

MORAL INTUITIONISM AND DISAGREEMENT

ABSTRACT: According to moral intuitionism, at least some moral seeming states are justification-conferring. The primary defense of this view currently comes from advocates of the standard account, who take the justification-conferring power of a moral seeming to be determined by its phenomenological credentials alone. However, the standard account is vulnerable to a problem. In brief, the standard account implies that moral knowledge is seriously undermined by those commonplace moral disagreements in which both agents have equally good phenomenological credentials supporting their disputed moral beliefs. However, it is implausible to think that commonplace disagreement seriously undermines moral knowledge, and thus it is implausible to think that the standard account of moral intuitionism is true.

KEYWORDS: moral epistemology, moral intuitionism, seemings, disagreement, skepticism

According to moral intuitionism, at least some moral seeming states are justification-conferring.¹ The primary defense of this view currently comes from advocates of the standard account, who take the justification-conferring power of a moral seeming to be determined by its phenomenological credentials alone. However, the standard account is vulnerable to a problem. In brief, the standard account implies that moral knowledge is seriously undermined by much

¹ A moral seeming state is a seeming (sometimes called an “appearance” or “intuition”) had by an agent at a time about a moral proposition, cf. (Bealer 2000, pp. 2–4; Chudnoff 2012; Huemer 2006, pp. 99–105; Tolhurst 1998).

commonplace moral disagreement, particularly the sort of moral disagreement wherein the disputed beliefs are based upon moral seemings with equally strong phenomenological credentials.² However, it is implausible to think that such commonplace disagreement seriously undermines moral knowledge, and thus it is implausible to think that the standard account of moral intuitionism (henceforth: SMI) is true.

The structure of the paper is as follows. I will first briefly introduce sufficient conditions for when disagreement leads to defeat. I will then show how SMI implies those conditions are met by many commonplace moral disagreements. Finally, I will raise and respond to defenses of SMI, concluding that they are problematic and do not succeed in defending SMI.

1. DISAGREEMENT AND DEFEAT

A position that has garnered some support in the literature regarding disagreement is the Equal Weight View, according to which “all fully disclosed disagreements wherein there are no evident epistemic asymmetries lead to defeat” (Feldman 2006, p. 441; cf. Christensen 2007; Elga 2007). This view is plausible but strong.³ In order to illustrate this, consider two different cases of disagreement.

Thermometer: Mark and Shirley are interested in measuring the temperature of a single pale of water. To do so, they purchase nearly identical thermometers and individually measure the water’s temperature at the same time. Mark obtains a reading of 50 degrees Fahrenheit and, prior to conferring with Shirley, begins to believe that the water is 50

² It is difficult to know just how often our moral beliefs rest upon moral intuitions. Jonathan Haidt’s (2001) work in this area suggests that many more of our moral beliefs rest upon moral intuitions than we perhaps realize, though my argument does not depend upon this claim.

³ For important criticisms of these early defenses of the Equal Weight View, see among others (Enoch 2010; Kelly 2010; Wilson 2009), and discussions favoring the view in, among others, (Christensen 2011, Bogardus 2012).

degrees. Shirley measures 70 degrees Fahrenheit, and similarly begins to believe that the water is 70 degrees, prior to conferring with Mark. Neither Mark nor Shirley knows anything more about the temperature of the water or the reliability of their thermometers, nor is either a known prankster.

Theoretical Import: Donna and Larry are research scientists working in the same university department, and are trying to determine the theoretical consequences of a recently published, and somewhat complicated, data set. Prior to consulting with each other, Donna believes the data conflicts with the prevailing relevant hypotheses, while Larry believes the data conflicts with all but one of the prevailing relevant hypotheses. Donna and Larry are both highly competent researchers with similar educational backgrounds; they are also both aware of the same relevant background information.

The natural response to *Thermometer* is to say that, after full disclosure, Mark and Shirley should withhold belief in the temperature of the water. Conversely, I do not believe there is a single natural response to *Theoretical Import*. Put differently, I do not believe we ordinarily have settled, stable intuitions—as we do for *Thermometer*—regarding how Donna and Larry should respond to discovering their disagreement in *Theoretical Import*, given the complexity of the data and the corresponding complexity of the evidentiary support relations (if any) that exist between the data set and either Donna or Larry's disputed belief. In cases like *Theoretical Import* the evidential support of disputed beliefs often comes from a sequence of sophisticated judgments regarding data that are difficult to disclose fully, as well as expert intuitions that have

been honed through many years of successful use (cases analogous to *Theoretical Import* might include, say philosophical or political disagreements).

