

Moral Intuitionism, Experiments and Skeptical Arguments¹

Much argument and investigation in normative ethics seems to rely on reasoning that deploys intuitions – somewhat immediate judgements about claims that do not depend for their force on antecedent commitments. Judith Jarvis Thomson (1985, p.1409), in the course of investigating the principles that govern permissible killing asked herself whether it would be permissible to push one person in front of a moving trolley to save a larger number of people further down the track. Her judgement was that shoving a fat man off a bridge in service of even a life saving goal was not permissible. And this judgement then constrained her theorizing about appropriate principles. Bernard Williams (1973 , p. 97), in the course of arguing against utilitarianism in particular and consequentialism generally asks himself and his readers whether George, and imagined unemployed chemist with scruples about weapons, should take a job researching biological and chemical weapons when doing so would prevent another more enthusiastic applicant from taking the job and designing more lethal bombs. Williams expects his audience to conclude with him that George should not take the job and uses that response to argue against consequentialism on the grounds that it cannot support this verdict. In both of these well known arguments, the judgements about the particular hypothetical examples do not seem to be derived from principles already accepted by all those who agree with Thomson or Williams about the examples. Rather the responses of those who think about the examples for

¹Many thanks to Al Casullo, John Gibbons, Elizabeth Harman, David Henderson, Walter Sinnott-Armstrong, Michael Tooley and to the students in my undergraduate seminar in Spring of 2009 for discussion of the ideas and literature in this paper. Selim Berker, David Chavez, Joe Mendola, and John Turri all gave me very helpful comments after reading an earlier draft of it. I also owe a debt of gratitude to Amanda Marshall, my commentator on a previous version of this paper at the Rocky Mountain Ethics Workshop in the summer of 2009 and to members of the audience on that occasion.

the first time seem to be spontaneous in some way, and not obviously dependent on prior philosophical commitments for their epistemic status. In fact, many people with opposing theoretical commitments also grasp the force of the examples in question.

Philosophers often identify such spontaneous responses as ‘intuitions’, and in fact self-identified moral intuitionists have made such responses one of the building blocks in an overall foundationalist moral epistemology. Robert Audi, Roger Crisp, Mike Huemer, Russ Shafer-Landau, and Philip Stratton-Lake have all defended versions of epistemological intuitionism as an appropriate model for justification in normative ethics.² Though their proposals differ in important details, they have all claimed that intuition can provide rather strong warrant for the normative judgements that are its ethically relevant upshot. In particular they all seem to claim that intuitive judgements provide justification sufficient for belief absent defeaters. They also commit themselves to the claim that the relevant intuitive judgements are non-inferential, whatever that comes to. Given this status, judgements yielded by intuition would be fit to perform two roles in moral epistemology, roles that are to some extent highlighted by the examples with which we started. First, they can serve as foundational judgements in need of no further relational justification on the basis of which we can go on to believe further things about morality. This sort of foundational role requires judgements whose nonderivative epistemic status allows them to serve as regress stoppers. Intuitionists think that the noninferential yet

²Not all of these theorists think that the primary locus of intuitive justification is in particular judgements about hypothetical cases of the sort I use as examples. Audi, for example, focuses primarily on prima facie principles identifying relevant moral properties. They do all seem to be classifiable (in Audi’s terminology) as moderate foundationalists – that is foundationalists whose claims are more moderate than those who require certainty or indefeasibility with respect to base-level claims. I’ll use that label to refer to this sort of view at various points in the text.

justified nature of the intuitions make them especially fit for that task. Secondly, intuitive judgements can help us to decide between different equally coherent normative theories on the basis of their fit with justified intuitive judgements. Since their justificatory status depends on something other than the way in which they are related to other things they can retain that status even when they come into conflict with coherent normative theories. Thus they can be used to test such theories and decide between otherwise equally attractive competitors.

Even while this sort of intuitionism is gaining popularity among moral epistemologists, some experimental philosophers and philosophers using experimental results have attacked philosophical reliance on intuitions as unreliable and hence unwarranted. Often these sorts of criticism are directed at non-consequentialists by consequentialists. That should be no surprise given the examples I gave as illustrations. But these criticisms have also been urged by skeptics about morality. Walter Sinnott-Armstrong has been one of the leading proponents of such general skepticism and his arguments are perhaps the most worked out of the empirically based challenges to intuitionism. His strategy effectively uses varying empirical results to argue that the putative outputs of intuition don't have the reliability they would need to have to justify belief in their contents.

