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Moral intuitionism and moral justification

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1. Introduction

This presentation draws from an early chapter in a book that we are co-authoring. The book is tentatively titled, *Un-disciplining Moral Philosophy: Moral Justification in an Unjust World*. It explores how people may engage together in productive moral reasoning even when their situations are far from ideal. We focus especially on moral disputes arising among communities that are unequally situated and/or whose members utilize very different cultural or religious resources. These circumstances raise problems for moral reasoning. In situations of inequality, the members of more powerful social groups often repress the moral views of those less powerful by ignoring, dismissing, or silencing them. In situations of cultural/religious diversity, members of different communities are likely to subscribe to different moral values or prioritize the same values differently, the values of one community may not have obvious correlates in another, and different forms of reasoning may be taken as authoritative.

Western philosophers have proposed a variety of models of reasoning for justifying moral claims and addressing disputes equitably. In the first part of our book, we examine several of these models and argue that they are infused with unacknowledged cultural assumptions and biases. Although the models may work well in some contexts, they work less well in situations where the disputants are unequal and culturally diverse. In contexts of diversity and inequality, the models often allow those who are more powerful to rationalize proposals that favor their own cultural orientations and interests.[1] Today, we illustrate some of these problems with reference to the methodological approach of intuitionism.

2. Moral justification and epistemic injustice

Justification is a social process which consists in giving accounts and exchanging reasons. A normative conclusion is not justified simply in virtue of the fact that someone correctly endorses it as morally right or wrong, even when they have presented what they regard as good reasons for their conclusion. The conclusion is justified by the account that is given to others about why a particular course of action is right or wrong, by the argumentation and reasons offered, and by others' responsive uptake of that account. This conception of justification is similar to Rawls's.

> "Justification is argument addressed to those who disagree with us or to ourselves when we are of two minds. It presumes a clash of views between persons or within one person, and seeks to convince others, or ourselves, of the reasonableness of the principles upon which our claims and judgments are founded. Being designed to reconcile by reason, justification proceeds from what all parties to the discussion hold in common. Ideally, to justify a conception of justice to someone is to give him a proof of its principles from premises that we both accept, these principles having in turn that match our considered judgments. Thus mere proof is not justification. A proof simply displays logical relations between propositions. But proofs become justification once the starting points are mutually recognized, or the conclusions so comprehensive and compelling as to persuade us of the soundness of the conception expressed by their premises.

[1] We have developed this argument with reference to the methods of appealing to universal moral principles and domination-free discourse (Jaggar and Tobin 2013; Tobin and Jaggar 2013; Jaggar and Tobin 2017). Chapters still unpublished address original position reasoning and communitarianism.

> It is perfectly proper, then, that the argument for the principles of justice should proceed from some consensus. That is the nature of justification… (Rawls 1971: 580-81)

Rawls notes that this conception of justification is open to the objection that "it appeals to the mere fact of agreement" (Rawls 1971:580). One way in which "mere agreements" may lack moral legitimacy is when they are shaped by epistemic injustice. This occurs when reasoning processes are influenced by social power in ways that arbitrarily advantage or disadvantage some participants. Philosophers have long reflected on the interactive relations between power and knowledge but the term "epistemic injustice" gained wider currency in Western analytic philosophy with the publication of Miranda Fricker's influential book, *Epistemic Injustice: Power and the Ethics of Knowing* (2007). Fricker identifies two forms of epistemic injustice, testimonial and hermeneutic, and other philosophers have pointed to additional forms (E.g: Dotson 2011; Dotson 2012).

Testimonial injustice occurs when hearers assess knowledge claims wrongly because they hold unjust prejudices, either positive or negative, about the credibility of those who put forward the claims. Negatively prejudiced listeners often hold some wrongful stereotype or "identity prejudice" about the epistemic capacity of a group to which the speaker belongs. When positive epistemic prejudice exists, the claims of some speakers are accorded more weight than their credentials deserve. Not all prejudices are overt or explicit; some stereotypes affect people's perceptions without their conscious awareness and today these are often called implicit biases. Implicit biases may not be easily accessible through introspection and sometimes are outside people's direct intentional control.

Hermeneutic injustice occurs when the linguistic resources available to a speaker are inadequate for communicating what she wishes to convey. Feminists of the 1960s and 1970s famously used the practice of consciousness-raising to develop a new vocabulary for expressing previously unarticulated wrongs and produced terms such as date rape, sexual harassment, and hostile work environment. Canadian aboriginal people have contended that "A distinct category of Aboriginal property rights demands the willingness and capacity to comprehend and evaluate an altogether different (alterior) concept of property" (Means 2002:224) They have argued in Canada's Supreme Court "for the right to present various sacred 'texts'; oral history, totems, and other 'expressive discourses'" (Means 2002:223).

When epistemic injustice occurs, its harms fall disproportionately, though not exclusively, on those who are less powerful in that situation. Fricker writes that those people are wronged in their distinctively human capacities as givers of knowledge, reasoners, or subjects of social understanding. They are epistemically marginalized, excluded from trustful conversation, and may lose faith in their own epistemic capacities.

Epistemic injustice not only harms some reasoners; it also produces untrustworthy outcomes. Knowledge claims produced via unjust processes are likely to be biased, incomplete, distorted or misleading. Epistemic injustice in moral discourse typically produces conclusions that obscure social injustices and sometime promote systematic ignorance. For instance, those who are more powerful may dismiss reports of wrongs committed against those less powerful or they may frame the wrongs in misleading ways that blame bad luck or individual perpetrators while ignoring systemic causal factors. They may even produce accounts that blame victims.

We wish to develop an approach to moral reasoning that is more resistant to epistemic injustice than are many familiar philosophical models. Our approach draws on the ideal of epistemic democracy, which has gained considerable traction in philosophy since 1990 (Longino 1990; 2001; Anderson 1995; 2003; 2006; 2010: 89-111). We think that this ideal can provide valuable guidance for moral epistemology but it is a thin and contestable ideal that must be differently specified in different contexts. In particular, we think

that, when people are reasoning together in contexts of diversity and inequality, epistemic injustice may not always be assured by the frequently invoked formulation of "universal participation on terms of equality of inquirers" (Anderson 2012:172).[2]

One reason why we think that epistemic injustice should not be conceived exclusively in terms of formal epistemic equality is that this conception is insensitive to relevant differences in people's moral competence or expertise. For instance, some cultural or religious communities regard the words of particular community members as having extra moral weight, perhaps in virtue of their having privileged access to divine meanings or the wisdom of the ancestors. In other contexts, some individuals have specialized or deeper knowledge of salient hermeneutical resources, such as sacred texts or cultural traditions. Some individuals have firsthand experience of various kinds of oppression (Thomas 1992-3). Because people's moral expertise is typically limited to specific domains, epistemic justice requires that moral experts receive appropriate deference when they speak about those domains in which they have expertise. We therefore advocate a conception of epistemic democracy that we call "inclusive." Although inclusive epistemic democracy requires universal participation, it is open to the possibility that epistemic justice may sometimes require according more or less credibility or authority to some individuals on topics where they have (or lack) particular expertise. We illustrate this in our chapters on reasoning with the Kenyan Maasai about female genital cutting and especially on reasoning about family matters within the Catholic Church.

