

***The Skeptick's Tale***  
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**Contribution to symposium on Michael Huemer's *Ethical Intuitionism* (2005)**

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Any metaethicist tempted to dismiss a defense of moral intuitionism as too flaky to merit serious attention should think twice. *Ethical Intuitionism* is a forceful, clear, original, and intelligent piece of philosophy, and Michael Huemer can be proud of his efforts.

He proceeds by identifying an exhaustive list of five possible metaethical positions, then knocks down four until only his favored intuitionism remains. One of the advantages of any such “last man standing” strategy is that even the most hardened opponent is likely to be cheering on the author at least a lot of the time: The noncognitivist will support the demolition of subjectivism, the naturalist will applaud the humbling of the noncognitivist, and so on. Speaking as a moral error theorist, I was myself nodding along as Huemer undermined first the noncognitivist, then the subjectivist, and then the reductive naturalist. Yet even here, where my sympathies lay firmly with Huemer’s negative conclusions, I could perceive avenues for reply against his charges. But I don’t at present have the luxury of space to speak in defense of those whom I would, on other occasions and on other grounds, myself attack. Let them tell their own tales. I remain more-or-less on Huemer’s side through the first four chapters, and it is not until he gets to the case against moral nihilism that my own favorite view comes under attack. Thus, for the remainder, I shall don my moral nihilist’s hat and speak against Huemer’s dismissal of that viewpoint.<sup>1</sup>

It is a familiar line of reasoning. Premise 1 invokes a principle of conservatism (that “other things being equal, it is reasonable to assume that things are the way they appear” (99)), while premise 2 claims that we have strong intuitions in favor of morality. The conclusion is not that moral nihilism is false, but that it labors under a burden of proof. This burden turns out to be so enormously hefty, however, that, once shouldered, it is as good as a demonstration of falsehood. The nihilist’s opponent evidently feels sufficiently complacent that the burden will not be met that, with a self-assured smile, he turns his energies elsewhere. He is confident that *whatever* the nihilist might say in an attempt to discharge the burden, the rejoinder can always be given “Yes, that’s all very interesting, but I’m afraid it’s just not enough.”

One should be suspicious of this argument. Most parties will agree that it is at least conceivable that the moral nihilist might be correct. (After all, if this is not conceivable—if the nihilist is in fact incoherent—then presumably *that* fact should form the basis of the

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<sup>1</sup> I don’t much like the label “nihilist,” and I adopt it only under sufferance. The opponent who Huemer labels a “nihilist” is really just someone who thinks that a certain way of looking at the world is badly mistaken. But when we disbelieve in ghosts does that make us nihilists about the supernatural? Is the atheist a theistic nihilist? Is the moral realist a nihilist about the moral error theory? All parties in the metaethical debate *doubt* and *disbelieve* and *deny* certain theses; all of them are *skeptical* of certain claims. (Cf. definition of “theist”: “One who denies that God does not exist.”) To reserve these negative and party-pooping verbs for just one viewpoint tarnishes the debate by introducing a question-begging rhetorical air.

anti-nihilist argument.) We can, for example, imagine a simplistic story where the process of natural selection hard-wired humans with various misleading appearances. (Even if we think that's crazily unlikely, it's possible.) Suppose, in this possible world, some philosophers, after careful reflection and observation, come to see the truth of how things stand: They realize that they and their fellows are lumbered with various false appearances. It is, moreover, implied by their (true) theory that the appearances in question *will* be strong and compelling—for the appearances are, after all, entrenched by natural selection. Ex hypothesi these philosophers are correct. And yet when they try to articulate their case—perhaps even pointing to the existence of these strong and compelling intuitions as supportive evidence—they are branded “nihilists” and are told that whatever considerations they might bring forth in support of their position can almost certainly be rejected precisely because the appearances in question are so very strong and compelling. How frustrating for them! Lucky it's just a far-off possible world. (Right?)

There are several places for the so-called nihilist to insert a monkey wrench into Huemer's conservatism-based argument. There is, of course, plenty of room for debating the principle of phenomenal conservatism. I will put this line of objection to one side, however, since it is a complicated affair, and I want to devote myself to other matters. It is worth acknowledging that Huemer's is not the standard casual endorsement of epistemic conservatism that we have come to expect from the moral realist; he has thought in much more depth about this topic than is apparent from reading *Ethical Intuitionism*. (See his previous book and his 2007.)