This paper is an attempt to figure out what an intuitionist should say in response to these challenges. I am going to argue that at least some of the results cited by Sinnott-Armstrong and others, should shake intuitionist confidence that intuition alone can provide knowledge sufficient for belief. But I will also argue that intuitively generated judgements can play the needed regress-stopping and theory testing roles that intuitionists need them to play without providing justification sufficient for belief. Furthermore, I will argue that candidate intuitive judgements need not be entirely non-inferential to play the two epistemic roles.

Intuitions as Evidence Favoring One Coherent Theory Over Another

The dialectic rehearsed at the beginning of this paper illustrates the role intuitions play in deciding between conflicting but internally coherent normative theories. Much moral philosophy attempts to provide an account of our obligations or reasons for action either in a comprehensive way or in some more limited domain. For just about each such enterprise moral philosophers have come up with equally coherent but incompatible accounts. Sometimes these accounts conflict with antecedent commitments and we choose between them on that basis.³ At other times parties to the debate propose that we consider scenarios involving choices for which the competing coherent theories provide different advice. Parties aim to find examples for which one option has considerable intuitive appeal apart from any fit with either of the contending theories. If judgements about enough such examples of sufficiently divergent sorts fit better with one theory than another, this fact can be used to support one theoretical position over another. Furthermore, some of us find certain more abstract principles intrinsically more plausible than others, again apart from any support from one of the contending coherent theories. And we can use these judgements to choose between theories as well. In fact it is hard to see how much extant normative theory would exist without recourse to both of these sorts of judgements.

Epistemological intuitionists in ethics⁴ aim to offer a story about either or both of these

³The genesis of these commitments is often unclear, so that appeal to these commitments is neutral between a purely coherentist model of justification and a more foundationalist model. That's why I focus on newly formed judgements.

⁴ Within the ethics literature the term 'intuitionism' can designate either an epistemic view or a normative position of the sort that Ross defended where various *prima facie* principles are traded off against one another. Here I use it in the epistemic sense.

sorts of judgements which makes sense of their use for choosing between theories. One requirement is that the epistemic status of the relevant judgements indeed be independent of the theories they are used to decide between. Otherwise the particular judgements in question would offer no additional reason to choose one theory over another, beyond the fact that the first is an alternative theory to the second. For this reason many intuitionists have stipulated that intuitions must be “non-inferential”. The thought is that absence of inferential support secures independence from other judgements including the theories between which we seek grounds to choose.

Intuitions as Regress Stoppers

Consider the following argument :

Regress

(R1) If any person S is ever justified in believing a normative claim that p then S must be able to infer p from other beliefs of S.

(R2) Any inference must have either (a) no normative premises or (b) some normative premises .

(R3) No person is ever justified in believing a normative claim that p by an inference with no normative premises.

(R4) No person S is ever justified in believing a normative claim that p by an inference with a normative premise unless S is also justified in believing the normative premise

itself.

(R5) No person is ever justified in believing any normative claim p by a chain of inferences that includes p as an essential premise.

(R6) No person is ever justified by believing any normative claim p by a chain of inferences that go on infinitely.

(R7) No person S can ever be justified in believing a normative claim that p .

This sort of argument for skepticism, based on the rejection of justificatory regresses, is familiar to most of us. The formulation here is a simplified version of an argument from Walter Sinnott-Armstrong's *Moral Skepticisms*.⁵ It usefully highlights the attractions of normative intuitionism as providing a way to avoid regresses without lapsing into skepticism. Most current moral intuitionists deny the first premise of this argument and thus avoid its conclusion. They think that some normative beliefs can be justified sufficiently even though they cannot be validly inferred from other beliefs. And what this idea comes to for most of its proponents is one of two things. Either it amounts to the claim that some normative beliefs are themselves self-evident insofar as understanding the content of these beliefs can be sufficient for justifying a

⁵The formulation is simplified from Sinnott-Armstrong's, so this is not quite a quotation, though several of the premises are verbatim transcriptions of his. See Sinnott-Armstrong (2006) pp. 74-77 for his somewhat longer version. I think that the simplification doesn't effect either the main point of Sinnott-Armstrong's argument or the appropriateness of my suggested response to it, though it does make the overall argument easier to follow.

thinker in believing them even in the absence of inferential support from other beliefs. Or it amounts to the claim that intuitions are a propositional attitude distinct from belief (for instance “seemings”) but capable of conferring justification or warrant on belief in their contents. The first option has the intuitions themselves play the role of warranted or justified beliefs that are not inferred from any other thing. The second has the beliefs supported by intuition serve as the beliefs that are justified or warranted without being inferred from any other belief.⁶