3. Inclusive epistemic democracy

We elucidate our conception of inclusive epistemic democracy in moral reasoning by reference to four necessary conditions, which we think must be met in context by any method of reasoning capable of justifying reliable and authoritative moral conclusions in that context.[3] These conditions of adequacy are our way of addressing Rawls's concerns about the legitimacy of "mere agreements" or what he later called "a mere *modus vivendi"* (Rawls 1985).

Plausibility of the method. To justify a conclusion is to explain convincingly why it is authoritative. A plausible method of moral justification offers a model of reasoning that is not merely intelligible to those for whom it is intended but also convincingly links the moral authority of the outcome to the reasoning used to generate that outcome. In other words, all disputants must regard the method of reasoning as capable of conferring moral authority on the conclusions reached.

Usability of the method. A usable method must be capable of being practiced by everyone involved in a particular dispute. This does not mean that everyone must be able to participate as a formal equal; instead, people must be able to participate in a way that accords with whatever strategies of moral justification their communities regard as authoritative. Our interpretation of "usability" may seem to open the door to injustice, but our first and third conditions are designed to block this door.

[2] On these grounds, we criticized Habermas's account of the moral epistemic ideal of "domination-free discourse" (Jaggar and Tobin 2013). Our criticism of discourse ethics did not mean that we rejected the ideal of domination-free discourse; to the contrary, we argued, our commitment to this ideal is implicit in our conditions for assessing models and practices of justification. However, we disputed the idea that a single privileged prescriptive model for achieving domination-free discourse could be imagined independently of specific contexts. In some contexts, we think domination-free discourse will look very different from the formally open and competitive procedures imagined by discourse ethics.

[3] We do not assert that our conditions provide a full account of moral justification. It is possible that further conditions may have to be met in order for moral claims to be fully justified or authoritative.

Nonabuse of social power and vulnerability. No method of reasoning embodies inclusive democracy if it involves abusing social power or vulnerability. In contexts of moral reasoning, there are innumerable ways short of overt physical coercion in which some disputants make their own views appear unduly credible and/or take advantage of others' vulnerability to discredit their views. Abuse can include misrepresentation or selective presentation of evidence, distortion, intimidation, logical trickery, mystification, ridicule, disregard, and refusal to understand. It also occurs when some disputants insist on a particular style of argumentation in which others are unskilled or uncomfortable or on using a vocabulary that does not fit well with the moral concepts of some disputants or is inadequate to express their perspectives.

Feasibility of prescriptive conclusions. Finally, no method of moral justification is acceptable for a given context if its use in that context generates prescriptions for courses of action that are not feasible or realistically possible for some people in the situation. As Onora O'Neill writes, "Proposals for action will…not be reasoned unless they are not only intelligible, but real possibilities for those who are to be offered reasons for certain recommendations or prescriptions, warnings or proscriptions" (O'Neill 1996: 57–58).

These four conditions for assessing methods of moral justification are intended to elaborate our basic assumption about moral justification, namely, that a reasoning practice cannot confer moral authority in a given context if it is initially biased against any of those involved. We stipulate the condition of plausibility because it is an essential condition of explanation in any field; a moral claim cannot be justified for any individual or group unless it is based on reasoning whose epistemic or moral force they recognize. We stipulate the condition of usability because moral claims cannot be justified for people who are unable participate in the reasoning used to support them. We stipulate that practices which depend on abusing vulnerability or power cannot confer moral authority on any substantive conclusions because rationality of all kinds is widely contrasted with abusing power. Finally, our acceptance of the belief that "ought" implies "can" explains our stipulation that a practice of justification is not rational in a given context unless it recommends courses of action that are realistically possible for all of those involved.

We think it is unlikely that any single reasoning practice is capable of meeting our four conditions in every situation. Which methods are plausible and usable depends on the particular audiences and potential reasoners in specific contexts and people will inevitably disagree about what counts as power abuse and what recommendations are practically feasible. None of our conditions can be deployed mechanically so, when we invoke them to assess the use of particular reasoning practices in contexts of diversity and inequality, we offer arguments about how far and why those practices are plausible, usable, open to abuse, and likely to generate feasible outcomes in these sorts of contexts.

4. Moral intuitionism

Moral intuitionism is the philosophical view that intuitions constitute the main evidence for or against normative moral claims. This view has a long history in Western philosophy and today may be the methodological approach to moral justification that is most widely used among analytic philosophers.[4] Rather than being a single tightly-defined epistemological theory, intuitionism is a family or cluster of approaches. It may be seen as analogous to empiricism, which takes sensory experience to be the primary evidence for claims to knowledge about the material world but offers various accounts of just how such

[4] The holders of some normative and meta-ethical views tend to be more sympathetic to intuitionism. Normatively, deontologists are much more likely to support methodological intuitionism than utilitarians because utilitarian recommendations can often run counter to many people's intuitions. Meta-ethically, moral realists tend support methodological intuitionism.

knowledge is to be built up out of sense experience. Here, we sketch several versions of moral intuitionism, all of which aim to explain how people can draw on their intuitions to justify normative claims. Our goal is to explore whether and how appealing to intuition can be helpful in addressing disputes among people belonging to diverse and unequal moral communities.

What are moral intuitions? Western philosophers have used the term "intuition" (including but not limited to moral intuition) and its close cognates in a variety of ways. One major fault line runs between those who regard moral intuitions as propositional and those who regard them as pre-reflective experiences, a difference that is linked with differences in philosophers' accounts of the process and speed by which people access their intuitions. Earlier intuitionists, such as W. D. Ross (1930/2002:14), thought that moral intuitions were propositions to be ascertained through careful reflection, somewhat similar to John Rawls's "considered convictions" (1971). Today, by contrast, intuitions are often regarded as immediate or pre-reflective experiences or seemings (Bealer 1998; Chudnoff 2013). Some who work in experimental philosophy take moral intuitions to be snap judgments, fast, automatic or semi-automatic, and not always fully present to consciousness (Kahneman 2012). Some also see intuitions as infused with emotions that do not necessarily accord with rational moral thinking; a much discussed example is disgust at one-off, non-reproductive and so apparently harmless sexual relations between an adult brother and sister (Haidt 2001).

The one thing that all philosophers' uses of intuition seem to have in common is that those asserting intuitions "take (them) to be *obvious"* (Stich and Tobia 2016:6, emphasis in original). People "find themselves almost immediately disposed to offer an answer, though they are not consciously aware of engaging in any reasoning that leads them to that answer" (Stich and Tobia 2016:7). Beyond this, some philosophers propose various narrow and restrictive definitions of "intuition;" others use the term more inclusively to mean whatever contemporary philosophers have in mind when they talk about "intuition." Stich and Tobia (2016) opt for the first approach, citing Williamson, who writes:

> "Although we could decide to restrict the term 'intuition' to states with some list of psychological or epistemological features, such a stipulation would not explain the more promiscuous role the term plays in the practice of philosophy" (Williamson 2007: 218).

