignorance, whether by conscious choice or by mere negligence. Most importantly, Moody-Adams maintains that people are morally responsible for their affected ignorance. If this is so, and the Moody-Adams test really does offer a possible way out of the dilemma posed at the end of the last section, then the general feminist objection presented there may not constitute so large a threat to intuitionism as it initially seemed.

Problems remain with this approach, however. Most importantly, Moody-Adams's account presumes the possibility of moral ignorance, which entails the possibility of moral knowledge. But she offers little in the way of explanation as to how such

48 It might initially seem as if adopting the Moody-Adams test actually does involve appealing to something more fundamental than intuitions, and so poses the same problem as that considered at the end of the last section. The difference here, however, is that I am putting this forward as a test, not a source, of intuitions. Ethical naturalism and divine command theory, for instance, suggest that intuitions are, at the very least, reporting on something more fundamental, while the Moody-Adams test makes no such claim.

49 See *ibid.*, note 48.

knowledge might be gained, or why the inability thesis initially seems so plausible. After all, it often does seem as if culture is the kind of force which is capable of warping our intuitions, and over which we have little or no control.

The first problem is a more general question of moral epistemology, which is considered by my wider project and which I think can be answered by appeal to moderate moral intuitionism; I will not focus on it here. The second question, about the apparent plausibility of the inability thesis, is important because Moody-Adams does not say much about what we can do about even affected (and therefore morally culpable) ignorance, beyond a general suggestion that people ought to be held accountable for any actions or practices which might tend towards causing affected ignorance.⁵⁰ But even if one is morally responsible for one's attitudes in this way, it would generally be difficult to tell when one's attitudes are ripe for reflection and adjustment. We can be fairly certain that we have some false beliefs and some that are at least worthy of careful examination, but we cannot always tell which, and it creates an even bigger problem if we assume that all (or even a significant majority) of our beliefs are wrong. This worry applies to more than just my theory, of course, but it also presents a special kind of problem in this case.

After all, as mentioned above, the Moody-Adams test is not particularly practical, relying as it does on a person's ability to tell when an intuition would tend towards causing the demise or flourishing of a culture. We need a more specific account of the epistemic barrier here if we are going to actually hold people responsible for their attitudes and intuitions, affected by culture or not.⁵¹ Even with the theoretical resource of

⁵⁰ Ibid., 308.

⁵¹ It behooves me at this point to make clearer the connection between epistemic intuitionism and responsibility, as it is a key part of my argument in this paper and yet can be somewhat opaque at times. Recall that the overall objection against intuitionism rests on the view that harmful social forces can

the Moody-Adams test, intuitionism is not going to be of much use unless it is capable of assigning actual, practical responsibility to those who are guilty of affected ignorance.

For this, we can turn to Cheshire Calhoun on moral knowledge in context and how this ought to influence our view of responsibility. Much like Moody-Adams, Calhoun thinks that we can expect a certain level of judgement from people with “the full array of moral competencies that can be expected in any normal, adult agent,”⁵² such that they are capable of “applying accepted moral canons...to cases not covered, or incorrectly covered, in the social stock of moral knowledge.”⁵³ She dismisses as “too simple” the idea that “the esoteric, often publicly inaccessible, and socially delegitimated nature of feminist moral criticism”⁵⁴ absolves people of culpability for their moral ignorance, because “their ignorance is not simply due to an uncooperative world. Their participation in oppressive social practices helps sustain the social acceptance of those practices.”⁵⁵ Again, as with Moody-Adams, Calhoun maintains that ignorance alone does not excuse one from moral responsibility.

Still, Calhoun does see some complications and caveats. Specifically, she introduces the distinction between “normal” and “abnormal” moral contexts. She writes:

In normal moral contexts, the rightness or wrongness of different courses of action is “transparent” to individuals, where “transparent” does not mean self-evident, but simply that participants in normal moral contexts share a common moral language, agree for the most part on moral rules, and use

warp our intuitions and thereby absolve us of responsibility for wrong moral beliefs based on those intuitions. But if we have reason to think that non-intuitionist epistemic resources can nevertheless allow us to remain responsible for our beliefs, then the moral beliefs we gain through intuitions must be reliable in spite of such warping, by *modus tollens*. Retaining responsibility for our moral beliefs allows us to build up some confidence in the moral epistemology which supports them, which in this case means building up confidence in moderate intuitionism.

52 Cheshire Calhoun, “Responsibility and Reproach,” *Ethics* 99 (1989): 394.

53 Ibid.

54 Ibid.

55 Ibid.

similar methods of moral reasoning...The sharing of moral knowledge allows us to assume that most rational, reflective people could come to correct judgments about which courses of action would be right, wrong or controversial; and this is what I meant by the “transparency” of normal moral contexts.⁵⁶

Under these circumstances, “moral ignorance is necessarily exceptional,”⁵⁷ since normal moral contexts are distinguished by the prominence and widespread acceptance of the moral knowledge in question. When these conditions are met, it is easy to agree with Moody-Adams and say that those who do not have such knowledge (or at least behave in ways inconsistent with having such knowledge) are guilty of affected ignorance.

Calhoun goes on to note, however, that the issue becomes less clear in situations where relevant moral knowledge is not so widespread:

Abnormal moral contexts arise at the frontiers of moral knowledge when a subgroup of society...makes advances in moral knowledge faster than they can be disseminated to and assimilated by the general public and subgroups at special moral risk...As a result, the rightness or wrongness of some courses of action...are, for a time, transparent only to the knowledge-acquiring subgroup but “opaque” to outsiders.⁵⁸

In cases like these, it is not so obvious that people who are not aware of relevant moral truths are guilty of affected ignorance. They are ignorant, but it may be genuine (rather than affected) and result from no culpable failing. Therefore, the appropriate response might not be blame and condemnation. Our response must be more nuanced.

Specifically, Calhoun thinks it important to recognize that “in abnormal moral contexts our entitlement to respond with moral reproach is independent of the blameworthiness of individuals.”⁵⁹ This is because we can recognize that someone is

56 Ibid., 394-395. Note that while Calhoun does not go into detail about the matter here, nothing about her use of “self-evident” is inconsistent with the technical sense in which I have been using it.

57 Ibid., 395.

58 Ibid., 396.

59 Ibid., 400.

morally ignorant in some sense while also acknowledging that he or she could not reasonably be held responsible for that ignorance, and therefore cannot be blamed for it. As a result, the appropriate response in abnormal contexts is far from obvious.

Calhoun eventually offers a number of possible avenues for reproach while excusing in abnormal contexts,⁶⁰ although the problem remains far from solved. In any case, the details of her views are beyond the scope of this paper. What is important for my purposes, however, is how her more nuanced approach combines with Moody-Adams's arguments to suggest a way forward for moderate moral intuitionism against feminist critiques which rely on the power of social forces to warp our intuitions and reduce our epistemic responsibility for unreliable intuitions.

As discussed above, the Moody-Adams test offers a theoretical way to determine if an intuition is reliable or not, i.e. whether that intuition tends towards the demise or flourishing of a culture. What it does not provide is some practical way of cashing out this test and applying it to specific people in specific situations, such that we might be able to actually improve the epistemic standing of those who are in a position of moral ignorance. This is because, according to Calhoun, Moody-Adams's view assigns blame too widely and indiscriminately, in that it does not distinguish between normal and abnormal moral contexts. This distinction gives us the tools to apply our theoretical resources to practical contexts. As Calhoun puts it,

our interest in questions of moral responsibility is more than an intellectual one, satisfiable by achieving correct *judgments* about responsibility. We also take a practical interest in determining how we ought to *respond* to wrongdoers.⁶¹

60 Ibid., 402-403.

61 Ibid., 400; emphasis in original.

Judgement and response come apart most notably in abnormal moral contexts, where a person might not be blameworthy for some moral violation but might nevertheless be eligible for reproach. This ought to satisfy Moody-Adams's demands that we not ignore or excuse moral ignorance, while at the same time explaining why it is sometimes appropriate to not blame the morally ignorant.

The important consequence of combining Calhoun's and Moody-Adams's views for moderate intuitionism is that it allows an avenue of escape from the feminist critique detailed above, without falling upon the horns of the dilemma discussed at the end of the last section. I will therefore finish this section by systematically summarizing how I think this section does manage to respond to the concerns of the previous one, before moving on to present some reasons to think that even this might not protect intuitionism as thoroughly as its proponents might like.

In essence, the main feminist objection I have been considering is an epistemic one, amounting to the view that intuitionism does not offer sufficient justification for the knowledge it purports to grant us. Patriarchal social forces strongly affect our culture and thereby affect our moral intuitions in ways which we cannot see and for which we cannot be held responsible. The result is that we do not have good reason to support one intuition over other, conflicting ones, be they in ourselves or in others. The general moderate intuitionist response is to say that because we allow that intuitions are fallible, we can appeal to other epistemic resources to help distinguish between acceptable and unacceptable intuitions.

But this response appears to just push the problem back a step, asking what those

other epistemic resources look like. At first glance, intuitions worth keeping are justified either by appeal to some other intuition, in which case we must abandon foundationalism for coherentism and take on a slew of other problems, or by appeal to some more fundamental theory or principle, in which case intuitions no longer form the foundation of our moral epistemology and we are no longer intuitionists in any important sense.

Moody-Adams's arguments, and specifically the Moody-Adams test, tempered by Calhoun's arguments and her distinction between normal and abnormal moral contexts, offer a number of solutions to this multifarious strain of criticism. First, they give us reason to doubt the inability thesis, the view that we are not and could not be responsible for our moral understanding or lack thereof for purely cultural reasons.⁶² She argues that culture alone cannot remove our capacity for moral responsibility. Since some of our responsibilities are epistemic, dealing with what we ought to know, this means that those who would blame their moral ignorance on culture are actually guilty of affected ignorance. More importantly, she offers a test for how we might tell, at least in theory, which beliefs we ought to be responsible for holding, or at least for avoiding: those beliefs which tend to cause the demise of a culture are those we are responsible for knowing better than.

Put into the context of moral intuitionism, this gives us a preliminary way around the major objection we have been considering. We can deny that culture on its own can warp intuitions enough that they become hopelessly unreliable, and have at least a

62 To be fair, Moody-Adams never directly addresses intuitions at all, let alone in the specific and technical sense in which I use the term. Still, I think her arguments about moral knowledge and ignorance are general enough to accommodate a number of different moral epistemologies, and in the absence of arguments to the contrary, I will treat intuitionism as fully consistent with her views as expressed in the paper I discuss here.

preliminary test for determining whether any particular intuition is reliable. The question now is whether this *prima facie* solution manages to avoid both horns of the dilemma we have been considering.

The first horn, i.e. the worry that a solution to the objection might collapse into coherentism, does not offer much of a challenge: it is easy to see how this solution avoids coherentism and its problems. If we apply the Moody-Adams test to moral intuitions, we do not judge them by their degree of fit with other intuitions and beliefs, but objectively by whether they tend toward the flourishing or demise of a culture. One could hold a perfectly consistent set of moral beliefs, but if any or all of them fail the Moody-Adams test, then those beliefs would not be reliable. Granted, there remains the matter of how or even whether it might be possible to test actual intuitions in any practical sense, cultural demise and flourishing being less than solidly empirical concepts. Nevertheless, at least in principle, adopting the Moody-Adams test allows this apparent solution to the main objection posed in the previous section to avoid coherentism.

The other horn of the dilemma poses a much greater challenge, however. The question here is whether intuitionism appealing to the Moody-Adams test retains its commitment to epistemological foundationalism at the cost of abandoning intuition as its foundation. Still, my arguments in this section allow my intuitionist moral epistemology to avoid this risk.

Specifically, the Moody-Adams test and any closely related principles about cultural flourishing do not themselves serve to ground moral intuitions. Put another way, intuitions still form the core of our moral epistemology on the Moody-Adams test, serving as the phenomenological basis upon which we base our moral beliefs. No moral

belief can be sufficiently justified unless it is based on intuitions at its foundation; this is the core tenet of moral intuitionism. But as I am a moderate intuitionist, I am happy to admit that intuitions alone underdetermine which beliefs are ultimately reliable. For additional guidance, we must appeal to other epistemic resources. This includes careful reflection and consideration of the intuitions of others, but I would also want to include the Moody-Adams test,⁶³ among any number of other possible resources.

So the foundation of moral epistemology on this view remains intuitionist. Ethical beliefs are still based on phenomenological intuitions, and we may appeal to other epistemic resources, including the Moody-Adams test, to resolve conflicts between ethical beliefs or otherwise help determine the reliability of certain intuitions and their resultant beliefs. But we need not always do so, and therefore intuitions remain the ultimate source of the beliefs in question.

Against the objection that this section makes the Moody-Adams test the foundation of my view rather than intuitions, I would argue that based just on the facts of our lived phenomenological experience, our ethical beliefs are not likely to start when we become aware of the tendency of some belief to cause the demise or flourishing of a culture. The difficulty and ambiguity involved here (which, admittedly, lead to the strongest objections against the Moody-Adams test, and constitute my main reason for introducing Calhoun's arguments) make such an epistemic process very unlikely. But it makes perfect epistemic sense to suggest that beliefs result from the foundational phenomenal experience of intuitions, to which we can later apply other, more conscious

⁶³ It should go without saying, then, that I do not take the Moody-Adams test itself to be an intuition, or justified solely on the basis of intuitions. It relies on independent arguments such as those Moody-Adams gives. And while I would not deny that other intuitions may have a part to play in arguments for principles like this, I do not think they do so in a way which makes the whole project circular.

and cognitive epistemic resources. So the Moody-Adams test does not constitute a more basic foundation for moderate moral intuitionism on this view, and the second horn of the dilemma is thereby avoided as well.

Wrapping up this section, then, I have adapted some arguments from Moody-Adams and Calhoun to respond to the major feminist objection from the previous section, namely that sexist and patriarchal cultural forces have such a deep-seated and profound effect on our actual intuitions and related epistemic resources that we are rendered incapable of responsibly distinguishing reliable from unreliable intuitions, and therefore of responsibly making moral judgements. Such forces may well be capable of warping our moral intuitions and the beliefs which stem from them, but this does not mean that they do so irrevocably, that we are thereby rendered non-responsible for our actions and beliefs, or that we are incapable of reasonably applying epistemic resources to our intuitions in order to form a more generally reliable set of them. Even when these warped beliefs are dominant, as is the case in abnormal moral contexts, they are not epistemically inaccessible, particularly to moral experts who have the time, training and temperament to put the work into evaluating beliefs and intuitions and disseminating their findings.⁶⁴

While I believe that this response does indeed offer a promising way around the objection of the last section, fundamental problems remain. In what follows, I will go into more detail about how even the elaborate solution presented in this section does not solve all the problems stemming from or related to the major feminist objection of this paper.

⁶⁴ Admittedly, this point glosses over fairly quickly the complex issue of just how moral knowledge is disseminated from experts to the wider population, an issue where Calhoun's treatment is also wanting to an extent. But these complexities are largely peripheral, and not threatening to the main thrust of my argument here. For more, see Tracy Isaacs, "Cultural Context and Moral Responsibility," *Ethics* 107 (1997): 670-684, particularly pp. 678-680.

What is more, I think that further possible solutions are also essentially problematic, leaving moderate moral intuitionism in a difficult position indeed.

5) Error Theory and the Problem of Disagreement: Pointing the Way Forward

The Moody-Adams test, along with careful reflection, openness to the intuitions of others, and so on, constitute a promising approach to solving intuitionism's major problems as presented in this paper, namely that the warping effects of social forces have so profoundly affected the faculties surrounding our moral intuitions that we can no longer reliably apply intuitions to make moral judgements. But the inherent fallibility of intuitions posited by moderate intuitionism allows room for versions of this main objection to which additional epistemic resources, including the Moody-Adams test, might not be able to provide a satisfactory answer. In this section, I will consider a specific argument along these lines by George Sher, as well as the possible solutions he and others offer and why they should not satisfy intuitionists.