Undermining Intuition

These uses of intuition have come under attack both from moral skeptics and from advocates of normative theories that wish to resist particular uses of putative intuition to favor alternative theories. One main line of attack is empirical. Various results in experimental psychology are deployed to undermine our confidence in the reliability of any capacity to form justified beliefs on the basis of intuition. If intuition is not sufficiently reliable to justify believing its outputs it won't be able to underwrite sufficient confidence in those outputs to stop regresses or decide between competing theories. Once again, one of the main proponents is Walter Sinnott-Armstrong:

Unreliable:

(U1) If our moral intuitions are formed in circumstances where they are unreliable, and we ought to know this, then our moral intuitions are not justified without inferential confirmation.

(U2) If moral intuitions are subject to framing effects then they are not reliable in many circumstances.

(U3) Moral intuitions are subject to framing effects in many circumstances.

⁶Audi takes the first option, as do most of the rest on my list, though Huemer takes the second.

(U4) We ought to know this.

(U5) Therefore our moral intuitions in those circumstances are not justified without inferential confirmation.⁷

Sinnott-Armstrong lends support to steps (3) and (4) by citing various psychological experiments involving subjects responses to questions about what to do in various hypothetical scenarios. Among other things they show that people's answers can be influenced by how a case is described to them. One line of argument uses Kahneman and Tversky's famous Asian disease experiment to suggest the hypothesis that people's differential willingness to avoid killing as opposed to letting die could be explained by framing effects.⁸ Another (Petrinovich and O'Neill) cites studies which show that people shift their responses to cases when the description of the very same case uses saving language rather than language that talks of resulting deaths. Insofar as the mere description of a case must be irrelevant to how one ought to act in that case, these cases show that the subjects responses are influenced by framing. Sinnott-Armstrong, of course, uses this argument to support skepticism about moral knowledge. But non-skeptics who disagree with various theories might also take comfort, inasmuch as their proponents rely on putative intuitions about cases or about more or less plausible abstract principles.

I'm not going to deny that in these cases the responses were affected by framing. Nor am I going to deny the conclusion of the last argument suitably understood. Furthermore, I'm

⁷Sinnott-Armstrong (2008) p. 52. It is worth noting that this argument is really two different arguments, one employing unreliability on its own and a second argument which supplements that argument with knowledge or an internalism friendly access constraint.

⁸Sinnott-Armstrong continues in the tradition of Tamara Horowitz (1998) who used Kahneman and Tversky's (1979) prospect theoretic explanation of choices to attack arguments from cases in support of a doing/allowing distinction. I wrote a response to that attempt (van Roojen, 1999). While I still agree with most of what I wrote, I'm writing this paper to try to get closer to the core issue than I now think I did there.

prepared to concede that *Unreliable* works when deployed against most current versions of intuitionism. But, I am going to argue, this is because both those intuitionists and Sinnott-Armstrong share an assumption which has artificially restricted the options for intuitionism.⁹ Put simply, that assumption is that every regress-stopper must itself have non-inferential justification sufficient for justified belief. My thesis will be that intuitionists should avail themselves of the resources that this assumption leads them to ignore if they want to resist challenges of the sort erected by Sinnott-Armstrong and his allies.

An Unconsidered Option

Notice that the first premise of *Regress* admits only justification relations that allow inference from another of the agent's justified beliefs. And that suggests that regress stoppers must themselves be beliefs. Insofar as they are beliefs it then seems also required that they themselves come with justification sufficient for belief. After all how would inference from some belief you are not justified in having generate justification? Several intuitionists have noted this point and reacted by identifying intuition with a distinct cognitive state, such as a seeming. And, as I understand some of them, they think that such seemings don't themselves require justification though they do confer justification or warrant on beliefs with the same content. Thus, this way of denying the first premise of *Regress* relies on a recognition that some regress-stopping options are being ignored.

Still, so long as it is part of the view that these states confer justification sufficient for belief on beliefs with the same content, the resulting view can still be undermined by arguments

⁹It might be most fair to Sinnott-Armstrong to note that he may just be working within the assumptions of the intuitionists his argument target, rather than himself having a commitment to the claim I think should be denied.

like *Unreliable*. Let's grant for the moment that intuitions are a distinct kind of cognitive state, one requiring no justification. Since they require no justification, arguments showing that they are unreliable in their upshot don't undermine their intrinsic epistemic status. Even so, it is part of the theory that they can confer positive epistemic status to beliefs that are related to them in the appropriate way – that is to beliefs that have the same content as they do. As long as the view goes on to hold that the positive status in question must be sufficient to make those beliefs justified (at least in the absence of defeaters), unreliability in the intuitions themselves will carry over to undermine that claim.