In this overview of moral intuitionism, we follow Williamson, Stich and Tobia in using "intuition" oecumenically.

We are also quite inclusive in our decisions regarding whether or not a particular reasoning method is intuitionist. In our usage, a method is intuitionist if intuitions are among the items that it treats as epistemically/morally basic, rather than treating them as epistemically secondary to other considerations, such as principles. However, we do not stipulate that an intuitionist method regards only intuitions as epistemically/morally basic. All intuitionist theories must invoke some additional criteria for determining which intuitions are reliable.

5. Three challenges for intuitionist moral epistemology

What is the role of intuitions in moral justification? How should they be used as evidence confirming or disconfirming normative claims? Regardless of how they interpret intuitions, moral intuitionists must explain which intuitions are (or are not) reliable sources of moral knowledge and why this is so. In giving such an account, they face several challenges.

5.1. Individual and demographic variations among people's moral intuitions.

One problem is that people lack clear intuitions on a wide range of matters and, when they do have clear intuitions, those often vary widely. Most obviously, some people's moral intuitions often clash with other people's; different individuals often respond differently to the same situation, even to the sight of a fish on a hook. Moreover, individuals' views change over time; over the past fifty years, as Anderson notes,

there have been dramatic changes in Euro-American views about the morality of LGBT sexuality, divorce, and premarital sex (Anderson 2015:27). Societies' views also change; for instance, Western views about slavery, honor killings, race and gender have changed radically over the past one hundred and fifty years.

Many philosophers claim that differences in moral responses occur systematically among members of different demographic groups. For instance, it has long been claimed that women tend to have different moral intuitions from men, especially on such issues as whether a crying child should be smothered to prevent its giving away the location of a group of people fleeing Nazis or whether someone should be thrown off an overcrowded lifeboat (Gilligan 1981-2; Buckwalter and Stich 2011, 2014). There is some reason to believe that systematic differences in intuitions exist across a variety of other demographic categories, including age, personality, academic affiliation, and native language (Stich and Tobia 2016:13). Systematic cross-cultural variations in intuition are also asserted. Some cognitive scientists report that many of the intuitions of people who are demographically WEIRD (i.e. those who come from countries that are Western, Educated, Industrialized, Rich, and Democratic) are also weird in the sense of being anomalous in a global context (Henrich, Heine, and Norenzayan, 2010). If intuitions are indeed so variable, how can we determine which, if any, are reliable guides to moral knowledge?

5.2. Even if intuitions were uniform among various demographic groups, it would still be necessary to explain why they were reliable sources of moral knowledge.

Some philosophers claim that differences among the moral intuitions of various demographic groups have been exaggerated (Adelberg, Thompson, and Nahmias 2014) and that any differences that may exist are less significant than striking convergences in the moral intuitions of people across the world. Uniformity in people's intuitions might be explained in several ways. For instance, alleged convergences in moral intuitions might result from an "innate morality" to be explained in terms of biological evolution (Hauser 2006; Mikhail 2011:123). The disgust many people feel at the thought of non-reproductive sex between siblings could have evolved as a block to incest. It is also possible that convergences might result from similar socialization among people living in human groups. Many past societies have been characterized by a need for heavy upper body work and by high infant mortality. Those conditions may have encouraged a sexual division of labor in which women had many babies, breastfeed them for many months, and took primary responsibility for caring for them. There could be cross-cultural similarities in women's and men's moral psychologies as a result of having been similarly socialized to perform similar sexual divisions of labor.

Even widely shared intuitions do not necessarily provide good evidence for right conduct. Several philosophers who attribute shared intuitions to biological evolution assert that such intuitions are sometimes morally misleading (Singer 2005; Haidt 2001). And if widely shared intuitions were found to reflect common patterns of human socialization, they might indicate residual features of a widespread conventional morality that worked well enough for times past but which might provide less useful/appropriate moral guidance in contemporary circumstances. Finally, the moral attitudes revealed in widely shared intuitions might provide good moral guidance for most situations of daily life but be inadequate for morally extraordinary situations such as disasters, war and systematic injustice. Regardless of their causes, additional argument is required to show that even intuitions that are almost universally shared are reliable guides to right action.

5.3. Seeming moral and epistemic arbitrariness

Possibly the most difficult challenge for moral intuitionism is the loose relationship between many intuitions and considerations that appear to be evidentially relevant to them. For instance, people's intuitions are often influenced by the order in which morally problematic cases are presented, the wording used to present those cases, various aspects of the agent's environment such as dirt or cleanliness, and the degree of physical effort that would hypothetically be involved in sacrificing one person to save others,

such as pushing someone off a bridge versus flipping the switch that will result in his death (Stich and Tobia forthcoming: 12-13). The fact that intuitions are influenced so often by factors that seem not to be evidentially relevant casts doubt on their reliability as guides to moral knowledge. In face of the seeming arbitrariness of many intuitions, how can philosophers identify which, if any, provide reliable guidance?

6. Which and whose intuitions? Some methods for selecting reliable moral intuitions

In this section, we present a range of methods that philosophers have recommended for selecting those intuitions that provide reliable moral guidance. These methods sometimes have been used for personal deliberation, to clear our heads as Rawls put it, and sometimes to persuade others to agree with us.

6.1. Appealing to self-evidence

One natural method for selecting among moral intuitions is to assign most credence to those intuitions in which we have most confidence, just as Descartes gave epistemic priority to ideas that he found clear and distinct. Sidgwick thought that clarity and distinctness were among the defining characteristics of self-evident intuitions and Moore appears to have thought the same. John Maynard Keynes strikingly describes Moore's dramatic response to people whose intuitions diverged from his.

> Victory was with those who could speak with the greatest appearance of clear, undoubting conviction and could best use the accents of infallibility. Moore…was a great master of this method—greeting one's remarks with a gasp of incredulity—*Do* you *really* think *that*, an expression of face as if to hear such a thing said reduced him to a state of wonder verging on imbecility, with his mouth wide open and wagging his head in the negative so violently that his hair shook. "*Oh!*" he would say, goggling at you as if either you or he must be mad; and no reply was possible...." (Keynes 1949:85-88, quoted in Anderson 1993:121)

A related form of appealing to self-evidence is invoking common sense. Intuitions can seem especially indubitable if they are integrated into or seen as manifestations of common sense that all right-minded people accept. Walker reports that Sidgwick believed there was a "morality of common sense" and that this commonsense was simply his "own morality as much as it is any man's" (Walker 2007:41).

6.2. Seeking consistency

Individuals' intuition sets are not always compatible with each other. Many people are uncomfortable with "cognitive dissonance" and tend to think that intuitions are more reliable if they are internally consistent. Most philosophers also assume that consistency is a necessary if not sufficient condition for a set of moral beliefs to be reliable and they have used several methods for reducing or eliminating inconsistencies among intuitions.[5]

Arguing from analogy.