Sher is particularly concerned with what he calls “causally induced errors,” wherein “despite my best efforts, it remains possible that my moral outlook has from the start been hopelessly compromised by some massive error, and...my lack of access to the source of error has systematically subverted all my ameliorative endeavours.”⁶⁵ This is precisely the kind of problem presented in Section 3, and which leads to what Moody-Adams calls the “inability thesis.”⁶⁶

This alone should not be a major worry for moderate intuitionists, however, assuming that one accepts the arguments of the previous section. The real problem is that

⁶⁵ George Sher, “But I Could Be Wrong,” *Social Philosophy and Policy* 18 (2001): 73.

⁶⁶ Indeed, though he does not deal with feminist philosophy directly, Sher acknowledges that the view he is addressing has among its most explicit and worrisome expressions in “race/class/gender theory.” See *ibid.*, 74, note 11.

Sher actually considers the capacity of epistemic resources beyond intuitions for influencing and ostensibly improving moral judgements and still finds them wanting. The bulk of this section will be dedicated to summarizing his concern and demonstrating how it poses a threat even to the elaborate rebuttal against the inability thesis in the previous section.

According to Sher, the problem arises from two premises which might contingently have related causal histories but which “are logically distinct.”⁶⁷

- (1) I often disagree with others about what I morally ought to do.
- (2) The moral outlook that supports my current judgment about what I ought to do has been shaped by my upbringing and experiences; for (just about) any alternative judgment, there is some different upbringing and set of experiences that would have caused me to acquire a moral outlook that would in turn have supported this alternative judgment.⁶⁸

Of course, despite their being logically independent, “the challenge to the authority of our moral judgments in its strongest form” based on these premises is going to appeal to the “underlying synergy” between them.⁶⁹ Without going into the details (which would mostly be redundant anyway, given everything said in Section 3), Sher thinks that “no matter where we start, we will end by concluding that (1) and (2) work best when they work together.”⁷⁰ And when they are taken together, they do indeed constitute a significant challenge to the authority of our moral judgements, particularly if they are the kind of intuitive judgements which are most vulnerable to being affected by a different upbringing and set of experiences.

But like Audi, Moody-Adams, and myself, among others, Sher does not find this

⁶⁷ Ibid., 69.

⁶⁸ Ibid.

⁶⁹ Ibid., 70.

⁷⁰ Ibid., 72.

argument altogether conclusive. He also believes that critical reflection is capable of challenging and changing beliefs which may originally have been acquired non-rationally, such as intuitions which may be the result of causally induced errors. “No less than any other beliefs and habits, our moral beliefs and habits of moral judgment can be expected to evolve in response to various intellectual pressures,”⁷¹ and so the existence of causally induced error on its own cannot overthrow the authority of ethics or the intuitions which ground ethics. This view is even more convincing when Sher goes on to note that more than just our beliefs but “any resulting ways of assessing evidence and weighting values can be rationally scrutinized in turn.”⁷² Reflection, in all its forms, is a powerful and multi-faceted tool for assessing and adjusting not just our beliefs but even those second-order processes which cause our beliefs.

That being said, Sher still believes that there are limits to what reflection can accomplish when it comes to answering objections, particularly when they come from something like premise (2), about the non-rational forces which form such a large part of the causal history of our beliefs. Sher is particularly worried about what seem like obvious limitations on the power of reflection in light of the still significant disagreement between people who seem equally intelligent and reflective. When we disagree with other such people, as we are bound to do, it can be difficult (if not impossible) to tell who has been more careful and reflective (assuming that this question even has an answer). When this happens, “an appeal to the validating effects of my reflections will not solve my problem, but will only reraise it at a higher level.”⁷³ Sher presents these worries in a

71 Ibid., 73.

72 Ibid. The strong reflexivity required of feminist objectivity, as discussed in Section 3, strikes me as a particularly good concrete example of this kind of second-order scrutiny.

73 Ibid., 75.

powerful and dramatic way:

If I am entitled to assume that you have been less successful than me in purging your thinking of causally induced error, then I must be entitled to make the same assumption about the great majority of others with whom I disagree – about vast numbers of intelligent and sophisticated vegetarians, pacifists, postmodernists, deconstructionists, gender feminists, pro-lifers, proponents of partial-birth abortion, neutralists, advocates of hate-speech codes, fundamentalists, libertines, rigorists, and egoists, to name just a few. But although it is certainly possible that I have been more successful in avoiding error than some of these others – this is likely on statistical grounds alone – it strains credulity to suppose that I have been more successful than all, or even most, of them. It would be something of a miracle if, out of all the disputants, it was just me who got it all right.⁷⁴

Clearly, appealing simply to the power of reflection will not be enough to determine who is right among all the varied and sophisticated disputants who disagree in so many significant ways.

And there is no obvious reason to think that Sher's point about “reflection” is limited to some technical sense of the term. All the various epistemic resources which I have mentioned, including considering the opinions and intuitions of others and even the Moody-Adams test (to say nothing of all the different possible epistemic resources I haven't specifically named), are available to all careful, rational, reflective people,⁷⁵ and so are also subject to Sher's worries.

Indeed, the Moody-Adams test, helpful as it may be in theory, is exactly the kind of thing which is particularly susceptible to this kind of concern. It relies on a belief's

⁷⁴ Ibid.

⁷⁵ There may actually be good reason to think that at least some of the ethical and political positions on Sher's list, among many others, are indeed incompatible with some epistemic resources available to moderate intuitionists. That being said, this also only pushes Sher's worry back another level: while intuitionists might have access to more epistemic resources than some positions, on statistical grounds at the very least, it would be surprising if there were not some other positions which had even more resources available. That being said, separate arguments would be required to show that those extra resources are indeed reliable, and such work is well beyond the scope of this paper, so I do not think that this point necessarily counts against the main arguments of this section or those of the rest of the paper.

tending towards the flourishing or demise of a culture, and I have already pointed out how difficult such a notion is to pin down. Two careful and reflective people may disagree heartily on a particular belief's likely effects on a culture, and there is no obvious authority or method of verifying most claims of this kind. As a result, Sher's worries give us reason to think that all the arguments of the last section do not amount to much: the Moody-Adams test and other epistemic resources may well help do away with some uncertainty about the reliability of our intuitions, but they are available to all who take the time to apply them, and as long as those people continue to disagree in relevant ways, the reliability of certain intuitions over others remains underdetermined, at the very least.

Sher does offer a possible solution to this problem, but it is not likely to satisfy intuitionists or others who favour a realist moral epistemology. He says that “even when I realize that my own moral judgments are no more likely to be true or justified than are yours, it nevertheless remains rational for me to act on my own judgments simply because they *are* my own.”⁷⁶ This is the case if I accept, as Sher does, that it is futile to pursue the “quest for a convincing reason to believe that my own moral judgments are more likely to be true or justified than are those of the innumerable others with whom I disagree,”⁷⁷ but also that it remains rational to act according to my own moral judgements simply because otherwise I would “lack any basis upon which to make reasoned decisions about what to do.”⁷⁸ This recalls the point made earlier that we cannot always know which of our beliefs is false, even if we are highly reflective and convinced that at least some of our beliefs might be. For even if this is so, that something seems to be the

76 Ibid., 76; emphasis in original.

77 Ibid., 75.

78 Ibid., 77.

case once reflected upon does give us some justification for believing it, even if such a “seeming to be” cannot be a final arbiter in cases of disagreement.⁷⁹

I am not so willing as Sher, however, to abandon the quest for reasons to think that some judgements (and presumably any intuitions which support them) are indeed more reliable than others, despite widespread disagreement. This is not motivated by ego or overconfidence, as Sher seems inclined to think; I freely admit that my own beliefs may be incorrect, and that it is likely that someone else happens to be right. But it is one thing to admit that someone other than me is right, despite my best efforts, and another entirely to say that there is no way to say who might be right, if anyone, and therefore we ought just to behave as if our beliefs are reliable because there is little other option.

I attempted in the previous section to fortify intuitionism against a major objection coming primarily out of feminist ethics, namely that significant negative warping of our intuitions by social forces has rendered us epistemically incapable of distinguishing harmful from helpful intuitions. And while I think that my arguments about the Moody-Adams test and the difficult character of moral knowledge helped provide a structure for how to respond to this important objection, Sher's arguments show that the existence of disagreement between even careful, thoughtful and reflective people keeps my proposed solution from fully getting around the problem. What is more, his pragmatic solution preserves neither the important role of intuitions in ethics nor the justificatory force that intuitionists would assign them. The same could be said of coherentist approaches along the lines of reflective equilibrium, since without adopting epistemic foundationalism one

⁷⁹ See Michael Huemer, “Compassionate Phenomenal Conservatism,” *Philosophy and Phenomenological Research* 74 (2007): 30-54.

cannot assign intuitions the central place they should have, and thus could not properly apply them in the way my theory sets out.⁸⁰

And while this does not leave intuitionism in a strong position, it does at least clarify what is needed if intuitionism is going to stand as a plausible approach to moral epistemology. As I have already said many times, intuitionists need epistemic resources to justify reliance on helpful and accurate intuitions and to demonstrate why other intuitions are not reliable, despite the phenomenological similarity between the two. What is more, these resources must be focused and careful, and also be, or at least be able to serve as, a distinctive epistemic resource for evaluating intuitions.

Of course, the Moody-Adams test fulfilled this requirement while falling short elsewhere, so the epistemic resource in question must have still more to it. This is where Sher's point gives us the most guidance: the Moody-Adams test is available to all careful and reflective people, and not likely to settle all disagreements clearly, because of the difficulty of application and because there are likely to be intuitive disagreements about many of the concepts assumed by the test itself ("culture" and "flourishing," for instance, are heavily normative terms). It is worth considering here what the Moody-Adams test would look like when it comes to actual disagreements about intuitions. Recall that moral intuitions, on my view, are not just any moral position or proposition, but specifically the *sui generis*, non-inferential phenomenal states which cause (and to some extent justify) moral beliefs or form the foundation of arguments leading to moral beliefs; they are not themselves moral beliefs, and strictly speaking do not have propositional content.⁸¹ In

⁸⁰ For more on this, see my "A Preliminary Defense of Moderate Moral Intuitionism," manuscript.

⁸¹ As mentioned earlier, this view can often make it difficult to talk about specific intuitions. If I mention, for instance, the intuition that stealing is wrong, this makes it sound as if intuitions are indeed a type of belief, in this case the belief which takes "stealing is wrong" as its content. But this is because there is

many cases of moral disagreement, therefore, the disputants may well agree about all the basic intuitions involved and disagree simply on what can be inferred from them.⁸² For the Moody-Adams test (not to mention other epistemic resources applied by moderate intuitionists) to even be relevant to a moral discussion, it must be ascertained that the dispute is actually about what intuitions are at work, and not interpretation of identical intuitions or conclusions to be derived from them.

As an example, two people might share the intuition that children ought to be nurtured and protected. Leaving aside the more complicated question of whether this is indeed reliable or self-evident, the intuition in no way specifies how one ought to act in particular societies as a result, let alone in specific situations. One person might derive from this intuition that children must be sheltered and isolated from the harsh realities of the world, and that anything else might bring about the demise of culture the Moody-Adams test warns us of, while another might see this intuition as justifying thorough and pragmatic childhood education, otherwise children will not know enough to perpetuate their culture or protect it against decay and demise. In this case, the Moody-Adams test is applied to determine not what counts as an intuition but how to apply an intuition, since the disputants actually agree about the intuition itself, and therefore, at least in this case, the test does not seem to be particularly helpful without a great deal more information. And this is not even to say that it would necessarily be helpful if applied specifically at

no easy way to talk about the non-inferential, *sui generis* phenomenal state which justifies the belief that stealing is wrong, and so I say “the intuition that stealing is wrong” as a type of shorthand. Nevertheless, I am indeed talking about something which is a special type of cognitive state, and not a belief.

82 Indeed, some writers on metaethics and moral epistemology have suggested that all (or at least) most major moral disputes are of this form, where we agree about fundamental intuitions and values but disagree about how best to implement them. See, for instance, the notion of “parametric universalism” in chapter two of James Rachels, *The Elements of Moral Philosophy* (Philadelphia: Temple University Press, 1986).

the level of non-inferential, phenomenal intuitions, but only that it should be applied at that level if it is to be helpful, and not above it.

None of this should be taken to suggest that the Moody-Adams test could not play any part in our final theory, but only that something else is needed. And this additional level or means of justification must be independent, as well as being the kind of rigorous epistemic resource which is capable of actually settling disagreements between sophisticated and reflective disputants.

Taking this problem from another angle, we might consider applying Calhoun's notion of normal and abnormal moral contexts to Sher's objection. Applying their language, Sher's point is not that no one has actual moral knowledge in abnormal moral contexts (after all, disagreement is by definition far less likely in normal moral contexts), but that we have no way of knowing who has this knowledge. Calhoun's suggestion that we ought to reproach those who demonstrate a lack of moral knowledge in such contexts, however, assumes that the agent doing the reproaching does indeed have this moral knowledge, and this is precisely the kind of assumption that Sher's argument casts into doubt. One-sided approaches like this will not get around Sher's argument.

There is some middle ground, though, suggesting that Sher's case is a bit overstated. As Tracy Isaacs puts it, we can accept the bulk of Calhoun's account but posit a modified version of her view which “favors dialogue over reproach as a means of getting people to examine their role in wrongful social practice, their responsibility in perpetuating those practices, and the potential contribution they may make in helping to effect widespread changes.”⁸³ On this view, we might assume that there is moral

83 Isaacs, 677-678.

knowledge to be gained in abnormal moral contexts, but we do not start out thinking that any side in a disagreement is more right (or more likely to be right) than any other. Instead, we discuss our views and our reasons for holding them. Reasonable people who do so and also accept the thrust of Sher's argument are then likely to change their views, and indeed might even have their intuitions changed, as in the case of *Family First* discussed above. As long as they enter into the discussion in good faith, then, all parties to it are thereby more likely to gain moral knowledge, or at least get closer to it, particularly if their intuitions are positively shifted as a result.

To be fair, this process does not thoroughly evade Sher's objection. Even assuming that we have a good grasp of what counts as fruitful and helpful discussion about moral intuitions and reasoning, nothing I have said here shows that even the best discussions can do everything to distinguish good intuitions from bad. Doing so reliably would require a much more detailed and elaborate justificatory structure than I could provide in this paper, even though this does give us some hint as to where we should look if we are to move forward in addressing this objection more fully.

6) Conclusion

I have presented a major feminist objection against my approach to moderate moral intuitionism, namely that the kind of epistemic warping effects caused by powerful and long-standing social forces may cause us to experience harmful and mistaken intuitions as strongly as reliable ones, making it very difficult to distinguish reliable moral intuitions from unreliable ones. This threatens the foundations of intuitionism in that it appears to introduce a source of error into the theory which makes it too unreliable for even a fallibilist approach to intuitionism.

I offered a possible avenue around this objection, by way of other feminist approaches to moral epistemology, specifically nuanced ideas about moral ignorance and knowledge in context, along with what I call the Moody-Adams test. Nevertheless, the objection continues to offer some resistance against intuitionism. Sher elaborates on it and is led to a pragmatic solution, while the scope of the Moody-Adams test is not broad enough to answer all of his worries. More work remains to be done if we are to be confident in the capacity of moderate moral intuitionism to overcome the major objection detailed in this paper.

Still, this clarification of the conceptual and structural territory around the issue is itself instrumentally useful. The Moody-Adams test and related arguments offer an example of the general approach to use for getting around the worry that social forces have negatively affected our moral intuitions in ways which we may not be able to perceive to the extent that they are no longer reliable enough to form the foundation of our moral epistemology. This is a worthwhile step even if the specifics ultimately fall short of an ideal, all-encompassing defense of ethical intuitions.

Moral epistemology is an explicitly normative field, and feminists recognize this more openly than anyone: as Anderson says, feminist epistemology is “an explicitly political enterprise, but one that is justified by epistemic values, such as reason and empirical adequacy.”⁸⁴ These values are what ultimately motivate and justify the appeal to rigorous and reflective analysis of our intuitions as described in Section 3, along with the introduction of Moody-Adams's and Calhoun's arguments.