However, there is another way to live with the empirical results supporting *Unreliable*, while allowing intuitions to play a regress-stopping role. That is to notice that a regress-stopper need not get all of its justification non-inferentially or non-relationally. The level of justification provided by intuitions need not be on its own sufficient to believe their contents without more support from other sources. All it really has to do is to put them in a favorable enough position that relations of coherence with other similar judgements can corroborate them all so that they all pass the threshold of justification sufficient for belief together.

Though views like this are not currently popular, and though I've been able to find no one in the ethics literature who seems to hold it, it is not entirely unfamiliar. Bertrand Russell at one time advanced such a view for epistemology in general. After contrasting versions of foundationalism and coherentist accounts of epistemology and rejecting a pure coherence view he writes:

. . . But in a modified form the coherence theory can be accepted. In this modified form it will say that all, or nearly all, of what passes for knowledge is in a greater or lesser degree uncertain; that principles of inference are among the prima-facie materials of knowledge, then one piece of prima-facie knowledge may be inferrible from another, and thus acquire more credibility than it had on its

own account. It may thus happen that a body of propositions, each of which has only a moderate degree of credibility on its own account, may collectively have a very high degree credibility. But this argument depends on the possibility of varying degrees of intrinsic credibility, and is therefore not a *pure* coherence theory. . . (Russell, 1948. p. 157)¹⁰

My suggestion is that a view of this sort, which allows moral intuition to generate moral propositions with a certain degree of credibility short of that sufficient to justify belief, will enable intuitionists to stop regresses and to resist Sinnott-Armstrong's argument.

This way of thinking about the role of regress-stoppers highlights a good way to think about the relevance of reliability to epistemic investigation. The really important thing is whether taking some putative source of information into account in coming to conclusions makes the overall belief forming practice of which it is a part more reliable than it would be without it. A somewhat unreliable process can be part of a more reliable overall process, and the overall process might be less reliable if it lacked the only somewhat reliable sub-part. Condorcet's Voting Theorem gives us a simple model; voting in a population each member of which is only slightly better than chance at drawing the right conclusions turns out to more reliably get things right than the decisions of any individual. That example is over-simple for a number of reasons, but it does show that the suggestion that repeated use of an only somewhat reliable process can generate a more reliable process. Of course moral enquiry is more complicated than voting for or against a proposition on a ballot. But the complication doesn't effect the parallel point in that

¹⁰In his (1985), BonJour distinguishes moderate foundationalism – the view that foundational beliefs must be *prima facie* though perhaps defeasibly justified - from weak foundationalism – roughly the view I'm advocating here, before dismissing the latter. He credits weak foundationalism to Russell, followed by Goodman (1954), Firth (1964) and Scheffler (1967, ch. 5). As I read them only Russell clearly defends a specifically weak foundationalist view. The others note the view in the course of arguing for a views of a sort that include both moderate and weak foundationalism. I know of no current clear advocate of the view.

domain. An only somewhat reliable intuitive judgement generating process can be part of an overall process of reaching reflective equilibrium about a subject matter that is more reliable as a result of incorporating it. What really needs to be shown to undermine the practice of relying on intuition is that the overall package is unreliable or that the resulting procedure would be more reliable if it jettisoned reliance on the intuitions entirely.

As already noted, regress-stopping and using intuition to decide between equally coherent theories are necessary to enable normative theorizing to generate any warranted verdicts about normative matters. If there is no non-inferential or non-relational form of justification, and if justification must come to an end somewhere, we'll get no successful justification. Similarly, without a way of picking certain plausible propositions as those a theory should accommodate as well as possible, there will be no choosing between equally coherent competing theories. On the assumption that there are truths to be discovered about moral matters, a method which renders no verdicts is less reliable at finding out the truth than a method which renders verdicts which are true more often than not. I've argued that we get such a method when we couple just somewhat reliable intuitive inputs with various processes of reasoning that rely on relations of coherence between the intuitive inputs.

Paradigm Moral Intuitions Are Not Beliefs Nor Are They Sufficiently Justified to Believe

Sinnott-Armstrong is not being unfair to his real life targets when he targets the strong claim that intuition is sufficient to justify belief. Each of the most prominent current moral intuitionists accept the claim that is the main target of *Unreliable*. Robert Audi, Roger Crisp, Mike Huemer, Russ Shafer-Landau, and Philip Stratton-Lake all defend views according to

which unaided intuition yields justification sufficient for knowledge.¹¹ All allow that the justification provided by intuition can be defeated, but absent such defeaters intuition justifies beliefs and when belief results those resulting beliefs count as knowledge. It is that claim which Sinnott-Armstrong effectively targets.