When people disagree or are uncertain about what is the right thing to do, philosophers frequently invoke comparisons with other situations that they regard as relevantly similar to the one in dispute. Through these comparisons, they "pump" people's intuitions in order to sharpen or modify them for application to the original case and so bring people around to seeing that some of their initial intuitions were mistaken. In one famous example of such reasoning, Judith Jarvis Thomson defends the moral permissibility of abortion by asking us to imagine waking in a hospital bed to find ourselves plugged into the circulatory system of a famous violinist with a fatal kidney ailment. Currently our kidneys are extracting poisons

[5] Both Sidgwick and Mill thought that intuitions were reliable only if they could be unified by a plausible moral principle, namely the Principle of Utility (Cited by Rawls 1971:42, fn. 22 and 1971:51, n. 26). We do not classify these philosophers as intuitionists because intuitions are not among the items they regard as epistemically/morally basic. Instead they assess the reliability of intuitions according to their compatibility with a principle that they take to be more epistemically fundamental.

from his blood as well as our own and the violinist will die if unplugged immediately. In nine months, however, the violinist will have recovered and can safely be unplugged. Thomson says that we can permissibly unplug ourselves from the violinist, even though doing so will cause his death, because the right to life does not include the right to use another person's body. By analogy, she argues, we can abort a foetus we did not intend to conceive.

Posing counter examples

Counter examples are typically used to test the validity of moral principles by posing cases that appear to be mandated by the principle but seem intuitively wrong to many people. The question whether we may permissibly lie to a murderer at the door who is seeking to kill someone hidden in one's house is designed to test Kant's exposition of the Categorical Imperative, according to which lying is never permissible. The method of counter-exampling is intuitionist if intuitive counter-examples are considered capable of disconfirming a principle; it is not intuitionist if the principle is taken to discredit the intuition.

Creating a reflective equilibrium

In general, deontologists are more likely than utilitarians to favor intuitionist methodology. However, Rawls is reluctant to rely too heavily on intuitionism even though he is a Kantian deontologist. In Rawls's view, "Intuitionism is not a constructive alternate theory" (1971:52) because he thinks it can lead to deadlock, in which "the means of rational discussion…come to an end" (1971:41). He thinks "the dependence on intuition cannot be eliminated entirely" but "we should do what we can to reduce the direct appeal to our considered judgments."[6] Rawls proposes a process of weighing and balancing judgments about particular cases and proposed moral principles against each other until they form a coherent and stable set or a "reflective equilibrium".[7] Even though Rawls wishes to distance himself from intuitionism, we discuss reflective equilibrium among intuitionist methods because it treats at least some intuitions (considered judgements) as epistemically/morally basic.[8]

The version of reflective equilibrium described above is problematic in several ways. One is that it does not disallow *ad hoc* principles formulated purely to preserve intuitions, which could result in extremely idiosyncratic equilibria. More generally, this coherentist method is vulnerable to the concern that it may merely describe a single individual's internally consistent belief set which may be morally bizarre and/or quite incompatible with someone else's set. Rawls eventually came to realize the limitations of what was later called narrow reflective equilibrium and moved to accepting wide reflective equilibrium (Rawls 2001:31). Wide reflective equilibrium requires not only that our moral belief sets are internally consistent but that they are able to withstand challenges from other moral conceptions and traditions and that they also cohere with relevant background theories, such as theories of human nature and society (Rawls 1995:141 note 16).

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[6] For the purposes of this paper, we treat Rawlsian "considered judgements" as intuitions. In fact, Rawls defines considered judgements as a subclass of intuitions that meets certain indicators of reliability. Considered judgements are those about which we do not hesitate and in which we have confidence. They are not made when we are upset or frightened or when we stand to gain one way or the other. They "are simply those rendered under conditions favorable to the exercise of the sense of justice" (1971:47).

[7] "Reflective equilibrium" is a term coined by Rawls although he did not invent the method. Rawls cites Goodman's use of this method to justify induction in *Fact, Fiction, and Forecast* (1971:20, note 7). He also cites the methods of linguistics. In addition, Rawls cites Aristotle's *Nichomachean Ethics* and Sidgwick's *Methods of Ethics* (1971:51, note 26) and Quine's *Two Dogmas of Empiricism* (1971:579, note 33).

[8] In fact, Rawls's intuitionism is further modified by his inclusion of original position thinking, which we discuss in another chapter.

6.3. Seeking impartiality

For modern Western philosophers, impartiality is a defining characteristic of moral validity. Impartiality requires that like cases be treated alike. But how can we know which cases are alike in the relevant respects?

Thinking like an ideal observer

One method of moral reasoning long used by philosophers is postulating ideal agents or impartial observers (Hume 1978/1740; Smith 1976/1759; Firth 1952). Ideal observers are imagined to make moral judgments without being influenced by the biases thought to contaminate the thinking of those occupying particular social positions. Such agents or observers may also be imagined as 'ideal' in other ways; for instance, philosophers may stipulate that ideal observers are in possession of all the non-moral facts relevant to the judgments they have to make and/or that they are ideal reasoners, immune to logical mistakes. R. M. Hare postulates an "archangel," "a being with superhuman powers of thought, superhuman knowledge, and no human weaknesses" (Hare 1981:182). Philosophers using this method do not suppose that ideal observers could ever exist empirically; instead they regard them as heuristic devices intended to make vivid the regulative ideal of impartiality and to help philosophers recognize bias in particular situations. We treat this as an intuitionist method because it relies on intuitive guesses about what an ideal observer might say.

Reversibility

The idea of impartiality is central to the Kantian moral thinking, which requires that moral intuitions be checked against the Categorical Imperative. Moral agents checking whether a particular action they contemplate is morally permissible should ask themselves whether or not their maxim, or reason for action in that case, would produce any contradictions or irrationalities if everyone acted on the same maxim in similar cases. If so, then acting on that maxim would not be morally permissible. In order to determine whether a proposed course of action is universalizable, a number of prominent philosophers have advocated the method of "reversibility," which prescribes that moral agents should imagine being people other than themselves. R. M. Hare suggests that this method can not only guide impartiality but also justify the Principle of Utility (Hare 1963:123).[9] Habermas says, "the impartiality of judgment is expressed in a principle that constrains *all* affected to adopt the perspectives of *all others* in the balancing of interests" (Habermas 1990:65) and Seyla Benhabib argues that taking the "viewpoint of humanity" requires moral agents to engage in egalitarian discourses where they "practice the reversibility of standpoints" (Benhabib 1992:2). The method of reversibility is intended to help philosophers determine which moral prescriptions are truly impartial by imagining whether or not they would be acceptable to others in differing situations.

Veil of ignorance

Rawls proposed that we could attain impartiality in our reasoning about justice if we imagined ourselves thinking from behind a "veil of ignorance." Philosophers using the method are to imagine ourselves among several parties meeting to discuss the fundamental and permanent principles of justice that will regulate our future society and to be holding the discussion behind a veil of ignorance that conceals our identities and the particulars of our own situations as well as those of others.