Where this attempt falls short, as seen in Section 5, is that it cannot account for the

84 Anderson, 56.

full range of disagreement on moral issues because as Sher says, it seems like the height of hubris to assume that everyone who disagrees with us is guilty of affected ignorance. Some such people are also bound to be careful, reflective, sophisticated and committed to discovering moral truth, and while some are likely to be mistaken or even guilty of affected ignorance, it seems unlikely that they all would be.⁸⁵

Others also have access to epistemic resources like the Moody-Adams test. But precisely because everyone has access to it, and because it relies on normative notions like “culture,” “flourishing,” and “demise” which are themselves inherently contentious, this is not going to be what gets us around the problem of disagreement. This need not commit us, however, to rejecting intuitionism in favour of pure pragmatism or some kind of error theory. So long as we can construct a theory of moral intuitions which gives us a way to settle disagreements, specifically in cases where careful and reflective people have different, conflicting intuitions, then disagreements are just an inconvenience for intuitionists, not a fatal flaw. And while developing such a theory would be far from simple, neither is it necessarily impossible; as I demonstrated, building discussion into Calhoun's approach to normal and abnormal moral contexts provides some sense of how to at least begin a theory like this. Moderate moral intuitionism is a highly flexible and cosmopolitan approach to moral epistemology, in that it is open to any number of epistemic resources beyond just intuitions. We have no reason to think that there is no resource (or set of resources) capable of overcoming this objection, or even that such a

⁸⁵This calls to mind Calhoun's distinction between normal and abnormal moral contexts, and reminds us that the line between them is neither strict nor easy to identify. Some people will certainly be in normal moral contexts while others will certainly be in abnormal contexts, and most people will find themselves in a mixture of both when it comes to different issues, such that societies as a whole will almost inevitably be somewhere on a transitional scale in all but the most obvious normal contexts.

resource is not within our grasp at this point. So while the goals of this paper are primarily clarificatory, discovering and examining such a resource is simply the next step.

Still, those clarifications provide an important contribution to the larger goal of developing a strong formulation and defense of moderate moral intuitionism. The Moody-Adams test and Calhoun's ideas about moral knowledge in normal and abnormal contexts significantly narrow the field of objections against my view, and serve as examples of epistemic resources to be incorporated into a plausible moderate intuitionism. That they have not fully overcome the problem of disagreement is not a mark against intuitionism but a flag showing where defenders of intuitionism need to focus if the view is to be defended more fully.

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A SIDGWICKIAN-FEMINIST APPROACH TO MORAL INTUITIONS

1) Introduction

The goal of this paper is to support an intuitionist theory of moral epistemology combining contemporary feminist scholarship and Henry Sidgwick's moral philosophy. I argue that Sidgwick's "four tests" for reliable moral propositions¹ constitute a particularly rigorous and detailed attempt to segregate self-evident propositions from mere opinions and develop a decision procedure for distinguishing helpful and reliable moral intuitions from harmful and misleading ones, and in this way he presents a possible solution to a major problem facing intuitionist moral epistemology.²

At the same time, there remain problems with his approach, which is how feminist philosophy can help Sidgwick's view in evaluating the suitability of ethical intuitions for making ethical judgements. Modern feminist ethics and epistemology exposes some of the oversights in Sidgwick's work while also suggesting how we might begin to find solutions to these problems, as I will demonstrate.

Before beginning in earnest, however, I will present some of the background assumptions of my arguments here. I maintain that intuitions form the foundation of any truly plausible, remotely realist moral epistemology.³

I hold a specific view as to what ought to count as a moral intuition, largely based on the work of George Bealer and Robert Audi, which I call "moderate moral

1 Henry Sidgwick, *The Methods of Ethics*, 7th ed. (Indianapolis: Hackett, 1981), 338-341.

2 See my "A Feminist Critique of Ethical Intuitions," manuscript, Section 5.

3 See my "A Preliminary Defense of Moderate Moral Intuitionism," manuscript, particularly Section 6.

intuitionism.” So for the purposes of this paper, unless otherwise stated,

an intuition is: i) a cognitive phenomenological state, which is ii) self-evident and iii) not a belief, and which is both iv) reliable as a source of evidence for justified beliefs and v) fallible. A moral intuition is just such an intuition which takes a morally relevant issue as part of its content.⁴

For reasons discussed in previous papers, I believe that this concept of intuition avoids most of the common criticisms of intuitionism without becoming vacuous or too weak to stand as the foundation of a moral epistemology. But I will not go into the details here.

Instead, I will begin by describing a major objection against intuitionism which this narrow definition on its own is not clearly capable of escaping. The origins and basic structure of this objection, and the demands it makes of intuitionism in turn, will be the subject of the first part of this paper.

Following this, I will present and critique Sidgwick's four tests for intuitions. The bulk of the paper will then be dedicated to shoring up Sidgwick's basic approach by appeal to feminist work in ethics and moral epistemology, resulting in a hybrid Sidgwickian-feminist account of intuitionism.

This combined approach is not meant to constitute a complete defense of moderate moral intuitionism. Rather, it is put forward as a useful framework for distinguishing between reliable and unreliable intuitions, thereby putting intuitionism on firmer epistemic footing.

2) The Major Threat to Intuitionism and the Need for Other Epistemic Resources

While I think that intuitions are indispensable for any viable moral epistemology,⁵ additional epistemic resources are required for a complete and thoroughly defensible

4 Ibid., Section 4.

5 Much of this section in particular relies upon *ibid.*, Section 5.

view. Intuitions in general are both fundamental to any plausible moral epistemology and also a reliable (if not infallible) source of evidence for moral judgements. But this does not tell us which intuitions are to be trusted, particularly when fundamental intuitions seem to clash, whether between people or within the same individual. There are particularly powerful arguments suggesting that everyone is prone to serious mistakes in their moral intuitions, mistakes George Sher calls “causally induced errors.”⁶

Specifically, diverse feminist thinkers have argued that in some way or another, the application of gender categories to knowledge has “had a detrimental impact on its content,” as Elizabeth Anderson puts it.⁷ The power and pervasiveness of gender concepts, along with their pernicious effect on our epistemic capacities, combine to give us compelling reason to think that our moral intuitions (including but not limited to what Marilyn Frye calls “strong and visceral feeling or attitudes”)⁸ are not completely reliable. Rather, causally induced errors are rampant, because of how ubiquitous and powerful these harmful concepts have been and continue to be. We are therefore forced to go further than Sher's mere worry that “despite [our] best efforts, it remains possible that [our] moral outlook has from the start been hopelessly compromised by some massive error”⁹ and conclude that we are indeed compromised in this way.

Therefore, if intuitions are still going to serve as the foundation of our moral system, we must find some reliable way of distinguishing helpful intuitions from harmful

6 George Sher, “But I Could Be Wrong,” *Social Philosophy and Policy* 18 (2001): 73.

7 Elizabeth Anderson, “Feminist Epistemology: An Interpretation and a Defense,” *Hypatia* 10 (1995): 50. For more detail on arguments to this effect, see my “A Feminist Critique of Ethical Intuitions,” manuscript, Section 3.

8 Marilyn Frye, *The Politics of Reality: Essays in Feminist Theory* (Berkeley: Crossing Press, 1983), 26.

9 Sher, 73.

ones.¹⁰ And to avoid begging the question, this resource cannot itself rely entirely on moral intuitions.

Instead, to provide a truly useful way to distinguish between intuitions, one must meet the standards of feminist “strong objectivity,” which requires understanding the source of knowledge (or what is claimed as knowledge) and the authority which underlies it.¹¹ This means of distinguishing must have a built-in commitment to “strong reflexivity,” whereby “the subject of knowledge [is] placed on the same critical, causal plane as the objects of knowledge.”¹² The details remain to be fleshed out, of course, but the focus on reflexivity is a good starting point.

To be adequate, this reflexive resource must minimally be able to consider intuitions as products of beings both evolved and social, and therefore subject to the same forces which have driven our evolution and which stem from historical and existing social structures. Moreover, for it to be significantly helpful, this resource must be able to at least help decide between conflicting intuitions.

Admittedly, it may turn out that no one epistemic resource is up to making such a determination in every instance, in which case we may have to develop several different, logically distinct methods for dealing with different situations. If this is indeed the case, and moderate intuitionism cannot overcome this major problem without a number of

10 Another alternative would be to adopt an error theory of some kind, whereby we accept that intuitions play a fundamental and irreplaceable role in our moral philosophy while admitting that many of those intuitions are mistaken, and that we have little or no way of distinguishing mistaken intuitions from correct ones; see Shelly Kagan, “Thinking About Cases,” *Social Philosophy and Policy* 18 (2001). But since I am committed to some form of moral realism, I am not ready to entertain error theoretic possibilities at this point, and doing so would take us too far afield in any case. For more, see my “A Feminist Critique of Ethical Intuitions,” manuscript, Section 5.

11 Margaret Urban Walker, *Moral Understandings: A Feminist Study in Ethics*, 2nd ed. (New York: Oxford University Press, 2007), 65.

12 Sandra Harding, “Rethinking Standpoint Epistemology: What is ‘Strong Objectivity?’” in *Feminist Epistemologies*, eds. Linda Alcoff and Elizabeth Potter (New York: Routledge, 1993), 69.

different, situation-dependent epistemic tools, this still does not necessarily constitute a mark against intuitionism. Rather, it speaks well of the adaptability of the theory and points us toward useful future research projects.

Before moving on to the positive work of actually developing and evaluating the promising decision procedure which will occupy the bulk of this paper, however, I would like to address one more possible preliminary objection. Specifically, I have consistently maintained that moderate intuitionism is a foundationalist view which holds that the *sui generis*, irreducible, self-evident phenomenal states we call intuitions form the foundation of our moral epistemology. Their self-evidence in particular means that they do not rely on any other mental states or sources of evidence for their justification, that they are non-derivatively justified. But if we must develop and apply a separate epistemic resource to justify reliance upon some intuitions and rejection of others, then it seems that this resource is the real foundation of the view, and not intuitions. Thus, the theory might be foundationalist, and it might make use of intuitions, but it is not really moral intuitionism.

The mistake here is in failing to appreciate the ecumenical character of moderate moral intuitionism, specifically its willingness to take seriously the epistemic contributions of ways of knowing other than just intuitions. Moderate intuitionists recognize that intuitions conflict, that they often present an incomplete picture, that they are very much fallible even if they remain generally reliable. And they are therefore willing to incorporate other epistemic resources into judgements about final duty. As Robert Audi puts it, “intuitionism does not imply that we typically have non-inferential knowledge of *final duty*...it is essential to distinguish higher-order knowledge...regarding the overridingness of a duty...from the first-order knowledge that a given action...is

obligatory.”¹³ Intuitions may be our most fundamental source of basic moral knowledge, but they are not the only one, and therefore cannot serve as the ultimate arbiter of final duty.

This, of course, is the main factor motivating the moderate intuitionist move towards including other resources in our moral epistemology. Those resources would certainly include reflection, discussion, imagination, analogy, a commitment to strong reflexivity, and even “the apparent intuitions of *others*,”¹⁴ among other things.

On my view in particular, they would also include means of distinguishing between reliable and unreliable intuitions. This in no way causes intuitions to cease to be self-evident or foundational; the resource is neither the source of intuitions nor the sole source of the warrant. It is merely another tool which moderate intuitionists can apply to help bridge the gap between phenomenal ethical intuitions and reliable moral judgements in light of the fallibility of intuitionism, a tool which is necessary if intuitionism is to present a truly viable moral epistemology. Therefore, intuitions remain at the foundation of my foundationalist view.

With that out of the way, I will now begin to present a preliminary notion of what this crucial epistemic resource will actually look like. The next section will be dedicated to an overview of Sidgwick's approach to solving this problem and some preliminary remarks about how to adapt his work to my position, while later sections will go into detail about his view and how to revise it in light of some important feminist considerations.

13 Robert Audi, “Moderate Intuitionism and the Epistemology of Moral Judgment,” *Ethical Theory and Moral Practice* 1 (1998): 30; emphasis in original.

14 Robert Audi, “Moral Knowledge and Ethical Pluralism,” in *The Blackwell Guide to Epistemology*, eds. John Greco and Ernest Sosa (Malden, MA: Blackwell, 1999), 292; emphasis in original.

3) The Epistemic Foundation of Ethics: Sidgwick on Self-Evidence and Intuitions

In this section, I will lay out how Henry Sidgwick's perspective on moral intuitions compares to my own, and how we should interpret his approach to evaluating the epistemic reliability of particular intuitions.¹⁵

To begin, I should note that while Sidgwick uses the term “intuition” quite a bit throughout *The Methods of Ethics*, this will not be my focus, as he is often talking about something somewhat different from intuitions as I have defined them. He generally calls this view “dogmatic intuitionism,”¹⁶ and I am interested in something closer to his ultimate moral epistemology, which he calls “philosophical intuitionism.”

Briefly put, Sidgwick and I agree insofar as we do not think that intuitions on their own can provide everything we need for a comprehensive moral epistemology. We also agree, however, that there can be no reasonable doubt about the phenomenal existence and *prima facie* persuasiveness of moral intuitions. Ultimately, though, Sidgwick does not think that such phenomenal intuitions can lead to a plausible comprehensive moral theory. He thinks that despite having

examined the moral notions that present themselves with a *prima facie* claim to furnish independent and self-evident rules of morality...we have in each case found that from such regulation of conduct as the Common Sense of mankind [*sic*] really supports, no proposition can be elicited which, when fairly contemplated, even appears to have the characteristic of a scientific axiom.¹⁷

Intuitionism on its own, then, fails to fulfil the minimal requirements of moral philosophy, as far as Sidgwick is concerned. Of course, he here considers only dogmatic intuitionism in depth, and so his arguments do not apply to more the sophisticated

¹⁵ See, in particular, Sidgwick (1981), 411-495.

¹⁶ To be fair, though, Sidgwick certainly acknowledges that “intuitionism” could refer to something much more akin to my view. See, for instance, *ibid.*, 97.

¹⁷ *Ibid.*, 360.

moderate intuitionism which I endorse. In fact, he maintains that the truth about ethical intuitions is likely neither purely reflective nor purely intuitionist, such that

there are certain absolute practical principles, the truth of which, when they are explicitly stated, is manifest; but they are of too abstract a nature, and too universal in their scope, to enable us to ascertain by immediate application of them what we ought to do in any particular case; particular duties have still to be determined by some other method.¹⁸

This position is not only consistent with moderate moral intuitionism, but is essentially a concise expression of some of its core tenets, so I am comfortable applying Sidgwick's work despite his explicit opposition to one type of intuitionism.

In fact, there are other places where Sidgwick endorses the centrality of intuitions to any plausible moral epistemology. As Anthony Skelton argues convincingly, “Sidgwick endorses philosophical intuitionism” and the position that “philosophical intuitions are non-derivatively justified.”¹⁹ When discussing common-sense morality (the view which Sidgwick generally calls “intuitionism,” as discussed above), Sidgwick says that “the resulting code seems an accidental aggregate of precepts, which stands in need of some rational synthesis,”²⁰ suggesting that this “rational synthesis is provided by philosophical intuitions, which are indispensable to ethical argument.”²¹ And beyond their being necessary for any coherent and comprehensive approach to common-sense morality, he also “takes philosophical intuitions to be central to the justification of utilitarianism,”²² such that “the utilitarian method...could not...be made coherent and harmonious without... [a] fundamental intuition.”²³ Sidgwick even takes self-evidence to be essential to the

18 Ibid., 379.

19 Anthony Skelton, “Henry Sidgwick's Moral Epistemology,” *Journal of the History of Philosophy* 48 (2010): 493.

20 Sidgwick (1981), 102.

21 Skelton, 494.

22 Ibid.

23 Sidgwick (1981), xvi-xvii.

definition of moral intuitions, describing these wider fundamental tools of moral philosophy (as opposed to the narrow sense of intuitions as the deliverances of common-sense morality) as “self-evident principles relating to 'what ought to be.’”²⁴ So even though Sidgwick may not be an ethical intuitionist in the normative sense, he is an intuitionist in moral epistemology.²⁵ On this crucial point, then, we are in agreement.