The Equal Weight View treats both cases as having the same epistemic consequences after full disclosure, namely, the defeat of both disputed beliefs. My goal here is not to argue against the Equal Weight View or the epistemic consequences of concrete disagreements suggested by that principle. Rather, my goal at present is to provide a modest, intuitively plausible condition of when disagreement leads to defeat. Since the epistemic consequences of *Thermometer* are clearer to me than the consequences of *Theoretical Import*, I will propose a principle that retains the strong intuitive support of *Thermometer* without bearing on more complicated and intuitively unclear cases like *Theoretical Import*.

It seems to me that there are at least two differences between the cases just raised that are relevant to their potential epistemic consequences. First, the evidence supporting either disputed belief in *Thermometer* is simple and clear, as are the evidential support relations between that evidence and each disputed belief. In *Theoretical Import*, the evidence and evidential support relations are complicated and less clear. Second, and similarly, in *Thermometer*, both agents can clearly apprehend the basis of the other's disputed belief (to wit, the evidence and inferences made from the evidence). The complicated nature of *Theoretical Import* makes full disclosure in that case difficult; even if full disclosure were possible, Donna and Larry would have a somewhat difficult time evaluating the evidential weight of each other's expert intuitions and inferences and applying the conclusions of the respective evaluations of the other to their own judgments. In contrast, Shirley and Mark don't need to think much, at all, after full disclosure in *Thermometer*. In the circumstances, it seems most likely that one of the two thermometers is malfunctioning and until it is determined which of the two thermometers is the culprit, they

should both withhold judgment regarding the temperature of the water. We can codify these differences into a formal condition of when disagreement leads to defeat, a principle I will call the “Noticeably Equal Weight Conditional” (hereafter: NEWC) to distinguish it from the Equal Weight View to which it is indebted (and which, if true, implies the truth of NEWC).⁴

NEWC: In all cases of disagreement between two people, S and R, over S’s belief in p_1 and R’s belief in p_2 ,

- If*
- (i) S is doxastically justified in believing that p_1 and p_2 can’t both be true at the same time, and
 - (ii) S is doxastically justified by introspection in believing that his own belief in p_1 is based upon e_1 , and is doxastically justified by R’s testimony in believing that R’s belief in p_2 is based upon e_2 , and
 - (iii) S is doxastically justified in the belief that e_1 provides some evidential support for p_1 and e_2 provides some evidential support for p_2 , and
 - (iv) S is not propositionally justified in a belief that p_1 or p_2 is more strongly supported by e_1 or e_2 , respectively, and
 - (v) S is not doxastically justified in belief(s) that propositionally justify for S the proposition that p_1 has more support than p_2 or p_2 has more support than p_1 ,

Then S has a defeater for a belief in p_1 and a defeater for a belief in p_2 .⁵

⁴ cf. (King 2011, p. 21), who seems to propose similar principles of when disagreement leads to defeat. This way of handling defeat also seems similar to what Kelly advocates in his criticism of the Equal Weight View (2011, pp. 142–143).

⁵ The notion of evidential support invoked in (iii) and (iv) is intended to be an intuitive one; i.e. e_1 provides p_1 with epistemic support for S when S’s knowing e_1 makes p_1 more epistemically likely for S than not knowing e_1 .

The intuitive idea behind NEWC is that defeat ordinarily arises in at least those disagreements wherein the beliefs of each disputant should noticeably be accorded equal weight—a paradigm case being *Thermometer*, wherein both beliefs are equally well supported. It is thus a sufficient but not necessary principle regarding disagreement-based defeat. NEWC is satisfied in ordinary disagreements when a person knows through full disclosure that she and an interlocutor can't both be right (i), and knows that both pieces of evidence upon which the disputed beliefs are based (ii) do support both beliefs (iii), and she is not justified in thinking that either belief is better supported by the evidence (iv) nor has another justified belief that would break the symmetry between the two disputed beliefs (v). In circumstances like those, NEWC suggests that the person would have a defeater for both disputed beliefs.