[9] Hare recommends that a moral deliberator should identify sympathetically with each of the parties who will be affected if the proposal is implemented, imaginatively representing to herself each party's desires and aversions in turn. "When I have been the round of all the affected parties, and come back, in my own person, to make an impartial moral judgment giving equal weight to the interests of all parties, what can I possibly do except advocate that course which will, taken all in all, least frustrate the desires which I have imagined myself having? But this (it is plausible to go on) is to maximize satisfactions" (Hare 1963:123).

6.4. Thought experiments

Many intuitionist arguments rely on thought experiments. Thought experiments are typically simple stories designed to highlight factors believed morally crucial to a particular problem while eliminating detail believed to be irrelevant. Those who design the experiments aim to invent situations that are analogous to the problem at issue on what they take to be the relevant dimensions but to cut out details that they think merely constitute "noise." Famous examples of thought experiments include social contract theories, such as those developed by Hobbes, Locke, and Rousseau, who imagine agreements made in a fictional state of nature. Other thought experiments have become famous in contemporary analytic moral philosophy. Sketch:

- Fat man in cave. (Foot 1967)
- Thomson's hooked up violinist (1971);
- Singer's shallow pond (1972);
- Nozick's experience machine (1974).

Trolley problems are a type of thought experiment especially popular among moral philosophers. They are not distinct in principle from other thought experiments but they are so vivid, versatile and ubiquitous that they can seem almost to be a distinct genre. Trolley problems are used not only by moral philosophers but also by psychologists and cognitive scientists engaged in empirically investigating moral thinking. They characteristically feature five innocent people bound to the track of a "trolley" (a tram or a train) and ask which if any circumstances might justify sacrificing one innocent person to save the five. Various features of the story are modified depending on the particular point being made but the overall purpose of trolley problems is to illuminate the clash between consequentialism and deontology. For consequentialists, it is always better to kill one in order to save five but different versions of the trolley problem explore various deontological considerations that might make this the wrong answer. Trolley problems have been designed to illustrate various distinctions which deontologists think are morally significant. These include the distinctions between intending and foreseeing, doing and allowing, acting and failing to act, and between positive and negative duties

6.5. Appealing to moral expertise

Many Western philosophers have believed that the intuitions of educated people are epistemically more reliable than those of the less educated. Aristotle thought that leisure was needed for rational reflection. Mill famously regarded "higher" pleasures as more morally weighty than lower ones. Sidgwick argued that the calculations required by utilitarianism were too indefinite and complex for most people, so that only the elite should be taught this "esoteric morality" (1907/1962:489-90). W. D. Ross asserted that "the moral convictions of thoughtful and well-educated people are the data of ethics, just as sense-perceptions are the data of natural science" (1930/2002:41).

With the advent of logical positivism in the 1930s, most Anglophone moral philosophers withdrew from normative pronouncements. Eschewing the role of moral experts, they asserted that they studied only the language and logic of morality. However, normative moral philosophy revived in the late 1960s with the advent of civil unrest in many Western societies and many philosophers reclaimed moral expertise.[10] Some argued that philosophers' intuitions were likely to be more reliable than those of the "folk" because their detached position enabled them to reflect impartially in what eighteenth-century philosophers had called the "cool hour" and some argued that their philosophical training had developed their expertise in thinking about moral issues. R. M. Hare thought that rule utilitarianism was necessary because ordinary people cannot be trusted calculate act utility. Rawls aimed to characterize the sense of justice of "one (educated) person" (1971:50). Peter Singer, "Moral Experts," 1972. Stich and Tobia (2016:15) cite Horvath, who asks:

[10] New fields of "applied" ethics were established including: bioethics, business ethics, and military ethics. In some cases, these provided new job opportunities for people trained in academic philosophy.

> Why should professional philosophers grant…that their own intuitions about hypothetical cases vary equally with irrelevant factors as those of the folk? Sure no chess grandmaster, mathematician or physicist would grant anything remotely like that to an experimental psychologist. (Horvath 2010; cf. Nado 2013).

Today it is controversial but certainly not unheard of to privilege explicitly the moral thinking of an educated elite.[11] However, whenever moral philosophers fail to specify the referent of their claims about "we," "us" and "our" intuitions, they seem to assume that their own intuitions are authoritative.

7. Burning the armchair?

One approach to shedding light on these questions is to investigate more thoroughly the intuitions of people from a wider range of demographic groups. Get larger and more representative samples. This is a project undertaken by experimental moral philosophy or "x-phi." As its name implies, experimental philosophy is a broad movement that aims to conduct empirical research bearing on philosophical questions. [12] Here, we sketch only work in experimental philosophy that relates directly to moral reasoning.[13] Much "experimental" work in moral philosophy takes the form of questionnaires asking for people's responses to imagined moral dilemmas such as trolley problems. Some experimental philosophers have distributed questionnaires in their classrooms. Harvard cognitive scientists have been able to gather data from tens of thousands of participants across the world by posting the Moral Test Sense on the internet (http://mprlab327.webfactional.com/mst/learn.html Accessed 13 Sept 2015). BBC on line: 65,000 respondents. The relationship of experimental philosophy to traditional moral philosophy and especially to moral intuitionism is still uncertain.

On the one hand, experimental philosophy may appear unfriendly to intuitionism, since experimental philosophers have raised or confirmed many of the problems outlined in section 5. Some advocates of experimental philosophy suggest that moral philosophy as we have known it should be replaced by empirical moral psychology. Philosophers should abandon their traditional methods of introspection and conceptual analysis and "burn their armchairs." Stich and Tobia quote Gutting, who writes

> Our disagreement about the nature and epistemic authority of intuitions is at root a battle for the preservation of philosophy as an autonomous inquiry… (The denial) that philosophical intuitions provide no distinctive access to reality…is not consistent with the survival of the search for philosophical truth in anything like the sense that the philosophers of the great tradition from Plato to Kant understood it. (Gutting 1998:7-8)

Stich and Tobia agree that at stake is the autonomy of philosophy but they are willing to let it go:

> Those who continue to practice armchair philosophy…, like those who rely on problematic evidence in other intellectual domains, are being irresponsible…(W)e cannot know which

[11] For instance, Jason Brennan advocates replacing democracy with "epistocracy," which apportions political power according to knowledge or competence (Brennan 2016). Michael Huemer's article, "Are the social elite moral experts?" has received some discussion on the blogs. E.g: http://schwitzsplinters.blogspot.com/2016/08/are-social-elite-moral-experts.html (Accessed 17 December, 2016). The class of those who are knowledgeable and/or socially elite is larger than the class of professional philosophers but Western philosophers would surely take themselves to be included in it.

[12] Contemporary x-phi has antecedents in the work of Arne Naess, who used statistical questionnaires in 1939 find out what non-philosophers mean by "truth" (Naess 2014). This work was mentioned by Tarski. Thanks to John Christman for bringing it to my attention. S&T (forthcoming, p. 4) assert that experimental philosophy was also foreshadowed by work on Native American ethics done in 1950s by Brandt (1954) and Ladd (1957).