This brings us to the specific purpose of this section, namely outlining and evaluating the criteria Sidgwick sets out for recognizing completely reliable intuitive principles (hereafter called simply his “four tests,” for brevity's sake). He says that “there seem to be four conditions, the complete fulfilment of which would establish a significant proposition, apparently self-evident, in the highest degree of certainty attainable.”²⁶ These conditions are: 1) “the terms of the proposition must be clear and precise;”²⁷ 2) “the self-evidence of the proposition must be ascertained by careful reflection;”²⁸ 3) “the propositions accepted as self-evident must be mutually consistent;”²⁹ and 4) the proposition must either meet with “‘universal' or 'general' consent,”³⁰ or any dissent must be rationally explained away, since when judgements are “in direct conflict with a judgment of some other mind, there must be error somewhere.”³¹

There is plenty to be said about each of these conditions, so I will take them each in turn, providing Sidgwick's reasoning behind them along with some more recent

24 Ibid., 102, note 1.

25 Skelton, 497.

26 Sidgwick (1981), 338. Sidgwick's use of “self-evident” here is not obviously compatible with the usage detailed in my “A Preliminary Defense of Moderate Moral Intuitionism.” But its meaning here is close enough to be taken in the way that I use it without distorting Sidgwick's point. In any case, I will address detailed differences between Sidgwick's notion of self-evidence and my own later in the paper.

27 Ibid.

28 Ibid., 339.

29 Ibid., 341.

30 Ibid.

31 Ibid., 342.

arguments about how they ought to be interpreted and whether they are fit for inclusion in my intuitionist approach. First, however, I want to lay out how Sidgwick thinks we ought to take the deliverances of his tests, i.e. what the status of a proposition which passes all of them is compared to one which fails one or more of them. Sidgwick elsewhere suggests that the tests arise out of “our need of some further protection against the possible failure of our faculty of intuition,”³² which gives us reason to think that these are neither the first line of defense against error nor even a certain one. This view, according to which Sidgwick thinks that the four tests are an important but not definitive source of protection against error, is also corroborated by his phrasing when he says that they allow us “the highest degree of certainty attainable,” but not absolute certainty.

On this interpretation, the tests are an undoubtedly useful tool for “screen[ing] out intuitions that are due to bias, or inattention or agent fallibility or other such sources of error”;³³ indeed, their application for this express intent is the precise reason why I think that Sidgwick is a good place to start the process of evaluating moral intuitions. But we are not thereby being offered a path to absolute certainty about our intuitions. Nor does this mean that the tests themselves are not fallible.

More specifically, the tests (or at least the fourth test) may at best constitute “an indispensable negative [condition] of the certainty of our beliefs,”³⁴ the fulfilment of which is necessary but not sufficient for saying that an intuition is certain enough to apply as a justification for reliable moral judgements. Nevertheless, an apparently self-evident proposition may occur to me intuitively, pass all the tests without a problem, and still

32 Henry Sidgwick, “The Establishment of Ethical First Principles,” *Mind* 4 (1879): 109.

33 Skelton, 518.

34 Sidgwick (1981), 342.

“turn out to be false: but it seems to have as high a degree of certainty as I can hope to attain under the existing conditions of human thought.”³⁵ As Skelton puts it, “if a putatively self-evident or intuitive truth does not fail the tests, then doubt about it is reduced as much as is possible...[but possibly] not entirely.”³⁶ As far as Sidgwick is concerned, then, the four tests are required for finding the highest certainty available for a moral proposition, but even they cannot bestow absolute certainty.

On my view, the four tests (or any other epistemic resources which fill the same role) are not meant to serve as the ultimate arbiter of moral epistemology. They might serve as important epistemic resources among others. But other resources open to moderate intuitionists may well weigh against the tests, in which case we may have to apply our judgement in determining how much credence to afford them.

Though the precise details are likely to depend on the situation, this attitude evokes the general sentiment which Audi thinks ought to be the guiding approach to ethics, particularly for moderate intuitionists, namely that “the appropriate attitude to adopt in the light of all this is a fallibilist humility. It permits moral conviction, but forswears ethical dogmatism.”³⁷ Fallibilist humility, as Audi means it, is primarily a methodological virtue whose value is to be found in the way that it keeps our minds open to a range of possibilities and prevents us from continuing to favour established beliefs when they run counter to good arguments. In this way, it is of great general worth to anyone who is seriously concerned with the normative work of moral epistemology.

At the same time, such humility is particularly consistent with and reflective of the

35 Sidgwick (1879), 109.

36 Skelton, 518.

37 Audi (1998), 44.

kind of strong reflexivity towards beliefs and values which is recommended by feminist standpoint epistemology. In the next section, I will begin applying this attitude to the four tests with an eye to revising them for application to contemporary moderate intuitionism.

4) Sidgwick's Four Tests: Criticism and Revision

The aim of this section is to examine each of the four tests carefully and systematically, in order to discern how they might have problematic implications or oversights. I will focus my approach specifically from the perspective of feminist ethics and epistemology, as it is particularly well-suited to this kind of critique. After looking at each of the tests in turn, I will outline my approach to shoring up Sidgwick's view and developing a more workable Sidgwickian-feminist hybrid approach to moral intuitions.

First Test – Clarity and Precision: The first test for a proposition hoping to count as a reliable philosophical intuition holds that “the terms of the proposition must be clear and precise.” While Sidgwick does not go into detail when discussing this test explicitly, he does say that “the chief business in the preceding survey [of common-sense moral intuitions] has been to free the common terms of Ethics, as far as possible, from objection on this score.”³⁸ Indeed, the introductory chapter of *The Methods of Ethics* ends with the assertion that Sidgwick's primary purpose is “to expound as clearly and as fully as [his] limits will allow the different methods of Ethics...and where they seem to conflict, to define the issue as much as possible.”³⁹ For Sidgwick, this test is the most basic and perhaps the most important since we “often discover error in our intuitions by getting clearer on either their practical directives or their terms.”⁴⁰

38 Sidgwick (1981), 339.

39 Ibid., 14.

40 Skelton, 495.

This criterion might seem obvious at first. After all, it is easy to recognize the value of clarity and precision in our core concepts. Therefore, *ceteris paribus*, this test is certainly something to which we should subject all intuitions we consider, moral or otherwise.

That being said, *ceteris* are not always *paribus*, and the inference from a term's being vague or imprecise to its being unfit to serve as part of a fundamental intuition for moral judgements is not valid, or at least not without more argument than Sidgwick gives in this section.

It is conceivable, for instance, that there are concepts which play a part in moral intuitions which are to some extent ambiguous by nature. This is not to say that they are meaningless or incoherent, but only that their meaning may vary subjectively from person to person, or perhaps that they are so complex as to be very difficult, even impossible, to understand thoroughly.

To some extent, this objection depends on exactly what Sidgwick means by “clear and precise.” Is some amount of vagueness or ambiguity allowed, or is any term which lacks the slightest bit of clarity and precision to be stricken from consideration? Sidgwick himself offers little specific guidance on this, other than to mention in several places that obscurity and imprecision ought to be eliminated as much as possible.⁴¹ And while this phrasing does offer the possibility that Sidgwick would tolerate some amount of ambiguity so long as all possible steps had been taken to eliminate it, this is not the only interpretation available. He might mean that we can consider somewhat ambiguous concepts which had been rigorously cleared up as much as possible so long as they are

41 See, for instance, Sidgwick (1981), 14 and 339.

sufficiently precise for understanding, but he might also mean that we should make our total set of concepts as precise as possible by eliminating from it any concepts which even remotely lack precision or clarity.

I wholly support the first test if we assume the former interpretation (which, to be fair, is most likely), but the latter interpretation is much more problematic. For instance, take the concept “justice.” This notion is difficult and ambiguous at best. Attempts to define it go back at least as far as the first half of *The Republic*,⁴² and while there have certainly been some valiant and reasonably successful modern efforts,⁴³ it is safe to say that the concept still involves a fair amount of ambiguity and vagueness. Indeed, justice is so complex a notion that it would not be outlandish (though it may turn out to be false) to say that it simply cannot be defined with absolute clarity and precision.

Even so, the concept of justice is extremely important to moral and political philosophy, and doing away with it simply because it is also somewhat imprecise (even if this turns out to be an unavoidable aspect of its meaning) strikes me as throwing the baby out with the bathwater. If it could be shown that justice or other seemingly important moral notions are actually fundamentally incoherent and not capable of completion or clarification by some more basic concept, then this would be a justification for striking it from our moral reasoning. But some amount of inherent vagueness is a far cry from fundamental incoherence, and is no justification for the same kind of harsh exorcism that this strict interpretation of Sidgwick's first test might suggest.

Of course, it might turn out that justice does not involve inherent vagueness, that it

42 Plato, *The Republic and Other Works*, trans. B. Jowett (New York: Anchor Books, 1973), 9-173.

43 For among the best of these, see John Rawls, “Justice as Fairness: Political not Metaphysical,” *Philosophy and Public Affairs* 14 (1985): 223-251.

can be understood with perfect clarity and precision, but that we have not yet gotten it right; perhaps more epistemological work like Sidgwick's would get us there. Even so, my point is just that there is some logical space for important, even essential moral concepts which also happen to be vague or ambiguous to some extent. Failing some significant arguments to the contrary, therefore, our moral epistemology should be able to at least accommodate such concepts.

That being said, a presumption in favour of clarity and precision certainly makes sense, so I am not suggesting that we ought to throw out Sidgwick's first test entirely. Rather, it needs to have its wording cleared up and perhaps softened so that it leaves room for important but ambiguous concepts, while still emphasizing the importance of precision. We should not simply say, then, that “the terms of the proposition must be clear and precise,” without much further detail about how clear and precise they must be or what exactly should be done with a set of intuitions or propositions which are not perfectly clear and precise. Instead, we could say, for instance, that any reliable intuition should be understood as clearly and precisely as possible, and any vagueness or ambiguity in an accepted intuition must be outweighed by its importance to our more comprehensive morality. Of course, we are still not at the point of having a completely refined test here, but the stage is set for a more thorough revision in the next section.

Second Test – Self-Evidence Ascertained by Careful Reflection: Depending on how exactly we interpret Sidgwick here, this test could be where I disagree most strongly and directly with him, or where his point seems so obvious, even redundant, that it hardly bears mentioning at all. With a bit of charity in interpretation, however, this test (or some reasonably clarified version of it) does have a place in our set of epistemic resources.

At first glance, it might seem as if Sidgwick's saying that "the self-evidence of the proposition must be ascertained by careful reflection" means that the self-evidence of our intuitions ought to be known directly. Historically, this position has commonly been ascribed to intuitionism, particularly because it was endorsed by W. D. Ross.⁴⁴ But for reasons I will not go into too deeply here, this requirement is much too stringent, and leads to the common and powerful but unfair objections to intuitionism which have often led to its dismissal.⁴⁵ As Audi puts it, "intuitionism as most plausibly developed does not require positing non-inferential knowledge of the self-evidence, as opposed to the truth, of its basic principles."⁴⁶ In any case, despite one's initial impression of the test, it would be rather unfair to ascribe this view to Sidgwick, since he makes an explicit distinction between a proposition ascertained by careful reflection and one which is self-evident. This is not to say that the nature of his distinction here is clear or obvious, but his inclusion of the second test suggests that he sees careful reflection as a necessary but not sufficient test for self-evidence. Sidgwick is particularly concerned with the truth of intuitions.

That being said, the second test might still feel a bit tautological, since the very meaning of the term "intuition" requires us to recognize their self-evidence, on both mine and Sidgwick's accounts. As mentioned above, Sidgwick takes "intuition" and "self-evident proposition" as synonyms, so of course any intuitive proposition is going to be self-evident. And on my view, self-evidence is a necessary but not sufficient criterion for

44 See W. D. Ross, *The Right and the Good*, ed. Philip Stratton-Lake (New York: Oxford University Press, 2002).

45 For more details on this, see my "A Preliminary Defense of Moderate Moral Intuitionism," manuscript, Section 4.

46 Audi (1999), 280.

something to count as an intuition, so again its self-evidence must be established if we are to even count it as an intuition. When we look at the second test this way, then, it seems strange and redundant at worst, and not clearly necessary for the evaluation of intuitions at best.

For charity's sake, then, we should look more closely at Sidgwick's justification to see precisely what he is trying to get at with this test. He says that it is necessary

because most persons are liable to confound intuitions, on the one hand with mere impressions or impulses, which to careful observation do not present themselves as claiming to be dictates of Reason; and on the other hand, with mere opinions, to which the familiarity that comes with frequent hearing and repetition often gives a false appearance of self-evidence which attentive reflection disperses.⁴⁷

So Sidgwick thinks that we ought to distinguish intuitions, which are self-evident, from mere opinions, which are not, and indeed he spends much of the remainder of this section discussing how constant exposure and frequent repetition can lend undue force to beliefs which are not self-evident at all, and how careful reflection can reveal such beliefs and the justification (or lack thereof) behind them. This is certainly good advice, and I find nothing objectionable in it, but custom and repetition are not my direct concern here.

However, Sidgwick also distinguishes intuitions from “mere impressions or impulses,” which do not meet the same epistemic standards as “dictates of Reason.” At this point, it is worth recalling the difference between Sidgwick's view of intuitions and my own, as my adaptation of his work could make it easy to lose sight of what might be a directly relevant difference here.

For Sidgwick, “intuition” is generally another way of saying “self-evident proposition known with the highest certainty possible.” That is, intuitions are a type of

⁴⁷ Sidgwick (1981), 339.

belief possessed of propositional form and a higher level of certainty than other types of beliefs. On my view, however, they are not propositional, and while they are self-evident, this does not entail any higher level of certainty without also positing that the content of the intuition is properly understood. There is good reason to think, therefore, that what I call “intuitions” are precisely what falls under the category of “impressions or impulses” for Sidgwick, though I think that some such impressions or impulses could easily lead to the kind of self-evident propositions which Sidgwick counts as intuitions.

Still, Sidgwick gives no reason to think that the impressions themselves should be admitted to the ranks of intuitions, and takes the rigorous emphasis on careful reflection to be the best way of effectively excluding them:

In such cases the Cartesian method of testing the ultimate premises of our reasonings, by asking ourselves if we clearly and distinctly apprehend them to be true, may be of real use; though it does not, as Descartes supposed, afford a complete protection against error. A rigorous demand for self-evidence in our premises is a valuable protection against the misleading influences of our own irrational impulses on our judgments.⁴⁸

Perhaps most interestingly for my purposes, though, while this passage is not very explicit about what ought to count as an intuition, it does allow us more insight into why Sidgwick includes this test and what he hopes to achieve with it.

The passage suggests that with regard to impulses or impressions, Sidgwick is most concerned with protecting us from the misleading and irrational influence they might have; the following pages make it abundantly clear that he is specifically worried about how our social circumstances and conventions can exert such an influence.⁴⁹ With this in mind, Sidgwick's view and my own can be reconciled much more readily, even

48 Ibid.

49 Ibid., 339-341.

though, strictly speaking, we disagree on what does and does not count as an intuition.

I have been hoping to apply the four tests as a means of distinguishing reliable moral intuitions from unreliable ones, in light of the warping effects that patriarchal institutions and social forces can have on our intuitions. And while he does not use feminist language, such warping effects are also evidently Sidgwick's main concern as well. So again, as it was with the first test, my suggestions might come down to something more like a clarification of language, making the test much more specific and transparent, than a truly substantial revision.