The narrow antecedent conditions of NEWC prevent it from applying to cases such as that found in *Theoretical Import*. For Donna and Larry in that case would have a difficult time satisfying (ii), given that introspection and testimony may not fully reveal what it is that each belief is based upon. Even if full disclosure of both belief bases is possible, Donna and Larry would also have a difficult time satisfying (iv). For each may indeed be justified in the belief that one of the two beliefs is more likely than the other but the acquisition of justification for such a belief would likely take lengthy and measured thought. Alternatively, Mark and Shirley each clearly satisfy the antecedent conditions of NEWC; consequently, NEWC makes sense of the intuitive defeaters that arise in *Thermometer*.⁶

⁶ One might think that NEWC needs a confidence condition in order to be a sufficient account of when disagreements lead to defeat, in line with views held by Lackey (2010a, 2010b) and Bergmann (2012). Though I do not have the space to argue this is unnecessary, I will say that I do not think that an agent could be highly justifiably confident in a belief after satisfying the antecedent conditions of NEWC in a dispute about that belief.

Now that I have proposed and defended the conditions of this principle, I will turn to examine standard varieties of moral intuitionism, using NEWC to argue that the view suffers from a skeptical problem arising from commonplace moral disagreement.

2. MORAL INTUITIONISM: THE STANDARD ACCOUNT

Advocates of SMI take the phenomenology of a moral seeming (henceforth: a seeming) to alone determine its justification-conferring power. Hence, by SMI, the justification, or degree thereof, conferred by a seeming depends upon its internally accessible features—features which we can call a seeming’s “phenomenal credentials.” Thus, for one of the newer varieties of SMI championed by Michael Huemer (2006, p. 99; cf. Bedke 2008, pp. 253–255), for any undefeated moral seeming that p , a belief that p is prima facie justified for S if it seems to S that p . According to the more popular version of SMI championed by Robert Audi (2008) and others (cf. Shafer-Landau 2003, p. 247; Stratton-Lake 2003, pp. 1–28), a moral belief that p is non-inferentially justified for S if p is self-evident for S .

Although many advocates of the latter version of SMI do not ordinarily appeal to seemings in order to explain epistemic justification for moral beliefs, they also do not ordinarily provide accompanying accounts of self-evidence. An exception is Audi, whose work on self-evidence has been deeply influential amongst those who advocate this version of SMI.⁷ For Audi (1999, pp. 206f), a self-evident proposition p meets the following three conditions: (1) p is true, (2) in virtue of an adequate understanding of p , one is justified in believing p , and (3) if one believes p on the basis of an adequate understanding, then one knows p .

⁷ For instance, both Shafer-Landau (2003, p. 247) and Stratton-Lake (2003, pp. 18–23), explicitly draw on Audi’s notions of self-evidence. For an important discussion of Audi’s work on intuitionism, see essays in (Hernandez 2012).

Although my argument will not require it of the advocate of SMI, as I will explain, Audi and most proponents of this version of SMI are in fact committed to epistemic internalism with regard to justification, according to which, as Audi (2001) puts it, “what justifies a belief, i.e., the ground of its justification, is ... (internally) accessible: that to which one has access by introspection or reflection.”⁸ Yet, the notion of “adequate understanding” to which Audi appeals in explicating self-evidence is at least partially ambiguous on this score. For “understanding” can be taken to designate a success-entailing state (similar to a factive state) or a state that does not entail success. Understanding a proposition *p* is taken as a success-entailing state if, in addition to seeming to understand *p*, one must also *actually* (i.e. successfully) understand *p*. However, actually understanding a proposition appears to involve the presence of a non-introspectively accessible relation between an agent’s cognitive state and the proposition itself. For if one’s success in understanding a proposition were a matter that could be introspectively detected, then it’s hard to see how we could ever be rationally mistaken in thinking that we understand particular propositions—and we intuitively are rationally mistaken in at least some cases. If we do not have internal access to success-entailing understanding, then by Audi’s condition on justification, this type of understanding would be relevantly externalist and ruled out as grounds of justification for self-evident beliefs.