[13] Some experimental work goes beyond surveys to studying people's actual behavioral responses in artificially created situations but that work is beyond scope of this paper.

> intuitions are to be trusted without doing the sort of empirical research that can't be done from the armchair. Responsible appeal to intuition…must be guided by careful empirical research (Stich and Tobia forthcoming p.3).

On another reading, however, experimental philosophy could be construed as friendly rather than antagonistic to moral intuitionism. X-phi might be seen as supplementing the armchair method of conceptual analysis rather than as substituting for it; it has been described as simply conceptual analysis with more than one person and as "empirically informed conceptual analysis" (Prinz 2008:204). On this view, experimental methods can be used to collect better data enabling moral philosophers to analyze more intuitions more rigorously and systematically. By participating in designing questionnaires and other experiments, philosophers can gain huge amounts of information about the moral intuitions of vast numbers of people. Knobe and Nichols say that thought experiments can give us better information about the "psychological processes underlying people's intuitions abut central philosophical issues" (2000:3). Many philosophers recommend some sort of "balanced" approach, moving between armchair and lab/computer screen but exactly what this would be like remains unclear.

8. Assessing moral intuitionism as a methodological approach

In this section, we consider whether intuitionism is a methodological approach that works well in moral reasoning among people from diverse cultures and/or who are unequal in social power. Our assessment here is limited partly because we recognize that it is disputable just which methods should count as intuitionist and partly because the "fit" of methods to specific contexts can be assessed properly only in particular cases. Nevertheless, we will comment on some methods that we have collected under the heading of intuitionism and make some general comments about this methodological approach. The central thought in our comments is that intuitionism works best to address moral disputes among people who have similar social status and a common moral sensibility including a shared sense of which moral questions are important and how should they be framed. We propose that intuitionism works less well for addressing disputes among members of groups that are diverse and unequal. In those sorts of circumstances, we suggest, many of the intuitionist methods used by Western academic philosophers fail to meet one or more our adequacy conditions.

8.1 Plausibility of intuitionism

Plausibility is relative to audience. The popularity of intuitionism among Western Anglophone philosophers shows that it is very plausible many in our profession. However, we think that intuitionism is less plausible as a methodological approach when wide disagreements exist about moral issues.

We have seen that intuitionism often takes the form of appeal to moral commonsense—to what is taken to be "obviously" or self-evidently correct. In complex societies, however, people often differ about what is obviously right and to some extent their differences seem to follow demographic lines. Anderson points out that Moore's intuitions about the good diverge considerably from those of many other people, who value such things as meaningful work, athletic achievement, justice, and freedom, and she attributes this divergence to the fact that Moore consulted the intuitions of only a small and unrepresentative group of people. For example, they did not ask the servants what they thought.

> Moore and his followers removed themselves from active engagements in the larger world, withdrew to private spaces in the company of intimate friends, and introspectively contemplated the isolated objects of their imaginations. It is not surprising that many goods were not salient to people in such a privileged, exclusive aristocratic setting, insulated from the experiences of work and practical activity with strangers (Anderson 1993:120)

Consulting their own intuitions is a methodological approach that is especially plausible to people who have strong confidence in their own sense of right and wrong. Anderson says that those who possess such confidence tend especially to be people from more privileged social classes (2014:7). She quotes Dewey, who writes:

> "It is difficult for a person in a place of authoritative power to avoid supposing that what he wants is right as long as he has the power to enforce his demand. And even with the best will in the world, he is likely to be isolated from the real needs of others (Dewey and Tufts, 1932:226).

Anderson comments, "people are prone to confuse their own desires with the right in rough proportion to their power" (Anderson 2014:8). If this is true, then people from subordinated groups are less likely than members of dominant groups to find the method of appealing to common sense plausible because those who are subordinated may be more aware of how much submerged disagreement with official ideologies exists within society.

8.2 Usability of intuitionism

Whether or not a methodological approach meets our condition of usability also depends on the context, specifically on the situation and capacities of potential users of the method.

Arguments by analogy

The method of arguing by analogy seems readily usable by many "folk" populations. People across the world use parables, metaphors, and analogies. Analogies are often helpful in moral discussion; they can illustrate moral claims, suggest new moral directions, and persuade some audiences. Nevertheless, the method of arguing from analogy has limits, especially in situations of diversity and inequality.

First, in order for analogical arguments to work, people must share perceptions about which things are similar to each other and which are different. Arguments from analogy seem most likely to be useful among people who share a common worldview; less so along those worldviews differ. Today would we think that a train/car was like an iron horse? To whom do the metaphors of "wage slavery" or "internal colony" make sense? A friend who was raised Catholic thought as a child that the soul was like a piece of cuttlefish on the side of a birdcage; it was white, roughly oval in shape, and damage to it could be smoothed away just as damage to the soul was smoothed away by confession. Needs better examples.

Second, some of the arguments by analogy used by philosophers are extraordinarily complicated. The elaborate trolley problems used by some philosophers can be very hard to figure out—which is one reason they have sparked so much humor and parody among philosophers. The trolley problems developed by Francis Kamm (2006) are especially well-known for being elaborate and complex.[14] Many students report that arguments from analogy can be confusing when they lack the training/skill to figure out where the analogy does not hold. What is wrong with Thomson & Singer? Analogies (like many other methods) can be easily manipulated when people are not well trained, especially when used by hyper-analytic people, "smart" people. Can go from persuasive to manipulative—slide into abuse of social power. ….

Reversibility

There are many cross-cultural versions of golden rule, which advocates that we should do as we would be done by, and the method of imaginatively standing (or walking a mile) in the shoes of another is frequently recommended by "folk" as well as by philosophers. However, many critics have argued compellingly that the method of reversibility provides poor moral guidance when it is used across social

[14] These problems have become a butt of humor among some philosophers who have used far-fetched and esoteric scenarios to satirize other philosophers' preoccupation with these problems. One very funny selection is posted https://www.mcsweeneys.net/articles/lesser-known-trolley-problem-variations See also *Daily Nous*: http://dailynous.com/2015/04/20/lesser-known-trolley-problems/ (Accessed 17 Sept 2015)

distance because it is highly susceptible to projection. Lynne Arnault considers how the issue of sexual harassment might be addressed by R. M. Hare (Arnault 1989). A male manager might attempt to stand imaginatively in the shoes of his secretary but the individual wearing those shoes would be the manager, with his particular perceptions and values, rather than the secretary, with her own perceptions and values. The manager might be one of those men who thinks he would welcome sexual advances. Iris Young argues that the method of sympathetic identification is conceptually impossible; one cannot imaginatively identify with a different person and still remain oneself (Young 1997). Our thought is that the method of reversibility can be a rough-and-ready guide to right action when used within a relatively homogenous group but becomes progressively less useful as people's situations become increasingly diverse and unequal.