Instead of saying that when it comes to candidates for justifiable intuitions “self-evidence must be ascertained by careful reflection,” we can be much more narrow and specific with something along the lines of “intuitions must be objective, and not the products of habit, convention, or other social forces.” Beyond just being much more specific, this formulation has the added benefit of doing away with the confusing language about self-evidence which led to the possible problems considered earlier in this section. This phrasing is suitable, at least *prima facie*, whether you adopt my view of intuitions or Sidgwick's, since it makes no mention of propositions or self-evidence, and is also much more specific about the role this test is to play in our moral epistemology.

Still, this is not to say that no problems remain with the test as reformulated. Searching for intuitions which are truly objective and free of the warping effects of socialization may prove hopelessly quixotic. If this is truly what Sidgwick is trying to get at with the second test, then he may just be being naive. In any case, I will save a detailed examination of this possible problem, along with a more optimistic take on it (if not necessarily a solution) for the more thorough revisions of the next section. The upshot at

this point is just that, given a charitable but eminently reasonable interpretation, Sidgwick's second test has a substantial role to play for moderate moral intuitionism.

Third Test – Mutual Consistency: This is another test which Sidgwick does not spend much time justifying, taking it as “obvious that any collision between two intuitions is a proof that there is error in one or the other, or in both.”⁵⁰ And as regards the general thrust of this test, I agree wholeheartedly; in Sidgwick's words, “such a collision is absolute proof that at least one of the formulae needs qualification.”⁵¹

Furthermore, I also agree with the emphasis Sidgwick puts on this test when he expresses puzzlement at “ethical writers treating this point very lightly,” such that they “regard a conflict...as a difficulty that may be ignored or put aside for future solution, without any slur being thrown on the scientific character of the conflicting formulae.”⁵² *Ceteris paribus*, consistency is a necessary feature of any tenable set of beliefs, moral or otherwise, and Sidgwick is right to think of positions to the contrary as mistaken at best and lazy at worst.

That being said, even this important and wholly reasonable test still runs into a few complications, if not objections outright. For one thing, consistency is a property of sets of propositions, not individual propositions. If the four tests are meant to serve as a means of evaluating individual propositions,⁵³ then, applying the third test poses some practical problems, no matter how much we may agree about the importance of internal

50 Ibid., 341.

51 Ibid.

52 Ibid.

53 While this is certainly how I mean to apply my revised version of the four tests, Sidgwick is not nearly so explicit, so perhaps there is room for him to escape this concern. Nevertheless, he does say in his introduction to the tests that they are a proposed way to “establish *a* significant proposition...in the highest degree of certainty attainable,” (Ibid., 338; emphasis added), so I do not think that I am out of line in ascribing to Sidgwick this view.

consistency in our intuitions.

Recall that Sidgwick and I are both epistemic foundationalists, not coherentists. We therefore take truly self-evident intuitions to be capable of standing on their own, regardless of what other beliefs we may have. And while coherentists have no problem appealing to and relying on the internal consistency of belief sets,⁵⁴ this option is not so easily available to foundationalists. This is not to say that tests of consistency are inaccessible to foundationalists, but just that their practical application is less clear.

Imagine that we are examining our beliefs for consistency, and we encounter two, P and $\sim P$, which are obviously inconsistent. A coherentist has a number of options at this point, but is not posed a dilemma by any means. Upon further examination of her beliefs, for instance, she might choose to reject one of these beliefs based on inconsistencies between it and other members of her belief set. Or she might reject an even larger part of her belief set, up to and including the entire set save one of either P or $\sim P$, because it might imply both P and $\sim P$. The point is simply that such a contradiction might present complications and inconvenience for a coherentist (i.e., it is not clear how she would decide which of the equally coherent options she should choose), but does not pose a threat to the process of coherentist epistemology itself.

For a foundationalist who also (rightly) values consistency, however, the process is not so clear. Presumably, when a foundationalist encounters a contradiction like “ P and $\sim P$ ” in her belief set, she has the option of examining those beliefs more carefully on an individual basis, applying epistemic resources like the first two tests to clear up the issue

⁵⁴ This being the case, the simple answer here would seem to be adopting epistemic coherentism. For a number of reasons I will not go into, though, I do not see this as a viable option for moderate intuitionists. For more detail, see my “A Feminist Critique of Ethical Intuitions,” manuscript, Section 3.

and determine whether one belief is truly self-evident while the other is really a “derivative and subordinate” belief mistaken for “an ultimate and independent axiom.”⁵⁵ If this process is successful, then the inconsistency has been eliminated and our epistemic position has improved.

If it is unsuccessful, however, it is not clear how a test requiring consistency in our beliefs would further help us. Consistency is certainly a worthwhile epistemic value to hold, and it may help us recognize that at least one of our beliefs must be false in the situation described, but it cannot help us discover which is false. Consistency is simply not a property we can expect of individual propositions,⁵⁶ therefore it cannot easily be incorporated into a decision procedure meant to evaluate individual intuitions within a foundationalist epistemic framework. And Sidgwick's brief treatment of the test does not give us much to work with when it comes to saying how this might be done.

In the end, however, this issue boils down to more of an inconvenience than an insurmountable objection. After all, we are rarely if ever in a position to evaluate an intuition or belief in total isolation from other beliefs, and coherence with other beliefs is a value not unavailable to foundationalists, even if it plays a larger role for coherentists. For instance, if we are very confidently assured of the truth of a particular self-evident part of our fundamental moral epistemology (assume that it has been subjected to every epistemic resource we can conceive and has never been seriously threatened) and are confronted with another proposition with which it is inconsistent, we are still justified in appealing to that inconsistency as a reason to reject the new belief. This is not to say that

⁵⁵ Sidgwick (1981), 341.

⁵⁶ The obvious exception here is self-defeating propositions which are not even internally consistent, and which can be dismissed for that reason, but these are not Sidgwick's real target here.

it should be taken as incontrovertible proof of the falsehood of that new proposition, or that we always ought to favour old and established beliefs over new, inconsistent ones; indeed, such attitudes can be enormously harmful. But all other things being equal, foundationalists can make use of consistency as well.

The above problem initially seems to apply to my view and Sidgwick's equally, and both can apply the same resources to overcome it, such that even though the third test might not be formally ideal for my purposes, this problem is not fatal to it. That being said, there is another, perhaps more troublesome problem with this test which applies only to my view of intuitions, and not to Sidgwick's.

Allowing for some revisions, there was little problem applying the previous two tests to a non-propositional view of intuitions. When it comes to the third test, however, this may no longer be feasible.

Moral intuitions, according to my theory, are phenomenal mental states, and though they can easily lead to propositional beliefs (both causally and, at least on my view, epistemically), they are not themselves beliefs, and strictly non-propositional. This means that intuitions themselves do not have truth values, and therefore cannot be strictly inconsistent. It is therefore difficult to see what role the third test could play when we are not talking about propositional beliefs (as Sidgwick is) but non-propositional, phenomenal intuitions.

One option would be to abandon the third test altogether. My project is explicitly revisionary, after all, and I have no intrinsic reason to favour Sidgwick's specific tests in detail or in number. But consistency is an important enough value that I would rather find a way of incorporating this test, or some version of it, than abandon the consistency

requirement altogether, so I will not simply abandon the third test in light of my non-propositional view of intuitions.

Instead, we might adopt this test as one which evaluates the consistency of non-propositional intuitions in terms of the beliefs they might reasonably cause. This allows a version of the third test to play an important role among the epistemic resources I want to endorse.

On this view, we would not look for intuitions which are strictly incompatible with each other, since it is not even clear that non-propositional phenomenal states of any kind can be incompatible in this way. Instead, we would look for intuitions which might, for lack of a better term, cause some amount of cognitive dissonance when they occur together. Imagine, for instance, that I have two pre-reflective, phenomenal intuitions: first, “life is sacred and ought to be defended as much as possible;” and second, “some people ought to be killed for their immoral actions.” There is certainly some vagueness in these intuitions, and there is no telling at this point which if either could feasibly withstand the kind of rigorous evaluation I am proposing. And perhaps most importantly for my purposes here, they occur to me not in the propositional form presented here but as non-propositional phenomenal states. As a result, it would be difficult to say whether they are directly incompatible, or even whether the notion of compatibility makes sense in this case. Nevertheless, it is still reasonable to think that it might be difficult, or at least cognitively uncomfortable, to hold both these intuitions at once,⁵⁷ in which case, on the tentative revised version of the third test I am presenting here, we would be justified in

⁵⁷ This raises the psychological question of whether it is possible to hold any two occurrent intuitions at once. Whatever the answer, though, I do not think it affects my point here, as it is no stretch to imagine the same kind of cognitive dissonance whether we hold two conflicting intuitions at the same time or whether we find ourselves going back and forth in short order between the two occurrent intuitions.

thinking that at least one of the intuitions may not have a place in our final comprehensive set of moral intuitions.

This version of the third test is beginning to look far less decisive than it does in Sidgwick's view. But this is not necessarily a weakness, and may even be a strength. After all, the kind of cognitive dissonance discussed above, when moderate and not schizophrenically powerful, might be a necessary consequence of holding different intuitive values which are both important and in tension. And as long as we take intuitions to be non-propositional, there is no reason to assume that conflicting intuitions could not coexist, or even that they should not coexist in some cases.

For instance, consider the two following values, both of which have some *prima facie* intuitive weight: utility (understood as happiness) and fairness (understood in terms of people receiving roughly what they deserve). It is easy to see how these values might conflict.⁵⁸ It might be the case, for example, that the world states involving the most total or average happiness are always those in which some few are brutally and unfairly exploited for the benefit of the many. Or perhaps the fairest arrangement, where everyone experiences precisely the consequences they deserve, leaves everyone significantly more miserable than they would be if some amount of unfairness were allowed.

In such cases the appropriate response ought to be a willingness to maintain a balance between values which are in tension to some degree, an approach which works best under a non-propositional view of intuitions and the less decisive version of the third test which results. But there is a cost to pay, and it is the strict, logical view of consistency

⁵⁸ The following examples are admittedly very broad, glossing over the myriad moral complexities at work here. But since I am specifically concerned here with broad, phenomenal, non-propositional intuitions in any case, I do not think I am being unfairly brief.

between intuitions which is so easily available to Sidgwick but much more difficult for my view. Indeed, at this point, assuming that we do indeed want to be able to hold intuitions which are to some degree in tension, it is unclear what role the third test could play at all.

Again, this is not an intrinsic problem with my view, because I am not wedded to Sidgwick's tests in particular. But nor do I want to reject consistency as a value altogether. The question now is whether and how we might combine an emphasis on consistency with a willingness to embrace values which are not obviously compatible. This specific concern will be the main purpose of my treatment of the third test in the next section.

Fourth Test – Absence or Rational Explanation of Dissent: This last of Sidgwick's tests may be the most complicated and troublesome of all, as well as the one which could most obviously benefit from the perspective of feminist philosophy. First, though, we should be as clear as possible about what Sidgwick himself means by this test.

Sidgwick begins his explanation here with the observation that “it is implied in the very notion of Truth that it is essentially the same for all minds,”⁵⁹ and takes from this that a disagreement between two people about a single proposition implies the existence of some error. In this light, the test looks like an appeal to consistency not between beliefs, as with the third test, but between agents' beliefs.

It quickly becomes clear, though, that Sidgwick thinks neither that such consensus alone can justify an intuition, nor that all opinions are to count equally when it comes to determining consensus. Specifically, he treats this test as a kind of analogy with justification as pursued in empirical science:

⁵⁹ Ibid.

A proposition accepted as true upon [the basis of universal or general consent] alone has, of course, neither self-evidence nor demonstrative evidence for the mind that so accepts it; still, the secure acceptance that we commonly give to the generalisations of the empirical sciences rests – even in the case of experts – largely on the belief that other experts have seen for themselves the evidence for these generalisations, and do not materially disagree as to its adequacy. And it will be easily seen that the absence of such disagreement must remain an indispensable negative condition of the certainty of our beliefs.⁶⁰

He goes on to specifically say that when there is such disagreement, one can only reasonably be left with an attitude “very different from scientific certitude,”⁶¹ which does not say that Sidgwick takes the four tests, and this one in particular, as capable of granting the same certainty to intuitions as that which is accorded to widely accepted scientific principles, but at least that he sees them in a similar light.

Perhaps the most important consequence of this approach for my purpose here is the emphasis it puts on expert opinion specifically. The passage above hints at Sidgwick's view, but it becomes much more explicit elsewhere. Skelton recognizes that Sidgwick is saying not that agreement grants any evidential weight on its own, as the passage above makes clear, but that “confidence should be impaired only in cases where one has no reason to believe that one's own faculty is more likely to be correct than another's.”⁶² In other cases, however, where “I do have more reason to believe that I am correct, the disagreement should not impair my confidence.”⁶³ And Skelton thinks that Sidgwick's distinction between disagreements which ought to give us pause and those we can ignore becomes clear when he says that he would be less confident about his intuitions were they

60 Ibid., 341-342.

61 Ibid., 342.

62 Skelton, 496.

63 Ibid.

“rejected by Clarke or Kant,”⁶⁴ whom Sidgwick explicitly respects as moral experts.⁶⁵

Indeed, in other places Sidgwick makes it very clear that his idea of universal consent does not actually take everyone's views into account, but rather those of an epistemically privileged segment of the population. Even when talking about the non-comprehensive set of moral rules and values which he calls “common-sense morality,” Sidgwick says he is specifically thinking of “a body of moral truth, warranted to be such by the *consensus* of mankind [*sic*],– or at least of that portion of mankind [*sic*] which combines adequate intellectual enlightenment with a serious concern for morality.”⁶⁶ Elsewhere, he even says that he prefers “the moral thought of the reflective few to that of the unreflective many,”⁶⁷ referring to the “crude thought” of the “plain man.”⁶⁸

This is the most troubling aspect of the fourth test, and perhaps all the tests. Sidgwick certainly does not mean to privilege specific cultural views and attitudes with his reliance on the consensus of reflective moral experts specifically, but any view which gives precedence to the opinions of the “enlightened” or “reflective” is likely to be biased in favour of dominant narratives and values at the expense of more marginalized opinions.⁶⁹ The result will inevitably be that this test reinforces those dominant narratives, finding easy support for them, or at least much less dissent than would be found for opinions stemming from those who are not so epistemically privileged.

64 Ibid.

65 See, for instance, Sidgwick (1981), 384-385.

66 Ibid., 215; emphasis in original.

67 Henry Sidgwick, “Professor Calderwood on Intuitionism in Morals,” *Mind* 1 (1876): 564.

68 Ibid.

69 This assumes that those who purportedly benefit from “epistemic privilege” (a notion which I have not readily accepted in any case, but which I am using in the context of discussing Sidgwick's view) are also, at least for the most part, those who benefit from other types of privilege as well. But since Sidgwick seems to identify them with enlightenment by education and/or having the luxury of taking time to be reflective about ethics, it is likely that these groups will overlap significantly in any case.

This is not to say that this problem on its own will necessarily lead to ethical dogmatism and unquestioning support for the intuitions of the “enlightened,” particularly given Sidgwick's insistence that the fourth test is to be taken as a negative condition only, the satisfaction of which adds no extra justification for an intuition but simply removes one possible reason to doubt it. It will certainly, however, count against views which are not shared by the epistemically privileged (by definition, this is what the fourth test does), and thus inevitably tilts the balance in favour of dominant intuitions.

In this light, the fourth test seems fundamentally inappropriate for my ultimate purpose here. Recall the role I have been considering for Sidgwick's tests is as a means of distinguishing reliable from unreliable intuitions when we feel them with the same level of conviction *prima facie*. The specific reason why this is a real problem for my view, as discussed above, is that patriarchal social structures and the dominant narratives that go with them are capable of adversely warping our intuitions, subtly allowing in weaker standards for moral epistemology and causing unjustified biases to appear to us as powerful, undeniable intuitions.