What Audi and likeminded advocates of SMI must be thinking of when appealing to adequate understanding is a non-success-entailing state of cognizing a proposition that involves certain phenomenal features constitutive of self-evidence (e.g. conceptual containment).⁹ Of course, for a self-evident proposition, these phenomenal features will be constitutive of

⁸ See also Michael Bergmann (2006, pp. 9–11) and Audi’s (1993, pp. 218–221, 229–231).

⁹ If so, this fits other plausible accounts of the self-evident, e.g. Conee’s (2012), and fits Audi’s (2008, pp. 447f) explicit endorsement of moral seemings as being justificatory. There are also parallels with this view in the Stoic notion of a ‘cognitive impression’, cf. (Baltzly 2012).

seemings, involving a “felt-veridicality” (Tolhurst 1998), or put differently, a “presentational phenomenology” (Chudnoff 2011). We can call the phenomenal features of self-evidence a proposition’s “self-evidential phenomenal credentials” and plausibly recast the thesis of this camp as the view that a moral seeming is justification-conferring when it is characterized by self-evidential phenomenal features, whatever those features end up being according to advocates of the view. This recasting of the position simplifies my argument against SMI, for I can advance it using terminology common to both camps. Moreover, the recasting retains features of self-evidence that those in the second camp may wish to retain, such as the possibility of being mistaken in thinking a proposition is self-evident—for one can, say, be mistaken about what phenomenal features are constitutive of self-evidence.¹⁰

Advocates of SMI need not be internalists with respect to epistemic justification (cf. Star 2008).¹¹ For one could maintain a commitment to the view that the justification-conferring power of a moral seeming is determined by its phenomenological credentials alone, while also maintaining a broader view that allows for non-internally accessible grounds of epistemic justification outside the domain of moral seemings. Though a possible view, it’s hard to see why one might treat the justification of moral seemings as *sui generis*. Moreover, as the phenomenological credentials of a seeming are paradigms of the internally accessible, SMI will

¹⁰ My argument against SMI does not hang on this proposal. What matters is that what does the work in justifying some non-inferentially held moral beliefs is introspectively accessible (and thus capable of being disclosed in a disagreement). One might be worried that this recasting too easily allows for obviously false beliefs (such as Dr. Gustoff’s, introduced below) to count as self-evident. Yet if self-evidence is understood in a way compatible with epistemic internalism, then there must be some introspectively accessible feature of a belief that is mistakenly understood to be self-evident that marks it off from one that is genuinely self-evident. If two beliefs have equally good internally-accessible support (as is the case, *ex hypothesi* for Dr. Gustoff and Dr. Ferguson below), then they are by an internalist’s lights equally well justified—and this is true whether internally-accessible support is cashed out in terms of seemings with certain phenomenology, or something else.

¹¹ In other works, Audi advocates externalism with regard to *knowledge* but not justification (1993, p. 334), and Shafer-Landau (2003, pp. 272–275) endorses reliabilism with respect to justification. Unfortunately, Shafer-Landau does not explain how his position regarding reliabilism connects with his views on self-evidence, and thus for the purposes of this paper I will treat him as an ordinary advocate of SMI. Depending upon how Shafer-Landau explains his externalism, however, he may have more resources for handling the problems introduced below.

appeal in a special way to epistemic internalists. Consequently, I will assume for the purposes of this paper that advocates of SMI are in fact epistemic internalists with respect to justification. Yet, the chief argument of this paper does not demand that advocates of SMI be epistemic internalists. It only requires of the advocate of SMI that nothing outside the scope of internal accessibility features in the justification-conferring power of moral seemings. For if the justification conferred by a seeming in fact depends upon its internally accessible features alone, then disputants will have nothing more to appeal to as justification for their respective non-inferentially held moral beliefs than those internally accessible features, and defeat will arise the more easily.

Alternatively, a moderately externalist moral intuitionism that takes the justification-conferring power of a seeming to be determined partially by its phenomenal credentials and partially, say, by one's moral character has more resources for handling disagreement, and in fact is a view the plausibility of which I have argued for elsewhere (see my 2014 and Forthcoming). Now it may be that some prominent intuitionists have had just such a view in mind all along. My goal is not so much to pin a problematic view of moral knowledge on prominent intuitionists as to show that a commitment to SMI is problematic. If we can get clear on what precisely is most plausibly thought to be doing the work in the justification of non-inferentially held moral beliefs, that would be worthwhile philosophical progress.