A more straightforward response to the argument is to question the premise concerning moral appearances. We have moral intuitions, Huemer claims, “prior to reasoning” (101), and they are “very clear and firm” (115). He is evidently comfortable talking on behalf of others, but I found myself wondering frequently who this “we” is supposed to denote. I'll grant *arguendo* the plausibility of the empirical thesis that most people share Huemer's clear and distinct realm of moral intuitions (though I would be more comfortable to see some solid evidence for the claim). *But not everyone does.* The moral nihilist, for example, does not. Conceivably, the moral nihilist has felt no tug in favor of morality at all (just as some atheists have never felt a glimmer of temptation towards religion). It is important that we don't caricature any such nihilist as a psychopathic monster (anymore than we would so caricature the atheist). We need not deny her warmth, altruism, and sympathy; there are no grounds for assuming that when the chips are down she will turn upon her comrades; she may be as sickened by pedophilia, as depressed by genocide, as opposed to copyright infringement, as everyone else.

Alternatively, perhaps the moral nihilist admits to experiencing some prods and pokes of moral intuition, but she has simply gotten past those appearances; she no longer endorses them. Why not? The answer is (the answer, Huemer thinks, *must* be) that these moral appearances have been “overruled by other appearances” (100). Recall how broad is Huemer's conception of “appearance.” It encompasses being persuaded by a philosophical argument, remembering something, changing one's mind as a result of conducting an experiment, etc. Most metaethicists will admit that there are *some*

considerations in favor of moral error theory; the nihilist is, by definition, someone who has found those appearances compelling.

Huemer may complain that any such skeptic has already fallen into error by allowing those initial appearances to be overruled. “Even if Mackie’s arguments are strong and compelling,” she should have counseled herself, “they are not sufficient to overrule my even more strong and compelling moral intuitions.” But this argument is misplaced. Ex hypothesi, the nihilist *has* found her moral intuitions “weak and wavering” (115) in the face of the anti-realist challenge. The intuitionist has no business saying to the nihilist: “No, wait, just back up a moment and introspect on whatever glimmers of moral intuition you now have, or try to recall those you once had — Don’t you really find them much stronger and more convincing than those flimsy skeptical arguments?” By definition the nihilist answers “No”; to argue that she is misguided in finding matters this way is question-begging.

It seems that the best that Huemer can say against the way things appear to the nihilist is that it’s a statistically unusual experience, and that most people go along with him in finding their knee-jerk moral intuitions hard to give up. (But did anyone doubt that?) At bottom, the case for allowing these moral intuitions to win the day is simply that they *are* hard to give up, and hence they trump any abstruse philosophical argumentation that would have us reject them. This only works, however, for those individuals for whom they are indeed hard to give up. But the nihilist—rare though he or she might be—is not such a person. Thus Huemer has not actually provided his nihilistic opponent with a reason to abandon her skepticism. Indeed, he offers her positive grounds for maintaining it: If two bodies of appearances are in conflict, you should go with the one that “seems more obvious” (116); not to do so “would be irrational” (*ibid.*). Much as it may inconvenience Huemer to hear it, I must in all sincerity tell him that moral skepticism “seems more obvious” to me than moral realism. His advice appears to be that I would be irrational to heed the moral intuitionist.

I am, of course, willing to enter into metaethical debate of the orthodox sort about moral skepticism. Someone may point out to me the fatal flaws in the strands of reasoning that have led me to doubt morality. Huemer himself engages in a quick critique of Mackie’s argument from queerness (chapter 8), and had it been precisely that argument of Mackie’s that had persuaded me, and had Huemer’s rejoinder been devastating, then I might have become convinced of the error of my ways. In that scenario, the “appearances” in favor of moral skepticism would have been overruled by further intellectual appearances.

But my focus here is on the argument that comes earlier in the book—the one that is supposed to knock moral nihilism out of the running in chapter 5. There Huemer invokes the principle of phenomenal conservatism against the nihilist in order to demonstrate that it is reasonable to take strong appearances to provide doxastic justification. My point has been that for the nihilist the strongest appearances are *not* on the side of morality. Metaethical arguments can of course be offered to convince the nihilist that he is mistaken—to change the way things appear to him—but if those arguments were successful, if they really were sufficiently persuasive to alter the appearances in favor of morality—*then the earlier invoking of the principle of phenomenal conservatism would be entirely superfluous.*

Huemer might accept this limitation on his argument; he might accept that so long as he renders moral intuitionism a *permissible* position, for all those folk who have intuitions similar to his own (and we'll accept that this may be nearly everyone), then he's done a good day's work. But recall the broader dialectic here. Huemer set out to *knock down* his opponents; he was supposed to show that their metaethical positions are untenable. If I'm correct, however, then he has in fact left moral nihilism a permissible stance; he has left an opponent standing. We seem to be in the uncomfortable position that so long as you are sufficiently intellectually drawn to moral nihilism (or, I suppose, *emotionally* drawn to it), then you are allowed (indeed, rationally required) to stick with it.