8.3. Non-abuse of social power

All tools can be misused and all methods of reasoning can be abused, especially in contexts of inequality and diversity. However, many intuitionist methods seem especially susceptible to enabling abuse.

Certainty and the appeal to a common moral sense

When seeking interpersonal agreement, the process by which agreement is reached is crucial. For an agreement to have moral force, those who agree must be adequately informed, rational, and uncoerced. In situations of social inequality, however, people who are less powerful may well be reluctant to voice their intuitions and the more powerful sometimes seek to discredit them, perhaps by labelling them "false needs" or "adaptive preferences." Power inequalities influence many discussions, even in the supposedly hyper-rational context of philosophy seminar rooms. Keynes reports that Moore's discussion style "(i)n practice…was a kind of combat in which strength of character was really much more valuable than subtlety of mind" (Keynes 1949:85-88, quoted in Anderson 1993:121). Even though "agreements" resulting from bullying have no epistemic or moral force, twentieth-century discussions in analytic philosophy were often notoriously aggressive, sometimes a kind of performance or show harking back to mediaeval disputations.[15]

Reversibility

Using this method can add insult and injury to those who have already suffered grievous moral wrongs. Marilyn Friedman asks,

> (S)hould the victims of egregious harms also have to adopt the standpoints of those who harmed them as a precondition for taking up the moral point of view? Should the victim of a brutal rape be…required to adopt the standpoint of the rapist? A concentration camp survivor the standpoint of a camp commandant? The requirement of empathic projection seems particularly disturbing when considered in such contexts. Such a requirement calls upon a victim to regard herself as, perhaps worthless and deserving to be hurt—hardly a healing insight. Must critical moral thinking really require such psychologically troubling maneuvers? (Friedman 1993:23)

Ideal observer

Claiming that their imagination enables them to fly up to attain "the moral point of view" is a rhetorical device by which some philosophers have lent a tone of magisterial authority to their own pronouncements. Margaret Walker writes that, by refusing to acknowledge the effects of people's social identities on their moral understandings, the ideal of point-of-viewlessness insulates itself from any critical examination of its own social origins or functions. Specifically, it denies that any philosophical significance attaches to the fact that only a few persons are authorized to define moral knowledge. Yet, as Walker notes, "To have the social, intellectual, or moral authority to perform this feat, one must already

[15] Find ref to Oxford philosophy. Janice Moulton, among many others, has argued that an adversarial style of argumentation is often counterproductive to epistemic progress (Moulton 1983).

be on the advantaged side of practices that distribute power, privilege, and responsibilities in the community in which one does it" (Walker 2002:271).

Philosophers' expertise

There are several problems with what Stich and Tobia call the "expertise defense" of the reliability of philosophers' intuitions. One is that some past philosophers have had repellent intuitions. Anderson cites Hastings Rashdall, a distinguished Oxford philosopher and utilitarian theorist, who wrote,

> (P)robably no one will hesitate (to agree that)…the lower Well-being…of countless Chinamen or Negroes must be sacrificed that a higher life may be possible for a much smaller number of white men. (Anderson 2015:26-7)

In addition, experimental philosophers have found that professional philosophers are equally or even more susceptible than non-philosophers to irrelevant influences on their intuitions (Schwitzgebel and Cushman 2012). Stich and Tobias approvingly quote Machery and colleagues (2004) who wrote that the claim that philosophers' intuitions are superior to those of non-philosophers "smacks of narcissism in the extreme" (S&T forthcoming, p. 17).

Professional Western philosophers are still drawn from a fairly narrow demographic.[16] Stich has stated that our profession is WEIRD—and we add that it is predominantly white and male. Noting that most philosophers have spent time in a few hothouse philosophical institutions, Stich asks why it should be thought that professional philosophers are the reliable ones, when their intuitions are outliers to humanity. We think that so long as philosophers continue to be drawn disproportionately from a relatively narrow subgroup of the population, there will always be reason to worry that philosophers' intuitions are influenced by our demographic identities and that we may privilege intuitions that are biased by class, gender, and race among many other things. Moreover, as long as the discipline of philosophy is dominated by philosophers trained in Europe and the North America, concerns about ethnocentrism and neo-colonialism cannot be disregarded. (Bernard Williams has noted colonialist past of utilitarianism.)

8.4. Feasibility of prescriptions

Whether or not intuitionist methods meet the condition of feasibility also depends on the context in which they are used. Which prescriptive outcomes result from using intuitionist methods depends both on what is the situation and on who is deciding what is feasible? Nevertheless, once again some general comments can be made about the general methodological approach.

8.4.1. Indeterminacy: intuitionist methods do not always generate determinate outcomes

Moral reasoning methods are not decision procedures, so they do not typically guarantee conclusions; they always leave some room for discretion. For those using intuitionist methods, the discretionary space is often especially great, especially in situations of diversity and inequality.

Certainty:

Although some moral intuitions are extremely compelling, introspective certainty and appeals to commonsense are often incapable of resolving interpersonal disputes. They are especially unhelpful in interpersonal and cross-cultural disagreements because they can easily slide into dogmatism, resulting in impasse or deadlock (as Rawls noted).

Analogies and thought experiments:

People's intuitions about purportedly analogous cases may still diverge. And if the cases presented are very far-fetched or bizarre, people may have no intuitions—or their intuitions may be no guide to real life. Anderson writes that, if people really reproduced by means of "people seeds" that embed themselves in one's carpets (as Thomson hypothesizes), all of the other conditions of social life would be radically

[16] Insert note about demographics of professional philosophers.

different and we would have no reason to suppose that we could legislate morals for creatures like that (Anderson 2015:25).

Reversibility.
Friedman notes that what we know about the standpoints of most other persons *underdescribes* those standpoints.

> An underspecified description of someone else's standpoint does not, by itself, allow one to reason from it to determinate conclusions. Without knowing the motivational complex, basic presumptions, conceptual organization, and so on, in terms of which someone regards her circumstances—without knowing someone's particular point of view in substantive detail—it is simply not possible to consider matters from her point of view (Friedman 1993:21).

Reversibility points to determinate conclusions only when understandings are shared within specific contexts—see Baier and Walker (2002:178). When they are not, the moral recommended by this method can be wildly divergent. For example, this method of reasoning was used prior to the American Civil War by both pro- and anti-slavery campaigners. While some campaigners used it to argue for the immorality of slavery, pro-slavery preacher James Henley Thornwell argued that the Golden Rule should be interpreted in the light of the unequal social stations ordained by God and necessary for social order:

> The rule then simply requires us, in the case of slavery, that we should treat our slaves as we should feel that we had a right to be treated if we were slaves ourselves. (Quoted by Anderson 2015:29)

Narrow reflective equilibrium
This method is also indeterminate because it does not specify how the various intuitions and principles should be weighted. If people assign different moral weights to the same factors, varying equilibria will result. How to decide among multiple reflective equilibria?