It would therefore be strange to apply the fourth test for this purpose, at least as Sidgwick presents it. My reason for considering the tests is as a means of rooting out intuitions based on unjustified patriarchal structures which survive primarily because of the role they play in dominant narratives, but the fourth test works very much in favour of such dominant narratives. Granted, Sidgwick explicitly says that the fourth test cannot provide independent justification on its own, and really only works as a negative test. But even this means that it will inevitably work against intuitions which are less popular or

well-known, perhaps being presented in an abnormal moral context,⁷⁰ while likely allowing those which are in accordance with dominant social narratives to go unscathed.

At this point, it is difficult to see what place the fourth test could play in the epistemic resource I am trying to develop, particularly when the “universal or general consent” we are seeking is interpreted as a consensus among epistemically privileged experts, as Sidgwick suggests. Furthermore, even different notions of the kind of consensus we are seeking do not seem particularly helpful in resolving this issue.

For instance, we could extend the franchise on moral matters to everyone, or at least everyone capable of holding a reflective opinion about relevant questions, and not just to the epistemically privileged experts Sidgwick has in mind. But this makes the test an even more obvious application of the *ad populum* fallacy, and so its justificatory weight (or, following closer to the letter of Sidgwick's view, its negative weight) is dubious. And even if we could show convincingly how such an appeal is supposed to contribute to our moral epistemology, the point is likely to be moot, since universal consent among such a broad and diverse group is almost certainly impossible in any case.

We could continue thinking of different levels and types of consensus we might apply in place of what Sidgwick proposes (perhaps we should only look for a three-quarters majority agreement, or perhaps we should only ask those who are directly affected by or have first-hand experience of the moral issue under consideration), but aside from the questionable fruitfulness of such an endeavour, the question seems to be avoiding the real issue with the fourth test. Specifically, we want an epistemic resource capable of considering all intuitions on a level playing field, purely on their moral and

70 See Cheshire Calhoun, “Responsibility and Reproach,” *Ethics* 99 (1989): 396.

epistemic merits. This should include intuitions which might justify new, unpopular, even strikingly different beliefs from those generally or even universally believed; such intuitions have challenged orthodoxy in the past, only to later become widely and positively accepted. But to the extent that a test evaluates intuitions on the basis of extant consensus about them, among experts or otherwise, it is privileging the popular and orthodox views over the new and unconventional, without regard to whatever other merits they might have.

This leaves the fourth test in a difficult position here. Unlike the previous three tests, which were all problematic in some way but which lent themselves to some helpful clarifications and revisions, there is no obvious way to reform the fourth test for my purposes, since the problem stems from applying the basic notion of moral expertise in the first place. Therefore, in the absence of good reasons to the contrary, I want to reject wholesale the fourth test as Sidgwick presents it.

In the next section, however, building on the largely critical work of this section, I will present reformulations of Sidgwick's tests, explicitly informed by feminist ethics and epistemology. This will include a whole new fourth test, replacing Sidgwick's with a deliberate attempt to undo harm which might result from the kind of epistemic values which underlie it.

5) A Sidgwickian-Feminist Hybrid Approach to Evaluating Moral Intuitions

For all the problems and oversights I noted in the presentation of Sidgwick's four tests, it is still a careful and systematic approach to the daunting task of distinguishing reliable and worthwhile intuitions from misguided and harmful ones. Furthermore, with a few exceptions, I think his approach remains fundamentally consistent with many of the

values of contemporary feminist philosophy, such that the two can be combined into a hybrid epistemic resource which is coherent at the very least.

That being said, Sidgwick is also consistent with a number of different approaches to contemporary ethics, and it is worthwhile to pause for a moment and explain why feminist ethics makes a particularly good candidate for hybridization.

Perhaps the most important reason, at least as far as this paper is concerned, is that the problem I am hoping to address by bringing in Sidgwick is one which finds very powerful expression in feminist philosophy. Specifically, the issue is that patriarchal social forces may have warped our intuitions, making them unreliable for moral decision-making, or at least seriously obscuring which intuitions are and are not reliable.

Admittedly, such worries about the reliability of intuitions for the justification of moral beliefs come from other avenues as well; George Sher's arguments discussed above are a particularly good example. But as Sher himself also notes, while mainstream philosophy shows that this kind of warping is possible, that our intuitions may have been subject to such harmful pressures, much of the history of feminist thought "can be read as an attempt to show that all past reflection on our moral beliefs and habits of judgment *has* been subverted by a massive error – namely, our ignorance of the fact that those beliefs and habits merely rationalize the power of the privileged."⁷¹ Mainstream approaches to ethics are fully capable of recognizing this problem, but its causes and nature are a primary focus of feminist philosophy, which is therefore particularly well-suited to dealing with it, whether or not we apply a Sidgwickian framework as well.

With that established, I will again take each of Sidgwick's tests and offer positive

71 Sher, 74, note 11; emphasis in original.

reconstructions (or replacements, in the case of the ill-fated fourth test) for each, working from the criticisms and clarifications of the previous section. The hopeful result will be a functional hybrid Sidgwickian-feminist approach which can be fruitfully applied to pre-reflective intuitions in order to help evaluate their suitability for inclusion in a comprehensive moral epistemic structure.

Before jumping right into it, though, I should explain what is perhaps the most important difference between Sidgwick's approach and mine, that is, the level of confidence Sidgwick's attempt at a decision procedure conveys in the distinction between reliable and unreliable intuitions. To be fair, he never says that his approach can give us absolute certainty about intuitions, only that they can grant us the highest amount of certainty possible. Even this, though, I am not ready to claim about my approach. And if it does meet the standard Sidgwick sets out to meet, it may be because the highest level of certainty possible is not very high at all.

That being said, as my revisions in the previous section suggest, there is a good deal more nuance to the issues surrounding Sidgwick's tests than a simple pass/fail dichotomy would indicate. The process as a whole is capable of producing more than just two separate and clearly distinct groups of intuitions, one composed of totally unacceptable intuitions and the other of maximally certain, virtually unassailable ones.

For this reason, I would like to abandon the language of "tests" that Sidgwick applies, because it too easily conveys the idea of a scientific method producing the kind of stark dichotomy I want to avoid. Instead, I will reformulate Sidgwick's tests as values to be appreciated and applied to our moral epistemology.

One might think of my replacement for Sidgwick's notion of tests in terms of

“guidelines” rather than “values.” In many ways this would not be inappropriate, as guidelines are more closely related to tests than values, and can indeed be understood as less strict and definitive versions of tests. Nevertheless, I prefer the notion of “values” for a number of reasons. First, values are more obviously and explicitly normative than even guidelines, emphasizing the normativity of moral epistemology in a way which allows us to acknowledge and work through existing bias instead of focusing on eliminating it, which might not be possible in any case. Second, even guidelines can have certain algorithmic connotations, such that it might be possible for an intuition to exceed, meet, or fail to meet the standards set out by a guideline. Such connotations are largely absent from the notion of values, or at least less well-defined, which is an advantage for my view, as I will explain.

If we are indeed to take seriously Audi's urging towards humility, thinking in terms of values instead of tests has a number of advantages. Values easily allow for fine gradations and more nuanced evaluations. There is no contradiction in holding values which are in tension, or weighing them carefully against one another if they are in direct conflict. These are the precise kinds of considerations that make values better for my purposes than tests. Furthermore, values can even accomplish what might be the most appealing initial virtue of Sidgwick's tests, i.e. establishing a decision procedure for distinguishing acceptable from unacceptable intuitions. Admittedly, relying on values may not produce clear-cut and distinct answers as quickly or as easily as tests would, but there is still no fundamental problem with saying that some intuition fails to live up to the epistemic or moral values we espouse, and therefore that it is rejected by our values-based decision procedure. In many cases, much more thought and justification will be required

if we are to accept or reject any intuition with confidence than if we were to adhere to the notion of tests, but again I see this as a virtue and a not a vice of my approach.

Still, there remains the question of whether my view is still capable of shedding some light on the status of moral intuitions. Even if we acknowledge the fundamental difficulties of ethics, a moral epistemology incapable of offering any insights would not be particularly helpful. Fortunately, relying on values instead of tests still gives us something. Epistemic tests like Sidgwick's, if and where they are appropriate, can provide absolutely secure foundations for our beliefs. Values may not promise quite the same level of security, but they can nevertheless offer some guidance as to whether and how much our moral intuitions are to be trusted. And if the alternative is either no guidance at all or tests which ignore important nuances or make oversimplifications such that additional mistakes are made, then a values-based approach is the best available option.

With that established, I will move right along to my reconstructions of Sidgwick's tests, presented here as values instead, with everything that entails.

First Value – No Unjustified Vagueness or Imprecision: Recall that, broadly speaking, Sidgwick and I share an appreciation for the values of clarity and precision. We should always aim to be as exact and transparent with our terms as possible, since this reduces the chances of unfair equivocation and makes them easier to apply further, but also if for no other reason than that it makes it much easier for others to understand our ideas.

That being said, I also do not think that clarity and precision are absolute notions which admit of no gradations at all. As discussed in the previous section, there appear to be moral notions, such as “justice,” which are not entirely or obviously clear and precise but which have an important role to play in moral discourse nevertheless. It would

therefore be inappropriate to hold clarity and precision as absolute standards, the violation of which immediately and necessarily disqualifies a moral notion and any related intuitions from entry into our wider moral epistemology.

So there is good reason to include a caveat in our application of this value: our terms should always be clear and precise, unless there is something of clear overriding moral importance⁷² to be gained by admitting some amount of vagueness, as is arguably the case when it comes to “justice.” Broadly speaking, this is how we can embrace the values of clarity and precision without becoming overly dogmatic.

Indeed, this approach to the epistemic resource we are seeking allows us to take seriously some of the more powerful and substantive aspects of standpoint epistemology and go even further than simply admitting some justifiable level of vagueness. Standpoint epistemology suggests that most mainstream approaches to ethics (what Walker calls “theoretical-juridical” models, with their resulting “code-like” theories⁷³) suffer from a “picture of morality as a *compact, impersonally action-guiding code within (or for) an agent* [which] results from a powerfully restrictive set of assumptions about what morality is.”⁷⁴ Such pictures present proper moral concepts as being “of an explicitly stateable, highly general, and systematically unified type,” causing them to project “a stylized and reductive logic of moral judgment, pressing moral consideration toward abstraction.”⁷⁵ Such biases come from the same place as Sidgwick's insistence on clarity

72 I do not go into detail here as to what should count as “overriding moral importance.” But even if we had an exact standard (which may or may not be possible), it would presumably be a flexible one by which more central moral notions are allowed more vagueness and vice versa, so setting a definite limit on how much vagueness can be allowed in our terms would not likely be workable in any case.

Furthermore, we should keep in mind that anything of overriding moral importance is itself subject to the same reflection and examination as all other values, be they moral or epistemic.

73 Walker, 58.

74 Ibid., 59; emphasis in original.

75 Ibid.

and precision, and while I do not dispute the good intentions behind such an approach to ethics, it does tend to exclude some possibly essential aspects of moral philosophy.

Conversely, if we move past this kind of bias,⁷⁶ we can begin to recognize and incorporate a far richer set of ideas into our moral epistemology. To illustrate, Walker thinks that the alternative approach to ethics which she calls the “expressive-collaborative view” takes in much more, and appropriately so, than the action-guiding rules and principles with which we are left on mainstream views:

Because people and their relationships are not uniform and situations are not necessarily repeatable, moral consideration on this view presses toward enrichment of detail and amplification of context. Because negotiation of our lives in moral terms is a continuing process, new situations must be mapped onto past understandings and projected into future possibilities. The greater part of moral reasoning will thus be *analogical* and *narrative*.⁷⁷

But analogy and narrative are not the kinds of epistemic processes which lend themselves particularly well to stark clarity and precision. So we must be prepared to override these values in order to acquire the benefits of a wider, more detailed and more inclusive moral epistemology. This will not make moral philosophy any easier; indeed, the enrichment of detail Walker is proposing will tend to make ethics much more complicated. But if our real goals are truth and accuracy, not just clarity and simplicity, then the capacity to accommodate a wider moral landscape in richer detail is to be embraced.

This, then, is an instance where adopting the language of values over tests shows its strength. As Walker puts it, “the maintenance of equilibrium is...central to morality,”⁷⁸

76 It should be emphasized that none of this is meant to denigrate the importance of the values of clarity and precision themselves. The problem only comes when they are given too much focus, to the exclusion of other key moral concepts. As I see it, such fetishization, and not the simple recognition of the importance of clarity and precision, is the source of the harmful bias Walker is discussing here.

77 Ibid., 72; emphasis in original.

78 Ibid.

and here that equilibrium is best served by recognizing that the accuracy and detail we can gain by adopting analogy, narrative, and other unorthodox tools of moral epistemology are worth some loss of clarity.

That being said, we cannot think that any of this is meant to serve as a license to be vague and imprecise at every turn. There remains great value in clarity and precision, as Sidgwick points out and as I have acknowledged in the last section, and they may well take precedence more often than not. Where they are superseded, it will only be on the basis of significant and powerful justification, such as in the case of moral concepts which involve some amount of vagueness or important but unorthodox epistemic resources. For this reason, then, it would be best to think of this value in our decision procedure as “no unjustified vagueness or imprecision,” with emphasis on “unjustified.”

Second Value – Strong Objectivity and the Source of Our Apparent Intuitions: Sidgwick thinks it is essential that the self-evident truth of our intuitions be understood by careful reflection. In the previous section I gave some general reasons for thinking that this requirement left room for some small confusions and problems, as well as some more specific concerns for a test like this when applied to my particular view of intuitions. I will now expand on how Sidgwick's concerns can be seen differently, such that his once problematic test becomes a focus on a guiding value of feminist standpoint epistemology.

When it comes to justifying and elaborating on the second test, we have seen that Sidgwick is primarily concerned with finding a way “to distinguish the rules which a moral man [*sic*] is called upon to define for himself, by the application of intuitively known principles, from those as to which some authority external to the individual is

recognised as the final arbiter.”⁷⁹ So as this and the bulk of his discussion of the second test make clear, he and I have significantly overlapping concerns here: we want a way to tell genuine, reliable moral intuitions from beliefs or cognitive states that have been harmfully, or at least unreliably, influenced by social forces.

Our disagreement, and the major problem for my view here, comes in when we look more closely at this dichotomy. Specifically, Sidgwick thinks that whatever the practical issues may be, there is no necessary reason to think that “clear intuition[s] of rightness,”⁸⁰ as opposed to those where there is “an element that seems to us as clearly conventional,”⁸¹ are fundamentally inaccessible. According to the major objection to intuitionism which I have been considering, however, sexist and patriarchal social structures are so long-standing, pervasive and powerful that all of our moral intuitions, or at least all that are held widely and strongly, have likely been subject to their effects.

While this does not imply that every moral intuition is harmful or false, it does put them all under suspicion, and certainly makes the quest for a “clear intuition of rightness” seem impractical, even hopeless. It therefore behooves us to abandon Sidgwick's explicit goal, in the hopes of satisfying some more realistic epistemic standard.

The most obvious standard to look to at this point, then, is feminist strong objectivity. This epistemic standard does not imagine that there are intuitions to be unearthed free of bias or social influence. Instead, it seeks to recognize such bias explicitly with a view to consciously correcting for it instead of trying to eliminate it. I briefly discussed strong objectivity in Section 2, but I want to discuss in more detail how

79 Sidgwick (1981), 340.

80 Ibid., 341.

81 Ibid.

this standard is to be applied to the epistemology of moderate moral intuitionism.

Fulfilling the requirements of strong objectivity in the ways that reliable moral intuitions should is a matter of making a commitment to understanding the socially situated underpinnings of our moral epistemology. This reflects Donna Haraway's thesis that "feminist objectivity means quite simply *situated knowledges*."⁸² As Walker puts it:

Strong objectivity requires an epistemic community to examine itself, noticing the discourses, instruments, processes, and relations of authority by which it produces what it claims to be knowledge. Strong objectivity requires forums and institutions that invite and reward evaluation and criticism of knowledge claims that are based on public standards. It requires examination of cognitive authority to make sure it does not cloak cultural, political, or economic dominance or suppress relevant criticism from diverse viewpoints. It requires critical techniques to reveal the specific powers and limits of the discourses and instruments that enable us to know. It needs research on biases and salencies and the specific ways they make possible what we know and what we can't or don't.⁸³

All of this represents an enormous undertaking, of course. But when it comes to our moral intuitions in particular, a commitment to strong objectivity, in the form of a genuine attempt to understand the causal sources of our intuitions, reflects a value crucial to the overall success of my project here.