When one reads looks at the experimental papers underlying much of his argument, one might be surprised to discover that the judgements elicited by researchers often don't fit philosophical accounts of intuition. For example, many of the canonical moral intuitionists require that intuitive judgements be noninferential; yet there is often just no evidence in the experiments to indicate that the responses weren't arrived at through inference. Subjects are asked their opinions about hypothetical cases, but that by itself doesn't tell us whether there was inference involved in forming these opinions. And it isn't completely obvious what sort of evidence would show the judgements to be non-inferentially generated. I'll come back to this briefly at the end of the paper.

More importantly for my purposes, there is often little evidence to indicate that the responses were indicators of belief in the appropriate content,¹² or that the subjects took

¹¹ Audi's view is very strong, ". . . one does not have an intuition with that proposition as its content until one believes it." (1996, p. 110) Crisp, in defending a view he attributes to Sidgwick, concurs. (2002, pp. 64 & 72n) Shafer-Landau equates intuitionism with the view that there are noninferentially justified moral beliefs. (2008, p. 83) Stratton-Lake follows Audi in thinking that unsupplemented intuition generates knowledge. (2002, p. 18) Huemer requires only that the justification be sufficient for belief absent defeating evidence. (2005, p. 105) In fairness to him I should note that his view is closest to the sort I advocate. In a recent paper on related matters (2008, p. 379-80) he notes that it is possible for coherence relations to ratchet up the level of justification provided by intuition which start out with only weak justification, and he notes that this sort of leveraging can get going even when the original level of justification is rather weak due to the unreliability of the intuitive judgements we start with.

¹²The requirement that intuitions are beliefs is not universal among intuitionists. But it can be striking that some of the papers in the relevant literature tell us what intuitions are

themselves to have justification for such judgements. In the Kahneman and Tversky Asian Disease experiment, respondents were asked to choose between options for what to do. And while it is plausible that their overall beliefs played a role in their choices, there's no special reason to think that they believed they were doing the right thing as opposed to (for example) believed that their choice was most likely to be right.¹³ In the Petrinovich and O'Neill study using trolley cases (heavily relied upon by Sinnott-Armstrong) respondents were offered six options for reacting to a claim ranging from strongly agree to strongly disagree (with no option for don't know). Given that format there's no reason to think that they were expressing belief in the target claim when they answered with any of the non-extreme responses. Somewhat agree does not mean believe.

In fact there seems to me to be positive reason to think that the responses weren't beliefs and some reason also for the subjects not to take themselves to have full justification for such beliefs. Reflection on our own responses to the sorts of hypotheticals that inform moral theorizing should, I think, reinforce the conclusion. My own reactions to many trolley cases are somewhat tentative, though now that I've had a chance to reflect on them and put them together with other things I think I have a greater degree of confidence in some of my judgements. At this point they are no longer free of support from other plausible hypotheses and their justification is not purely on the basis of considering the cases in isolation.

Perhaps further experiments could be conducted to show that subjects in fact believe the

supposed to be by following one or another characterization from the intuitionist literature and then include nothing in the experiment itself to assure that they are testing for something of this sort.

¹³Sinnott-Armstrong himself notes that views about the subjects moral beliefs have to be inferred from their choices in this experiment.

answers they give in the relevant experiments. My own suspicion is that they don't, that instead the subjects express credences that fall short of belief. But my overall argument doesn't really depend on that point. I think that even were the subjects to believe the intuitive judgements they support in these cases, we should still deny that intuition has provided them justification sufficient for belief. I think this is so even before we are confronted with the relevant undermining experiments. Still, I think, it would somewhat strengthen my case if test subjects were in fact expressing credences that fall sort of full belief in the content of the judgements they express. I could then suggest that their own judgements roughly reflect the support those judgements actually have. The liability to framing effects discovered by the researchers could just be explained as a reflection of the fact that people's confidence in these judgements is weak enough that it can be easily shifted, even by in the end irrelevant factors. And this changeability could in fact reflect an appropriate response to an inconclusive epistemic situation.