One can also resist the intuitionist conclusion by taking seriously the qualificatory clause associated with the epistemological principle. Huemer's phrase here is "other things being equal" (99); elsewhere he prefers "in the absence of defeaters" (2007: 30). So when should we overrule appearances?

Walter Sinnott-Armstrong (2006) has made a good fist of outlining some general platitudes for when intuitions may stand in need of explicit justification beyond that provided by the fact that we find ourselves with them.<sup>2</sup> He writes:

When a belief is partial, controversial, emotional, subject to illusion, and explicable by dubious sources [i.e., unreliable or disreputable sources], then ... confirmation is needed for justified belief. ... [T]hese principles or some close relatives seem plausible to most people and are assumed in our shared epistemic practices. (345-46)

(I don't have space here to present the details of Sinnott-Armstrong's paper, but I recommend it to anyone stimulated by Huemer's book.) It is important to note that this is not an argument against conservatism; rather, it is best thought of as a fleshing out of the details of conservatism in order to render it plausible.

There are two ways that we can think of this catalog of platitudes. First, it might be a list of defeaters: A person experiences a certain appearance, providing *prima facie* justification for a corresponding belief, but then it is noted that the appearance was, say, produced in circumstances that are known to be conducive to illusion (e.g., the person had been staring at an optical illusion), and this additional knowledge amounts to an "overruling appearance" that trumps the *prima facie* justification. Alternatively, we might read the platitudes as built into the principle of phenomenal conservatism in the first place. A proper articulation of the principle, we might think, would substitute for "other things being equal" a concrete list of general considerations that block *prima facie* justification. (Ideally this would be a complete list, but it need not be.) The difference here is that the belief in question never even gets so far as having *prima facie* justification to be subsequently overruled; it is *blocked* from receiving justification.

One consequence of the second interpretation is that when a person (appropriately) does not form a belief in accordance with appearances (because of the presence of one or more of the items from Sinnott-Armstrong's list), this will not be the result of having "weighed" the strengths of two competing appearances. On this account, it doesn't matter how utterly convincing the initial appearance might seem; the appropriately spelled-out

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<sup>2</sup> Sinnott-Armstrong does not mention conservatism at all, so I'm slightly bending his purposes to my own.

principle of conservatism does not accord the associated belief even *prima facie* justification. (In the same way, I assume that Huemer doesn't think that the apparent obviousness of the principle of phenomenal conservatism is itself something that must be weighed against the obviousness of every other appearance whenever we're trying to decide which of our beliefs are justified. Rather, that principle must be established on some other grounds (e.g., because not to do so is self-defeating), and then this principle instructs us to weigh appearances in all other cases.)

The main purpose of Sinnott-Armstrong's argument is not merely to clarify epistemic conservatism, but rather to point out that moral intuitions *fail every single test*. Moral intuitions are partial, are subject to disagreement, are swayed by emotion, are subject to illusion, and may very well have their origins in dubious sources. It doesn't ultimately matter which way we interpret the catalog of epistemological platitudes—as defeaters or as blockers—the outcome is the same: The moral intuitionist is in serious trouble. One of the interesting facets of Sinnott-Armstrong's case is that sometimes it is empirical research that throws these intuitions into doubt.

Suppose you were to hear that someone has a strong intuition that *p*. Huemer would already say that, all else being equal, this person would be *prima facie* justified in believing that *p*. But suppose we now learn that this person's intuition is easily manipulated by factors that appear irrelevant to the matter. Assume the intuition in question to be some kind of evaluation. Suppose the valence of the evaluative judgment changed depending on whether the person were pressing down with her hands on a table top or pulling up on its underside. Or suppose it depended on whether a pen she was holding in her mouth were held across her teeth as opposed to sticking outwards. Or suppose it would change if there were a subliminal hint of lemon odor in the air. Suppose that the person's moral estimation of a situation could be altered by having a noisy lawnmower running nearby, or having her sit at a dirty desk rather than a clean one, or receive information by written note rather than colored lights, or having the person giving her orders wear an indeterminate uniform.