Specifically, if we put honest effort into understanding the social forces beneath our intuitions, we will have some broad sense of which intuitions are immediately suspicious and which are *prima facie* reliable. For instance, if we come to understand that an intuition clearly reflects long-standing and patriarchal notions of sexual purity (say, for example, the intuition that promiscuity is a greater infraction for a woman than for a man), we can immediately doubt its reliability, while an intuition which does not appear to have roots in some such dubious notion remains on sturdier ground.

82 Donna Haraway, "Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective," *Feminist Studies* 14 (1988): 581; emphasis in original.

83 Walker, 65.

Admittedly, this remains far from an absolute decision procedure, and does not render the kind of certainty Sidgwick is seeking. But again, this is a major point of my project here. As discussed in the last section, Sidgwick's second test is overly ambitious: ensuring that every intuition underpinning our moral epistemology must be completely objective and not the product of repeated habit or other social forces would simply be too restrictive, since we have no reason to believe that any of our intuitions are genuinely free of such social causes. But as long as we accept that all of our intuitions are going to be the product of social forces in some sense, we can begin paying closer attention to those forces and start separating the intuitions we ought to trust from those we ought not.

To be clear, though, none of this should be taken to say that every intuition which appears to have been significantly warped by sexist or otherwise harmful social forces is to be disregarded automatically, let alone that all other intuitions are to be afforded our trust. As with the avoidance of unjustified vagueness and imprecision, the emphasis on strong objectivity and an understanding of the social causes of our intuitions is a value, not an absolute rule. In general, consideration of this value will be helpful and worthwhile in sorting through our various intuitions, but this is not to say that no exceptions are possible, even probable.

Third Value – Balance Between Consistency and a Plurality of Values: In the previous section, I described how Sidgwick emphasized consistency between our moral intuitions, to the exclusion of other possible epistemic values.⁸⁴ I should reiterate that I also take consistency to be a key epistemic value, but we should also recall that my view had more difficulty incorporating consistency in a straightforward way. For instance, without

⁸⁴ To be fair, of course, Sidgwick does not address other possible epistemic values in this context.

rehashing all the arguments of the previous section, my non-propositional view of intuitions makes it less than obvious to what “consistency” even refers.

Still, as I suggested earlier, these complexities are not insurmountable, and my view has means of dealing with them. The more important consideration here is Sidgwick's undue emphasis on consistency. While consistency is certainly an important part of any good epistemology, it is not the only one, and I see it as a virtue if a theory can incorporate a range of other epistemic values as well.

For instance, a theory is stronger and more morally acceptable insofar as it takes into account the opinions and experiences of people in many different social circumstances, particularly those who have been marginalized or whose voices have been otherwise disenfranchised.⁸⁵ And perhaps most importantly, a theory is also better if it at least recognizes that there is a plurality of important moral values to deal with, which is slightly but crucially different from saying (as I did above) that a theory is better if it recognizes the importance of a plurality of epistemic values.

But of course, pluralism can often be in tension with consistency, and the case of moral values is no exception. As mentioned in the previous section, utility and fairness both have a reasonable claim to be indispensable moral values, even though the promotion of one might eventually and necessarily come at the expense of the other. The same, for example, can also be said of justice and compassion, duty and care, and any number of other possible values. It is entirely possible that an appropriate balancing of any reasonably complete set of moral values may well come at the expense of systematic

⁸⁵ I will address this consideration in more detail below, where I discuss the fourth value.

consistency.⁸⁶

As limited and socially situated individuals, we all have our own biases and focuses, and as a result we are likely to see some moral values as more important than others, particularly when those others are to some extent inconsistent with what we cherish more dearly. In such cases, many are likely to appeal to consistency as a means of purging their intuitions and beliefs of whatever conflicts with their core values, without giving much thought to conflicting positions in themselves. The point of the third value as I have been describing it is to emphasize pluralism in such situations, so as not to abuse the importance of consistency in such a closed-minded way.

Moreover, it is worth noting that there is a significant difference in degree and possibly in kind between strictly contradictory intuitions and intuitions which are in tension. In the end, it may be impossible to hold moral intuitions or beliefs which are clearly and powerfully inconsistent, in which case we should indeed appeal to consistency in order to resolve the conflict (while, of course, remaining open-minded about which side may be right). But as said above, this need not mean that moral values which are in tension to some degree cannot coherently coexist. The balance between them may be difficult and ever-shifting, but the correct path may still involve embracing both and working to resolve their tension as best as possible. In such cases, consistency is not the most important value to which we should appeal; indeed, an undue focus on consistency here might actually cause us to overlook better, more pluralist approaches.

⁸⁶ Indeed, such balancing may also come at the expense of a whole range of epistemic values which are, *ceteris paribus*, very important. This is an important upshot of the values of clarity and precision as discussed earlier in this section; while they are certainly important, and we should endeavour as much as possible to purge our theories of all unnecessary vagueness, that is not to say that there are not any values which are indeed important enough to warrant some leniency if they do lack some precision.

Perhaps for this reason more than any, I want to portray this value as being about striking a balance between consistency and value pluralism. This expressly makes room for the possibility of embracing multiple moral values which might be in tension with one another. At the same time, it makes no attempt to do away with the value of consistency altogether. Instead, it allows us to see consistency in the appropriate light, both morally and epistemically. That is, in addition to allowing for the values which are in tension, it also positions consistency as yet another epistemic resource open to moral intuitionists. Seen this way, it is one more such resource among many. It remains an important one, to be sure, but it is not uniquely positioned or necessarily capable of overriding other resources in our moral epistemology. Consistency is to be embraced, but not at the expense of all other values, be they moral or epistemic.

Fourth Value – Consideration of Traditionally Marginalized Views and Voices: Recall that the strongest, most straightforward problem I had with Sidgwick's four tests was with his fourth, requiring the absence of dissent or a reasonable explanation thereof. Whether we are to look for this dissent among the voices of moral experts and other intellectual elites, or among a much broader section of the population, this test is fraught with problems. I have therefore elected to do away with Sidgwick's fourth test altogether instead of attempting to revise it, replacing it with a value deliberately meant to correct for perhaps the largest and most glaring problem I see with his tests.

The specific problem I am addressing, as suggested in the previous section, comes from the idea that we should seek agreement among moral experts. At the end of the day, such experts, be they political leaders, philosophers or priests, are most likely to represent the dominant views, values and narratives of their society. But these narratives, more

often than not, are the very ones responsible for harmfully limiting and warping our moral intuitions to begin with. So if our goal is to recognize and correct these mistaken intuitions, any kind of test based on the views of elites and experts is likely to work counter to our purposes, whether or not it includes some reliance on consensus.

This is the main reason why I want to do away with the test as interpreted this way. But other possible interpretations have their own problems, so the best course of action is to do away with this test altogether. In its place, I emphasize listening to and considering the opinions of those whose voices may have been systematically marginalized, but who nevertheless may have important contributions to make to our set of moral intuitions. This is not to say that we should not also consider the opinions of moral experts, but we must emphasize other voices because they are most likely to be excluded.

Many modern and contemporary feminist philosophers have presented arguments supporting the value I am describing here, but a survey of any significant portion of them would be well beyond the scope of this paper.⁸⁷ Instead, I will again focus on Margaret Urban Walker's clear, persuasive, and influential arguments.

To reiterate, Walker maintains that most mainstream conceptions of morality assume “a *theoretical-juridical model*, and [that] the theories this model requires [are] *code-like theories*.”⁸⁸ The theoretical-juridical model presents a “picture of morality as a

87 For more details, a few examples of influential arguments along these lines can be found in Maria C. Lugones and Elizabeth V. Spelman, “Have We Got a Theory for You! Feminist Theory, Cultural Imperialism and the Demand for the 'Woman's Voice,’” *Women's Studies International Forum* 6 (1983): 573-581; Alison Wylie, “Why Standpoint Matters,” in *Science and Other Cultures: Issues in Philosophies of Science and Technology*, ed. Robert Figueroa and Sandra Harding (New York: Routledge, 2003), 26-48; and Frye, 110-127.

88 Walker, 58; emphasis in original.

compact, impersonally action-guiding code within (or for) an agent,” which “results from a powerfully restrictive set of assumptions about what morality is.”⁸⁹ And while many schools of moral thought have criticized the theoretical-juridical model and code-like moral theory on various bases, feminist thinkers have noted the specific concern that such theories tend to uncritically reproduce dominant, mainstream narratives as representative, even definitive, of moral significance.⁹⁰ Such outlooks represent bias as normative.

The upshot of this highly restrictive framework is that mainstream moral reasoning can become dangerously myopic, while applications of such reasoning misinterpret or even ignore the opinions, needs and desires of those whose moral outlook does not match up with the theoretical-juridical model. As discussed above, this is the main problem with Sidgwick's fourth test.

Walker's proposed alternative to the theoretical-juridical approach, the expressive-collaborative approach, is an attempt to be far more wide-reaching and inclusive when it comes to what should count as moral theories and moral reasoning. Of course, going through a thorough detailing and defense of Walker's view would be both peripheral and unnecessary here, a rereading of the work Walker does herself. But a brief look at the nature of ethical reasoning as proposed by the expressive-collaborative model will give us a sense of what is to be gained by considering the voices of the traditionally marginalized, and therefore why this should at least be an important value for our efforts to evaluate moral intuitions.

At its core, the expressive-collaborative view “looks at moral life as a continuing

89 Ibid., 59; emphasis in original.

90 Ibid., 60.

negotiation *among* people, a practice of mutually allotting, assuming, or deflecting responsibilities of important kinds, and understanding the implications of doing so.”⁹¹ It is meant to be both descriptive and critical, as well as historically and socially situated.

More specifically, its goals

are shaped by interests in the social recognition and participation that individuals claimed as members of excluded or subordinated groups in many progressive movements of the twentieth century. These claims arise from changes in relations of authority and put further pressure on them in a postcolonial and postmodern world...The expressive-collaborative view is designed to capture interpersonal and social features of morality that the theoretical-juridical model hides.⁹²

In this fundamental and very explicit way, the expressive-collaborative model embraces, even embodies, my fourth proposed value. The question now is what kind of significant benefit such a model can impart to a more general intuitionist moral epistemology.

Walker answers this later in her book, and an important part of that answer comes down to morally relevant, even crucial observations which those operating under theoretical-juridical models cannot make because their moral epistemologies are too limited, but which are readily available to those outside such socially dominant paradigms. For instance, in the section called “Knowing Others' Places,” she cites an instance where white judges, as a result of their privilege, are incapable of recognizing the injustice inherent in “separate but equal” legal requirements, failing to see such legislation as “'badges of inferiority' for coloured people.”⁹³ From this perspective, biased by privilege and a limited notion of normativity, she writes, “the opinion of those who wore that badge was a mere 'construction,' while the opinion of white justices was law.”⁹⁴

91 Ibid., 67; emphasis in original.

92 Ibid.

93 Ibid., 183.

94 Ibid.

This serves particularly well as a case where the misinterpretation arises not through a lack of education or privilege, since these white judges represent a pinnacle of both, but because the reasoning involved relies on an overly narrow view of what counts as morally important. As Walker sees it, these judges are confined and constrained by their reliance on a theoretical-juridical model.

In Walker's view, the inability of some to reasonably perceive moral saliences and make appropriate judgements, as in the example above, comes from their commitment to and assumptions about what she calls "necessary identities." This term is not to be taken as making a claim about the logical or metaphysical necessity of the social roles in question. Rather, "the 'necessity' of identities refers to just how much certain understandings of some people's places are *needed* by some other people to legitimate the latter's treatment of the former."⁹⁵ Such necessary identities allow dominant groups to ignore certain interpretations of events (often the most plausible), as well as the voices of those who support those interpretations. That is, they are both a necessary consequence of the suppression of the marginalized⁹⁶ and a necessary condition for systematizing such suppression. In this way, "necessary identities require a certain kind of social reality with a certain distribution of credibility; each fills gaps in the other. These together determine...who will be in a position to credibly attest to what is going on."⁹⁷ Necessary identities structure patterns of dominance and oppression that shape moral epistemologies under the theoretical-juridical model, wherein there is little room for collaboration or consideration of moral theories which fall outside the restrictions set on normativity.

95 Ibid., 178; emphasis in original.

96 Ibid.

97 Ibid.

Coming out of this, along with more intricate arguments the details of which fall well outside the scope of this paper, Walker arrives at a powerful conclusion about how systems of oppression, along with the necessary identities which both stem from and sustain them, harmfully limit the range of moral explanations available to us:

The necessity of the identities of some of us, long ago as now, consists of many facts about our social arrangements and how we have learned to see ourselves and others in them. These contingent features of our social worlds make what some people know the condition under which others cannot speak or be heard. What those silenced others know is precisely what discredits them: It is itself the reason for their being prevented or discouraged from saying it.⁹⁸

Thus, necessary identities allow certain perspectives to be undervalued or discounted altogether, specifically those perspectives the possessing of which marks some people as not being worthy of being listened to or having their moral opinions taken seriously.

For clarity's sake, we can apply this to the case of the white judges discussed above. They have internalized the necessary identity of the “coloured” plaintiff,⁹⁹ allowing them to “know” with all confidence that his interpretation of the legal identification at hand is biased, mistaken, ignorant or otherwise unenlightened, even though he is the one to whom it applies. His arguments to the contrary, defended partly or at least implicitly on the basis of his direct experience of this necessary identity, does not cause them to reexamine their opinion, let alone the epistemic structures underlying it. Rather, those arguments just help confirm to the judges that the plaintiff is indeed epistemically compromised. Their reliance on a narrow conception of ethical life has seriously limited their moral epistemology, and thereby led them to a position which is

⁹⁸ Ibid., 184.

⁹⁹ The absurdity of the imposition of such necessary identities is driven home particularly strongly here in light of the plaintiff, Homer Plessy, having been an “octoroon” whose single great-grandparent of African descent determines more about the social and epistemic roles he can occupy than his seven Caucasian great-grandparents.

not even sensitive to precisely the kinds of considerations which would help improve their epistemic position.

This is not to say that those who adopt theoretical-juridical models will always end up buying into and applying necessary identities like these. But such models do have a tendency to narrow one's viewpoint regarding what is morally significant, privileging certain approaches to ethics over others, such that necessary identities become much easier to see and make use of. On the other hand, expressive-collaborative models explicitly take the opinions and priorities of others into account, making it much less likely for one to end up adopting necessary identities, whose provenance and purpose lies entirely in the exclusion of the marginalized from full moral consideration.

As it now stands, the fourth value I want to prescribe relies on a presumption, to at least some extent, in favour of moral epistemologies which take account of the views of the traditionally marginalized, primarily because they do not face problems like the ones described above.¹⁰⁰ In applying Walker's arguments, I have generally characterized opposing views, which do not satisfy the fourth value, as theoretical-juridical models, since their narrow conception of morality is most likely to favour dominant ideas about normativity. But any approach along the lines of the most plausible interpretation of Sidgwick's fourth test, i.e., which counts on some manner of consensus among experts, will most likely fail to take into account the views of marginalized groups, thus encountering these objections.

So far, then, this is basically a negative argument, showing that approaches to

¹⁰⁰While a thorough discussion of relevant arguments around standpoint epistemology, as well as whose voices ought and ought not count as "traditionally marginalized" would be beyond the scope of my paper here, it might still be useful to think of the views and perspectives I am addressing as "standpoints." For more on this, see Wylie, 26-48.

moral epistemology which do not recognize my fourth value are lacking in a crucial way. Beyond this, however, there is also a positive argument to be made, according to which moral theories which make an effort to recognize marginalized voices strengthen themselves in the process. So aside from avoiding the problems which hurt theoretical-judicial models and others conducive to necessary identities, they also become stronger when they reach out to those who have not historically had their opinions considered.