Fans of intuition might try to use the mismatch between descriptions of the target judgements and the actual judgements surveyed as part of a push-back strategy. They might wish to argue that the experiments do not actually test the reliability of intuition, since they do not target attitudes that fit the intuitionists definitions. I think this would be a mistaken response to the mismatch. The experimenters were not being arbitrary when they chose to study attitude formation of the sort that they considered. Well-chosen hypothetical choice scenarios play an important role in moral argument and they seem to function in much the way regress stoppers must.¹⁴ So the experimenters were looking at the right phenomena if they wanted to study good

¹⁴Of course, judgements about the plausibility of principles might well be another place where intuition plays a role, and also judgements about similarity of cases. Russell in fact seemed to regard judgements about which principles of reasoning are plausible to be paradigm case of the contents that carry some intrinsic credibility. And I think that we only have the

candidates for intuitive justification in the moral realm. And this remains so even when the most prominent intuitionists themselves characterize intuition in ways that would rule out the judgements in question.

How This Helps

If I think the push-back is mistaken, why did I think it was worth pointing out the mismatch between the intuitionists characterization of the target judgements and the judgements under empirical study? Because the mismatch suggests that intuitionists should rethink their characterizations of intuitive judgements. I'm arguing that many of the paradigms for such judgements don't, even independently of Sinnott-Armstrong's argument, fit with central intuitionist claims – that intuition by itself provides them with justification sufficient for belief. An intuitionism of the sort I propose doesn't need them to have any stronger initial intuitive justification. It can accept all of the premises and even the conclusion of *Unreliable*.

An Objections From The Fans of Intuition and a Reply

I speculate that the absence of this sort of view from the debate is to be explained partly sociologically. Recent epistemic views have been widely influenced by the suggestion that evidence is knowledge¹⁵ and at least on a standard interpretation this would rule out foundational justification that falls short of underwriting belief. But there is at least one other sort of consideration that seems to count against the view. Versions of it have been articulated by Sellars, Davidson, McDowell and others, and a related idea finds a home in Huemer's version of

materials to use intuitions about particular cases in a process of reaching reflective equilibrium if we have other judgements at more general levels that get the same sort of initial credence from non-relational sources.

¹⁵ For instance, Williamson (2000).

intuitionism.

Using a Sellarsian metaphor, the idea is that for intuition to provide evidence it must generate inputs that are already within the space of reasons. This is taken to mean, on the one hand that they must involve propositional attitudes, and on the other that the contents of those propositional attitudes must be of a sort to bear the appropriate relations to the conclusions they are used to support. McDowell attributes the view to Davidson in his treatment of experience:

. . . [I]f we conceive of experience in terms of impacts on sensibility that occur outside the space of concepts, we must not think we can appeal to experience to justify judgements or beliefs . . . The space of reasons does not extend further than the space of concepts . . .

But Davidson thinks experience can be nothing but an extra-conceptual impact on sensibility. So he concludes that experience must be outside the space of reasons. According to Davidson, experience is causally relevant to a subject's beliefs and judgements, but it has no bearing on their status as justified or warranted. Davidson says that, "nothing can count as a reason for holding a belief except another belief" (p. 310), and he means in particular that experience cannot count as a reason for holding a belief.¹⁶

It's no surprise to find the objection articulated in a perceptual context since perception is often used analogically to explain intuition in a moral context.

Mike Huemer's endorsement of direct realism as part of his intuitionism is one way to avoid the position Davidson winds up in. Huemer suggests that it is a mistake to take perception or intuition as providing evidence from which we infer conclusions about the world.

. . . [T]he flaw consists in a basic misunderstanding of the structure of a foundationalist theory of knowledge. Intuitionism does not hold that from 'I have an intuition that p' one may infer 'p'; nor does the principle of Phenomenal Conservatism hold that 'It seems to me that p' is a reason for 'p'. Those would be claims about *inferential* justification. Phenomenal Conservatism and my version of intuitionism are versions of *foundationalism*: they hold that we are justified in some beliefs without the need for supporting evidence. The role of conditions (1),

¹⁶McDowell (1994) at page 14, quoting Davidson (1986).

(3) and (5) [about intuition, experience and memory] in the theory of justification is that of conditions under which certain beliefs . . . , rather than that of evidence supporting those beliefs. (Huemer, 2005, pp. 120-121)

And Huemer takes the direct realist maneuver – predicated on the thought that perception or intuition provide their objects directly to be used in forming further conclusions – to require these objects to be propositions which we are now fully justified in believing – provided that they have been presented by perception or intuition. That we perceive or intuit them is a precondition for their being justified, but it is not itself a justification. And this avoids the sort of problem that Davidson only avoids by denying any foundation at all, since the deliverances of perception and intuition are propositional *and* of the right sort to serve as justifications for further thoughts.