Perhaps none of these pieces of evidence alone is sufficient to make much difference, but the fact is that they represent a large body of data showing how easy it is for psychologists to push people's evaluative intuitions around, often by manipulating their emotions.<sup>3</sup> And the supposition is that it is not just in the artificial world of the lab that this happens, but that similar things are happening (sans cunning psychologists) all the time in everyday life. I think this very much casts moral intuitions into doubt. It is an epistemic platitude that intuitions that are swayed and clouded by such factors cannot count as reliable indicators of the truth, and stand in need of some additional source of justification. One might respond that this may be so of *some* moral intuitions but it would be hasty to generalize. Quite so; let us see how many moral intuitions remain firm in the face of shifting situational factors. Is there really much cause for optimism? In his diagnosis of some leading causes of human error, Huemer mentions *bias*, which he describes as "being moved by emotions and desires ... to view some claims favorably and others unfavorably" (137). What I am arguing is that recent empirical research shows that bias in the formation of moral beliefs is far more prevalent than we have thought—

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<sup>3</sup> Table = Cacioppo et al. 1993; pencil = Strack et al. 1988; lemon = Li et al. 2007; lawnmower = Mathews & Canon 1975; dirty desk = Schnall et al. 2008; written note = Enzle et al. 1975; uniform = Bushman 1988.

sufficiently so that it would be epistemically derelict of us to continue to accept moral intuitions at face value, regardless of their gripping and persuasive appearance.

The term “bias” in this context should also make us think of evolutionary psychology (which Huemer—erroneously and somewhat sniffily—insists on calling “sociobiology”). The evolutionary psychologist argues that the human brain comes with various biases and heuristics—ways of thinking that helped our ancestors avoid threats and exploit opportunities in a prehistoric environment. According to the moral nativist, moral thinking itself is an inbuilt bias. But the fact that a psychological bias helped our ancestors make more babies than the competition does not magically vindicate it in epistemological terms. On the contrary, it may very well provide an explanation of where this way of thinking came from that does not imply or presuppose a reliable connection with reality. (In effect, this would be evidence that moral intuitions arise from an unreliable source, thus further supporting Sinnott-Armstrong’s case.) And this genealogical hypothesis would not just be a wild flight of fancy, like the skeptic pondering whether she might be a brain in a vat. It would be a respectable scientific hypothesis, which may well receive empirical confirmation. Were it to do so, it would presumably enjoy a strong and compelling intellectual appearance. Would it, though, be as strong as those “clear and firm” (115) moral intuitions with which Huemer’s mental life is replete? I suggest that it is not a simple matter here of comparing respective strengths of obviousness. The evolutionary hypothesis *explains away* those knee-jerk intuitions that stand against it, for it provides a plausible and potentially confirmable hypothesis about where those intuitions come from and why they should seem so strong and compelling to those creatures for whom they are a design feature. Any methodology that allows one simply to cite the strong and compelling nature of those intuitions as one’s ground for rejecting the respectable hypothesis is corrupt. Epistemic conservatism taken that far fosters an uncritical attitude, and becomes nothing more than a fancy name for gullibility.

In the conclusion to his book, Huemer laments the plight of the intuitionist—once the toast of the town but now ridiculed and abandoned, and not for any decent philosophical reason, but because the forces of cynicism, political correctness, and the adulation of science have combined to create a modern malaise that makes obviously flawed metaethical theories seem mysteriously attractive. One almost feels sorry for the misunderstood intuitionist, until one realizes how implausible the diagnosis is. For a start, the reductionist seems to have slipped between the floorboards during this late discussion, for Huemer’s speculative sociology of metaethics concerns only the allegedly regrettable rise of moral *anti-realism*. Second, one could hardly claim that the subjectivist is the product of recent cultural forces, for versions of subjectivism have been robustly advocated for millennia. (Let us not forget that the divine command theorist is one of Huemer’s starring subjectivists.) Lastly, noncognitivism and nihilism are actually not the swaggeringly fashionable positions that Huemer portrays them as. How many readers can name more than three living noncognitivists? And if trophies were awarded for who is the biggest pariah in the metaethical community, then at least two things would seem certain: (A) the error theorist would win the prize, and (B) nobody would watch the ceremony.

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