Walker attributes the broad strokes of this positive argument to John Stuart Mill in the reasons he gives for allowing women to participate fully in public life, extending his argument to apply to all marginalized groups who have been subject to necessary identities.

Now, admittedly, as Walker sees it, Mill's primary argument here is that "women's having a 'public' voice...is a matter of critical importance. A public voice is 'louder,' more audible or audible to more people, than private complaint."¹⁰¹ If this were all it came down to, we would still have good reason to create and support whatever was necessary for such a public voice to exist, simply on the grounds of gender equality and the general well-being of all persons. But there is another, more abstract but perhaps deeper advantage to be gained here, for "a newly public voice of subjected people is itself already a change in the configuration of epistemic community, of who can say and claim to know. It may not by itself confer credibility, but it is an opening wedge."¹⁰² Admitting a diversity of voices enhances the number and quality of resources available to our moral epistemology, an advantage unavailable to those unwilling, whether through ignorance or

101 Walker, 176.

102 Ibid.

by design, to seek out and pay attention to the marginalized.

Of course, nothing is to be taken uncritically. That a moral view or opinion is dominant or in accord with mainstream belief is no more evidence that it is false than an opinion's largely having been relegated to the margins is evidence that it is true, and the converse holds true in both cases. As Alison Wylie puts it, one “cannot claim that those who occupy particular standpoints (usually subdominant, oppressed, marginal standpoints) automatically know more, or know better, by virtue of their social, political location.”¹⁰³ The point is just to be open-minded and cosmopolitan in what one is willing to consider for moral significance. What I have been trying to show in applying Walker's arguments is that the genuine open-mindedness of my fourth value is not merely a passive willingness to consider opinions with which one is presented, but often requires an active commitment to seeking out those views which have been repressed or otherwise not given prominent exposure. In Walker's words,

we need good guides within moral and social life to scrutinize our own and each others' moral cultures, enhance our understanding of what they are and how they work, and apply whatever materials are available to measure their worth against our best available views of what is valuable.¹⁰⁴

At their core, these “guides” are moral intuitions, and they are indeed key to attaining the best possible understanding of moral truth and what is valuable, but despite their self-evidence, accessing intuitions in order to have them serve as guides like this can take careful reflection and consideration of what various intuitions imply and what values guide us, and ought to guide us, both morally and epistemically.

The point here is to maintain a posture of openness, moderation and humility in

103Wylie, 28.

104Walker, 256-257.

the face of the immense difficulties and complexities of ethics. Each of the four values I have described in this section aims in its own way to remind us of this, to avoid arrogant absolutism.

At the same time, these values also offer guidance when it comes to evaluating the reliability of various intuitions. None of them is meant to serve as a straightforward test; the problems I identified in Sidgwick's strict decision procedure give us good reason to avoid the kind of dichotomies to which such attempts can lead. But each of the values I espouse is inspired by (or, in the case of the fourth value, a reaction to) an important epistemic value which Sidgwick recognized and wanted to incorporate into his philosophical intuitionism. These values are helpful in avoiding the problems that make unreflective intuitionism so implausible, and are therefore important for any sophisticated intuitionist. My contribution here, based on work in contemporary feminist ethics, has been to demonstrate why we should not take them as absolutes, or their apparent violation as reason to dismiss an intuition which might be worthy of consideration for many other important reasons. This is why I think of my perspective as a Sidgwickian-feminist approach to moral intuitions, and how these elements ought to be viewed together.

6) Conclusion

I have argued elsewhere that some form of moderate intuitionism is essential to any truly plausible and defensible theory of moral epistemology. This paper takes that position as its starting point, as described in the introduction.

That is not to say, however, that such intuitionism is not without its problems or weaknesses. Most serious of these is the concern that even with the range of powerful epistemic resources open to moderate moral intuitionism, it remains possible that we have

genuine moral intuitions which are nevertheless wrong, capable of leading us to mistaken and even harmful conclusions. This specific problem is the subject of Section 2.

These mistaken intuitions often come about as the result of patriarchal and sexist institutions and traditions, along with other social forces which are enormously pervasive. Indeed, they are so ubiquitous that it can be difficult to recognize that they exist at all.¹⁰⁵ The obvious problem for intuitionism resulting from this is that even if we have good reason to believe that acceptable moral theories require at least some moral intuitions, we still will not be able to develop acceptable theories if we cannot distinguish reliable from unreliable intuitions.

As a sophisticated and rigorous philosophical intuitionist at the level of moral epistemology, Sidgwick recognizes this issue as well, and tries to get around the problem by way of his “four tests” for achieving the highest level of intuitive certainty possible. His attempt is insightful and compelling, introducing a number of important concepts and concerns into our moral epistemology, and I endeavoured in Section 3 to both describe and defend the significant merits of his approach.

At the same time, however, his tests have a number of major flaws, particularly from the perspective of contemporary feminist ethics. In Section 4, I focused on drawing attention to these flaws and how they rendered Sidgwick's tests insufficient (and in the case of the fourth test, downright counterproductive) on their own for dealing with the major objection against intuitionism I have been considering.

Building on these issues and oversights, in Section 5 I introduced four values derived from and reacting against Sidgwick's four tests. These work to improve upon his

¹⁰⁵For more on this, see Frye, 7-16.

contribution to intuitionist moral epistemology while also avoiding the most significant problems with his tests. In the end, this came down to their not being tests or conditions in a strict sense. Rather, they are values we ought to keep in mind when considering moral intuitions and working to develop beliefs out of them. For the most part, they preserve the spirit of Sidgwick's tests while avoiding narrow-mindedness and absolutism.

It might be objected at this point that I have not effectively refuted the major objection against intuitionism that I have been considering in this paper. That is, I have not actually presented a decision procedure capable of reliably distinguishing between moral intuitions which have been negatively warped by social forces and those which have not. The four values I have put forward are too amorphous to provide a satisfying response here.

This is largely true; I have not refuted this objection. But I have responded to it in saying that we should not be seeking the kind of certainty Sidgwick claimed to provide for our intuitions, as this was a major source of the problems.

Instead, we should remain open-minded about ethical judgement, particularly the possibility that our moral intuitions may be mistaken. That is the overall theme of this paper, and so I want to end by emphasizing once again the importance of humility when dealing with moral intuitions and beliefs. A “fallibilist humility,” in Audi's words, is essential not only because it keeps us from rigidly basing highly influential moral beliefs on mistaken, even harmful intuitions, but because it allows our moral epistemology to have the flexibility and openness necessary if it is going to adapt and in fact get better at recognizing reliable intuitions. It helps us get closer to often complex and difficult truths, in addition to helping us avoid error.

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CONCLUSION

My goals in the preceding three papers have been, respectively, to 1) describe and defend a novel view of moral intuitions which avoids some of the more direct contemporary criticisms of intuitionism; 2) present a primarily feminist objection to this type of intuitionism which cannot be avoided by way of the arguments of the first paper; and 3) combine Sidgwickian moral epistemology and feminist arguments into an initial intuitionist framework for addressing the major objection of the second paper. I would like to conclude this dissertation with a brief overview of the breadth and scope of my success in each of these three main undertakings, as well as the direction of future research on this issue.

The first paper was largely dedicated to working out the details of how we ought to view moral intuitions in light of their near ubiquity across the spectrum of modern western moral epistemology, along with what we ought (and ought not) expect of them. To reiterate, I hold that an intuition is: i) a cognitive phenomenological state, which is ii) self-evident and iii) not a belief, and which is both iv) reliable as a source of evidence for justified beliefs and v) fallible. Each of these traits is important in that they rule out large swathes of candidates for moral intuitions, such as beliefs and phenomenological states which are not self-evident.

In addition, however, this specific conception of intuitions allows us to avoid many of the more common and powerful objections against moral intuitionism, and therein lie the most significant accomplishments of the first paper. Equipped with this definition, we can see that intuitionism does not easily fall prey to evolutionary arguments

like Street's and Singer's. It gives us access to a realist, non-trivial moral theory with moral intuitions at its base, thereby making use of the clearest and most direct source of evidence we have about ethics. More importantly, though, this theory appears plausible even in the face of potent and sophisticated contemporary critiques of intuitionism.

That is not to say, of course, that it can easily avoid any and all objections. The second paper of my dissertation, for instance, dealt with one powerful and potentially fatal objection which specifically applied to my definition of intuitions.

The worry is a product of the fallibility inherent in intuitions as a source of evidence. We must rely on intuitions for good moral epistemology, and therefore we must have some means of distinguishing trustworthy intuitions from dubious ones. The real problem here comes from the notion, articulated most clearly by feminist authors, that our intuitions are strongly affected by patriarchal social forces both powerful and subtle, warping them in ways which can be very difficult to even notice, let alone correct. The effects of these forces are so widespread and deeply ingrained that all of our moral intuitions are rendered suspect.

But we should not abandon moral intuitions even if we accept such arguments; intuitions remain crucial for making good moral judgements, therefore abandoning intuitions would entail abandoning substantive ethical realism altogether. Rather, we must find a way to distinguish reliable from unreliable intuitions.

I took the first steps toward doing so applying Moody-Adams and Calhoun on moral responsibility. I argued that if we retain moral responsibility even in the face of the cognitive warping effects of culture, we must still be capable of making sound moral judgements, in which case there must be a way to reliably incorporate moral intuitions

into our judgements, as long as we are being careful and conscientious.

Still, we are faced with the problem of disagreement, which points out that even when people are at their most intelligent, careful, and reflective, their fundamental intuitions can still conflict. Therefore, even though the possibility of moral responsibility suggests that intuitions can be trusted, generally speaking, the existence of disagreement points to the difficulty of determining which specific intuitions to trust.

What is needed is some epistemic resource (or resources) capable of distinguishing between trustworthy and untrustworthy intuitions, or perhaps refining warped intuitions into something more reliable. Moderate moral intuitionism explicitly accommodates such resources; the difficulty is in working out the details. The warping effects of social forces and the problem of disagreement have narrowed down what types of solutions are required, but this paper does not make any more specific suggestions.

Instead, that is the task of the third paper, where I combined aspects of Henry Sidgwick's moral epistemology with feminist arguments into a framework for evaluating moral intuitions. Unlike Sidgwick, I view my theory not as a set of tests to be passed or failed, but as a set of values to be appreciated, applied, and sometimes weighed against each other in evaluating our moral intuitions.

The details of my values-based approach are beyond the scope of this concluding chapter, but some broad strokes are worthy of reiteration. It must be kept in mind, for instance, that the values I propose are epistemic, not moral, though they are meant to be applied to moral intuitions. This prevents circularity and allows my view to remain decidedly foundationalist, while still incorporating resources other than intuitions alone.

Perhaps most importantly, though, I would like to conclude by emphasizing again

the importance of humility in ethics, a theme (which I credit to Audi) running through all three of my papers. Intuitions may be the best path to good moral judgements, but that very thing which makes them the foundation of moral epistemology, their self-evidence, makes it very easy to overestimate their reliability. And yet they are indeed fallible, and the changes which can be wrought on them by the powerful forces of culture and society (not to mention the general complexity of ethics) require the application of additional epistemic resources. My values-based framework is such a resource, and therefore an example of the kind of epistemic pluralism required not only by intuitionism but by any moral theory hoping to avoid dogmatism and oversimplification.

Of course, the work is far from done. While I presented and defended some proposals for epistemic resources to be employed along with intuitions, applying them in a practical and rigorous way is beyond the scope of my work here. Nevertheless, doing so is a necessary step if my hybrid Sidgwickian-feminist framework for evaluating intuitions is to be truly successful. Indeed, doing so might well bring to light additional values and resources worth incorporating, expanding the theory and making it an ever more apt approach to intuitionist moral epistemology. In the spirit of fallibilist humility, I would see such amendments as improvements more than criticisms, and they strike me as a very promising direction for future research.

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Metaethics, Feminist Ethics, Moral Philosophy

Areas of Competence

History of Analytic Ethics, Philosophy of Biology, Philosophy of Religion

Publications

"'Babies or Bathwater:' Normative Analysis and Descriptive Definitions." In *Mindful: University of Toronto Journal of Ethics* 1 (2006): 35-38.

Conference Experience

Presenter, *2014 Ryerson University Graduate Conference in Philosophy* (Ryerson University)
Topic: "A Preliminary Widening of the Is-Ought Gap"
February 2014

Speaker, *2013 Markham Public Library Pecha Kucha Series* (Markham Public Library)
Topic: "Everyday Evolution"
September 2013

Presenter, *2013 University of Waterloo Graduate Philosophy Conference* (University of Waterloo)
Topic: "A Preliminary Widening of the Is-Ought Gap"
March 2013

Presenter, *2012 Essays of Significance: University of Windsor Graduate Philosophy Conference* (University of Windsor)
Topic: "A Preliminary Widening of the Is-Ought Gap"
March 2012

Presenter, *2011 Meeting of the Canadian Philosophical Association* (University of New Brunswick)

Topic: "A Proto-Defense of Markosian's Tensed Correspondence Theory of Truth"

June 2011

Presenter, *2009 Syracuse Graduate Conference in Philosophy* (Syracuse University)

Topic: "Pornographic Performers: Representations for Arousal and Moral Distinctions of Pornography"

April 2009

Commentator, *2012 Meeting of the Canadian Philosophical Association* (University of Waterloo/Wilfrid Laurier University)

May 2012

Co-Chair/Commentator/Reviewer, *Diotima 2011: A Conference for Feminist Philosophers* (The University of Western Ontario)

September 2011

Organizer/Reviewer, *Diotima 2010: A Conference for Feminist Philosophers* (The University of Western Ontario)

September 2010

Organizer/Reviewer, *Diotima 2009: A Conference for Feminist Philosophers* (The University of Western Ontario)

September 2009

Awards

-*Ontario Graduate Scholarship*, from the Government of Ontario (2012-2014)

-*Queen Elizabeth II Aiming for the Top Scholarship*, from the Government of Ontario (2003-2007)

-*Scotia Capital Markets Bursary in Philosophy*, from the University of Toronto Faculty of Arts and Science (2006-2007)

-*New College In-Course Scholarship in the Humanities*, from New College, University of Toronto (2004-2007)

Teaching Experience

-Grader, *Introduction to Theory of Knowledge* (University of Western Ontario: Fall 2008)

-Grader, *Terrorism* (University of Western Ontario: Winter 2009)

-Grader, *Introduction to Ethics* (Huron University College: Fall 2009)

-Grader, *Ethics of Professional Relationships* (University of Western Ontario: Winter 2010)

-Teaching Assistant, *Introduction to Philosophy* (University of Western Ontario: Fall 2010/Winter 2011)

-Teaching Assistant, *Big Ideas* (University of Western Ontario: Fall 2011)

-Instructor, *Terrorism* (University of Western Ontario: Fall 2012)

Graduate Coursework

Empiricism Through the Ages: The Given (Ben Hill), Fall 2008

Feminist Moral and Political Philosophy (Samantha Brennan), Fall 2008

Oppression and Responsibility (Tracy Isaacs), Fall 2008

Semantics (Rob Stainton), Winter 2009

Sidgwick's Ethics (Anthony Skelton), Winter 2009 (accelerated)

Toleration and Its Critics (Dennis Klimchuk/Richard Vernon), Winter 2009

Problems in Metaethics: Realism vs. Antirealism (Elisa Hurley), Winter 2010

Philosophy of Time (John Thorp), Winter 2010

Moore's Ethics (Anthony Skelton), Fall 2010

Darwin's On the Origin of Species (Devin Henry), Fall 2010

Global Feminist Ethics (Tracy Isaacs), Fall 2010

Free Will (John Thorp), Winter 2011

Evolutionary Perspectives on Ethics and Epistemology (Gillian Barker), Winter 2011

Reading Course in Contemporary Philosophy of Religion (John Thorp), Winter 2011

Gender and Race (Carolyn McLeod), Fall 2011