If the basic positive idea here is right¹⁷ then there is still both something right and something wrong with the precise way it has been developed in the quoted passage. We can get the benefits of transparency without going all the way to requiring that the inputs be believed or that belief be warranted. It may well be right to think that the psychological claim, ‘That it seems to me that p,’ is not evidence but rather a precondition for the proposition *that p* to be evidence. And further Huemer might be right to think that what intuition provides is a proposition – again *that p*. But it is wrong to think we can only get those two benefits at the cost of thinking that we must believe p for the proposition that p to be an input to justification.

¹⁷I’m ambivalent about it. On the one hand, in normal cases the representational content of perception or of putative intuition seems very closely connected to the nature of their content. In general a perception with a content that represents, for example, a car on the street is better evidence about what is going on in the street than it is about what is going on elsewhere. And that is because that is what it is about. But, on the other hand, sometimes a judgement can support conclusions about facts with entirely unrelated content such as when we infer some further proposition with unrelated content because it is a constituent of the best explanation of the original judgement. See Harman (, chapter one).

At least as far as this argument goes, we need think no such thing. What matters to the ability of our intuitive judgements to rationalize further judgements is for their content to have implications for the contents of these further judgements. The problem, as Huemer noted, was that a psychological claim about how things seem to me, doesn't carry any commitment incompatible with things being some other way. So a judgement with that psychological content can't put rational pressure on these further judgements, at least absent bridge premises we may not be in a position to accept. This argument thus constrains *the content* of the judgements contributed by intuition. It does not, however, constrain our confidence in them nor does it constrain the level of warrant for that confidence.

My suggestion then is to allow judgements with the relevant content into our thinking to justify beliefs even when the judgements are not full beliefs. We can characterize such judgements as accepting p with a certain credence; in ordinary English we might call it "finding p plausible". Huemer's argument doesn't show that there is anything wrong with this way of talking. If its root idea is correct, it does show we should not take *the epistemically relevant content* of that attitude to be 'p is plausible'. Rather we should say the epistemically relevant content is 'p'. But we can accept that without requiring the relevant state of mind to be belief, and without requiring that we have justification sufficient to believe that content. The main point is that someone who justifiably finds p plausible stands in an epistemically interesting relationship to the proposition p and that that proposition is the right kind of thing to be an epistemic reason to conclude yet further things, at least if it is true. It is the content of the state, and not our degree of confidence in that content, that is epistemically relevant to further

conclusions and which makes other propositions epistemically relevant to it.¹⁸ At the same time, an intuitionist should say, it is standing in the right sort of relation to that proposition – considering it in the right way for it to show its plausibility – which allows it to play an appropriate epistemic role. This claim is analogous to Huemer’s claim about the role believing an intuitive judgement. The main difference is that the present view allows the state to play its epistemic role with less by way of justification.¹⁹

Further Adjustments to Intuitionism

So far I’ve argued that a more moderate intuitionism than yet proposed by even moderate intuitionists in the ethics literature is well placed to live with the kinds of results Sinnott-Armstrong has effectively deployed against these intuitionists. And I have argued that it also fits better than less moderate versions with the actual use of putative intuitions by ethical theorists. I want to suggest one further trimming of intuitionist theoretical commitments.

Intuitionists want intuition to play an autonomous role in moral theorizing. If the content of a putative intuition is just the upshot of claims a theorist already accepts it won’t be much help in choosing between different consistent theories. Nor will intuitions be good candidates for regress-stoppers if they’re just the upshot of even tacit reasoning from yet further judgements, already accepted. Ethical intuitionists have thus often built these desiderata into their canonical descriptions of intuition by requiring that intuitive judgements be “non-inferential”. This strikes me as problematic for a couple of reasons.

¹⁸Schroeder (2008) has some interesting discussion about how to think about this sort of thing, especially at the end of that paper.

¹⁹For what it is worth, this section of the paper is the one I’m least sure of, partly due to my ambivalence about transparency. I think it could probably be denied while defending the main point of the paper as a whole.

Stipulating that intuitions be noninferential will include some judgements without the required independence while excluding others that have it. It is going to be very hard to know in many cases that a judgement is non-inferential if we admit that there may be unconscious, tacit, or even just unnoted inferences. A person's background beliefs can effect even that person's first seemingly immediate reaction to a question about a situation. So judgement may seem entirely non-inferential and yet depend on such unconscious or unnoticed inferences. If there is reason to worry about the effects of background beliefs, the stipulation isn't going to help us with the problem. While we can say that only the independent judgements count as intuitions, we won't be in a position to say which seemingly immediate judgements are intuitions and which are merely putative intuitions. As long as we don't know which are which, we are going to have to treat them the same in actual epistemic reasoning.