Wide RE.
When disagreements are cross-cultural, not only moral intuitions but also background theories including social ontologies may differ systematically. Different cultural communities may well live in different moral worlds and the method of reflective equilibrium, narrow or wide, does not show how these may be bridged.

We conclude that, in moral argumentation, much of the normative work is done by features of context which go unremarked so long as people are living routine insulated lives but which cannot be assumed to operate in the same way in contexts of inequality or diversity. In such situations, intuitions cannot provide clear and determinate moral guidance

8.4.2. Some of the most striking analogies invented by philosophers are morally misleading
There are many ways in which being pregnant is not like being in a hospital bed with one's organs involuntarily hooked up to an adult stranger. Critics say that philosophers who construct simplified analogical cases always already bias the case or beg the question by predetermining which factors are relevant and which are not. So they might omit information that they think is morally irrelevant but someone else might think is crucial; for example, they might present a seeming dilemma that obscures other possible courses of action. Scott Wisor argues that Peter Singer's "shallow pond" argument for saving the global poor is morally misleading because there are so many disanalogies between the situation of the global poor and the situation of a drowning child (Wisor 2011). Singer famously argues that, just as we have an obligation to save a child from drowning in a shallow pond as long as we do not have to give up something of moral significance, so we have an obligation to give money to the global poor if doing so will not cost us too much. Wisor points out that the shallow pond case omits the agency, context,

institutions and complexity that characterize the situation of the global poor and argues that relying on this purported analogy has harmful implications for policies that can alleviate poverty. For example, Singer's analogy encourages us to promote aid over trade, to imagine that we are saviors, to believe we do not have to know much to save, to think that our actions can be apolitical, and to overlook the fact that helping the global poor requires make choices regarding scarce resources.

Analogies always involve disanalogies. Although arguments from analogy can sometimes be helpful for moral philosophers, they should avoid the oversimplification, reductionism, and abstraction that characterize what Wisor calls shallow pond thinking.

8.4.3. Seeking internal consistency

Consistency alone cannot tell us which among our clashing intuitions should be discarded and which retained. Even if internal coherence is necessary for creating a reliable set of moral intuitions, it cannot be sufficient. Internally consistent stories may be crazy. And consistency may not even be necessary. Margaret Walker writes that it was Sidgwick who set for moral philosophers the goal of attaining "systematic and precise general knowledge of what ought to be," as well as rational procedure(s) by which we determine what individual human beings 'ought'…to do or to seek" (Walker 2007:38).

With Walker, we doubt that this goal is attainable. People will reject consistency if they don't like the outcomes. The occurrence of a few cases where a moral principle prescribes an action that seems intuitively wrongful may not be sufficient to refute the principle in question; in folk morality, there is a saying that the exception proves the rule. Philosophers defending whatever principle is under challenge may assert not only that their own intuitions differ from those of the mainstream but also that the principle in question is so compelling that even intuitively plausible counter-examples must be morally mistaken. Utilitarians are especially likely to "bite the bullet" by rejecting seemingly plausible counter-examples. Appeals to consistency may have a greater chance of increasing acceptable outcomes within a community characterized by a high degree of shared understanding. They are less likely to work in cross-cultural situations characterized by divergent moral sensibilities and background beliefs.

8.4.4. Consistency with background beliefs and theories

The method of wide reflective equilibrium was developed to avoid indeterminacy and idiosyncracy that characterize narrow reflective equilibrium. It broadens the range of factors to be balanced against each other. However, Helen Longino has argued that, in a systematically unjust society, background theories may well be systematically biased (Longino 1995). In contexts of systematic injustice, therefore, consistency with other theories may be an epistemic vice rather than an epistemic virtue; consistency may contribute to rationalizing injustice. The usefulness of wide reflective equilibrium is context dependent and we suggest that, in contexts of systematic inequality, this method is not helpful for selecting veridical moral intuitions.

9. Our provisional conclusions about intuitionist methodology

What is the epistemic and moral significance of all the data about moral intuitions that philosophers and others continue to gather? Although data are still coming in, the information currently available reveals that many moral philosophers have made overly hasty generalizations about "our" intuitions and that the authority they have often assigned to their own intuitions is unwarranted. Recognizing that a methodological approach that is as widely accepted as intuitionism has been used by philosophers to rationalize bias and domination is a sobering lesson. Nevertheless, it does not show that this methodology cannot be valuable when used properly. We think that the usefulness of intuitionism, like all methodological approaches, is context-dependent and we suggest that it is less likely to be useful in contexts of diversity and inequality.

The fact that a particular methodological approach works in one context does not mean that it works well in all contexts. We see methods of moral reasoning as tools which must be "fitted" to their context of use and assessing the "fit" requires empirical research. We suggest that the intuitionist methods frequently used by contemporary moral philosophers (analogy, consistency, reversibility, trolley problems, etc.) may often work fairly well to address moral disagreements within culturally homogeneous groups.[17] However, when these methods are used to address moral disputes among members of groups that are diverse and unequal, we have argued that they are likely to fail one or more of our four adequacy conditions.

We do not assert that intuitions are completely irrelevant to moral knowledge. Rejecting them all would be like renouncing all reliance on sense perception just because some perceptions have turned out to be mistaken. Intuitions are surely often evidentially relevant to justifying moral claims but to be useful they must be situated within a more comprehensive epistemological theory that explains which sorts of intuitions are likely to be more and less reliable and why that is the case. Such a theory should also show us how to avoid epistemic injustice. These questions are especially important when disputants are unequal and culturally diverse.

The theoretical framework that can enable us to answer these questions will not come from intuitions alone. Intuitions are not a natural kind and, in the context of moral epistemology, "intuition" has become a semi-technical philosophical term. However intuitions are construed, we think they have limited value for understanding how moral knowledge is built and moral disputes resolved, just as the concept of sense-data turned out not to be very fruitful for understanding how empirical knowledge is achieved. Like experimental philosophers, we advocate investigating empirically how moral knowledge is acquired but we do not prioritize studying the first responses of solitary individuals filling out surveys. Instead, as we explain in other work, we advocate studying the range and variety of reasoning practices that people use in moral argumentation over socially pertinent issues, especially in situations where those exchanging reasons are diverse and unequally situated.

Some philosophers have engaged in this sort of study for some time and we end by illustrating how their work has inspired them to propose a few methods that may be helpful in countering one aspect of epistemic injustice, namely testimonial injustice. Testimonial justice requires that credence should be apportioned according to credibility. But how is credibility assessed? Normal Daniels says that, in cases of non-moral observation, we have "credibility assignments" which explain which judgements are credible but that moral philosophers lack a theory of credibility (1979: 271-2). We suggest that social epistemology, including pragmatism and feminist and critical race theory, has begun to develop an account of moral credibility that has generated such potentially useful methodological recommendations as moral deference (Thomas 1992-3), standpoint theory (Harding 1998), and reflexivity.

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[17] Yet appeals to intuition are not always helpful even in homogenous communities. Some members of the relatively closed religious communities in which Tobin and her co-author are working have intuitions about homosexuality that are diametrically opposed.

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