At the same time, the inferential nature of a judgement doesn't in and of itself constitute a troublesome limit on the autonomy of the target judgement. Worrisome dependence exists only when the conclusions of the judgement forming process don't go beyond the commitments already built in to the judgements we are trying to decide between. And as far as regresses go, you can't find your way out of an argumentative circle by adding in premises generated by computing the deductive consequences of the premises you already have. But then the worry only applies when the upshot of the inferential processes depend deductively only on the premises already available. A judgement that is the upshot of both new information and inference therefrom won't be disqualified since the new information provides independent input into the overall process.

We can see this by considering an analogy. Empirical theorizing depends upon evidence, and for certain kinds of claims, such experiential evidence is apt for stopping argumentative

regresses and also for helping us choose between theories on the basis of fit with such evidence. While it may be controversial, many philosophers think that the nature of experience is influenced by a subject's background beliefs and training. (For example, Harman, 1977, pp. 4-5.) Whether that view is in fact correct or not, it is not an objection to it that theory-laden experiential data cannot play the role that experience is supposed to play in theory confirmation. It can play that role so long as experience adds something to the stock of information with which we want the theory to fit.

This suggests that the needed independence should be put in a more positive way. It isn't so much that we want to exclude inference as that we want to be sure to include inputs that don't depend solely on inference from prior beliefs. Intuition should provide judgements whose contents contain more information than whatever they get by inference from information the subject already has. That is, we need judgements that are what an older generation would have called ampliative.²⁰ Such judgements provide claims that would not be reachable from existing information by purely deductive methods.

Wrapping Up

I've now argued that a more moderate intuitionism than yet proposed by even moderate intuitionists in the ethics literature is well placed to live with the kinds of results Sinnott-Armstrong has effectively deployed against these intuitionists. I have also argued that this view fits better than less moderate versions of intuitionism with the actual use of putative intuitions by ethical theorists. Finally, I've suggested that intuitionists who insist that intuitive judgements be non-inferential should drop that requirement. That's all we need.

²⁰ Reference to Peirce.

Accepting these claims will be harder for some ethical intuitionists than others.²¹ To the extent that their epistemology of intuitive judgement relies on the contents of such judgements being self-evident, these proposals will be quite revisionary. On the other hand, just citing the self-evidence of a claim as an explanation of how we come to know it is structurally little different from citing the intrinsic plausibility of a claim. And insofar as the current proposal requires that this status be supplemented by coherence relations to other plausible judgements, it actually provides more of an explanation of how belief in such judgements comes to be warranted.

Furthermore, intuitionists of the moderate foundationalist stripe are already committed by their own theories to supplementing intuitive justification in this way. They accept that intuitive justification is defeasible. And it is plausible that our actual epistemic situation is one in which we have encountered defeaters sufficient to render uncritical acceptance of our intuitive judgements unjustified by moderate foundationalist lights. As Shafer-Landau (2003, p.265) persistent moral disagreement may be a defeater for intuitive belief so that one will need to bolster this belief by finding a place for it among other supportive beliefs. Recall also that Sinnott-Armstrong's *Unreliable* contained two grounds for worry about intuition – (1) that it was unreliable in the way demonstrated by the various experiments he cites, and (2) that we now should know this. Moderate intuitionists should think that knowledge of enough evidence

²¹ It looks to me like Huemer's intuitionism is easily able to accommodate my proposed emendations. As I noted above, he already realizes that positive epistemic status short of warrant for belief can be bootstrapped by coherence into warrant for belief in particular cases. And he already has an account on which intuitive judgements themselves are not beliefs. So he would only need to drop something from his official (2005) account of intuition. For the rest of the folks cited, accepting my main points would require greater modification of their stated views.

undermining the reliability of intuition should count as a defeater for belief in even self-evident propositions. So, now that we've looked at the evidence moderate intuitionists should think that we need to find further relational support for these beliefs to restore them to their prior justified epistemic status.

The big difference then, between moderate intuitionists who want to hang onto the fully justified without support from other judgements status of intuitive belief and the sort of more moderate yet view I propose here will be about our judgements prior to being faced with evidence we in fact already have. And on that issue their view gives more hostages to fortune than the one I suggest they should adopt. For that sort of justification requires more by way of reliability than the revisionary yet more moderate proposal and we have some reason to worry that we won't get it.

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