For the following argument to succeed against SMI, one need only target the second camp's position, showing that disagreement over purportedly self-evident propositions is common and leads to the defeat of both beliefs, for both agents. Since the first camp considers many more moral seemings to have justification-conferring power, so too will there be that many more defeat-generating disagreements.

For the sake of simplicity, I will refer to a moral belief based upon a justification-conferring seeming as an *intuition*.¹² Moreover, we can call disagreements over intuitions in which both sides have seemings that confer equal degrees of justification onto the intuitions formed in response to them *symmetrical*. So defined, the argument against SMI is simple. SMI implies that moral knowledge is seriously undermined by commonplace moral disagreements; for, given how SMI evaluates an intuition's degree of justification, all moral disagreements over intuitions with equally good phenomenological credentials are symmetrical, and all these symmetrical disagreements, given NEWC, lead to the defeat of both disputed moral beliefs for both agents when fully disclosed.

If the relevant sort of disagreements were rare, then the advocate of SMI would have less to worry about. But it is reasonable to believe that a great many moral disagreements, at least in pluralistic societies, feature seemings with equally good phenomenological credentials supporting either disputed belief. Of course, many of these beliefs may strike us as crazy, or at least seriously misguided, but all the same they look to be supported by seemings the phenomenology of which closely parallels the phenomenology of those seemings that support other, *prima facie* more plausible non-inferentially held moral beliefs (having similar strength of vivacity, stability, and felt veridicality, among others). Since moral intuitions are supposed to help solve the problem of epistemic regress for our moral beliefs, the epistemic defeat potentially introduced by symmetrical disagreements is pervasive.¹³ That is, if moral intuitions are taken to comprise a noetic foundation for moral knowledge, then their defeat by disclosure of symmetrical disagreement threatens to topple the whole structure of an individual's moral

¹² A doxastic use of 'intuition' is not intended to have any substantive import. Others use 'intuition' differently.

¹³ For a similar sort of argument, see also (Sinnott-Armstrong 2006a, pp. 340–343, 2006b, p. 185, 2002, pp. 305–310), and a response in (Ballantyne & Thurow 2013).

knowledge. All moral beliefs whose justification depends upon intuitions will also be subject to defeat. In order to see how easily intuitions can be defeated if SMI is true, consider a case.

Evil Intellectual: Two professors of philosophy, Dr. Gustoff and Dr. Ferguson, go to lunch together one day. Dr. Gustoff mentions to Dr. Ferguson that these last few years, he has been thinking very much about morality and it has become clear to him that it is self-evidently true that each person has an obligation to treat the poor, weak, and ugly with as much contempt as possible. For, continues Dr. Gustoff, these people are repulsive and deserve to be treated as such – what could be more self-evident than that? At Dr. Ferguson’s apparent bewilderment, Dr. Gustoff makes every assurance that he is in earnest. Finding no reason to doubt Dr. Gustoff’s cognitive capacities, and recalling that Dr. Gustoff has a reputation for grimly disliking jokes, Dr. Ferguson explains that it seems self-evidently true to him, all other things being equal, that the poor, weak, and ugly should be treated with dignity, rather than with contempt. Lastly, to the best of their abilities, Dr. Gustoff and Dr. Ferguson detail to each other the phenomenological features of their rival seemings and cannot find any differences between them, nor any other evidence they have that justifies either disputed belief.¹⁴

¹⁴ Wedgwood (2010) discusses cases like these, calling whatever led to Dr. Gustoff’s intuition a ‘moral evil demon’ (2010, p. 220). Whereas Wedgwood is there concerned with analyzing the epistemic consequences of discovering simply that another disagrees with oneself about a proposition (cf. 2010, p. 232), I am here concerned with those disagreements satisfying the antecedent conditions of NEWC. One might doubt that there really are people like Dr. Gustoff. History furnishes us with many examples of evil people and evil cultures. Consider, for example, the way the untouchables were treated in India, or Jewish people in Nazi Germany (including by intellectuals like Heidegger). Evidence suggests that people are naturally prone to be preferentially attracted to beautiful people and naturally prone to let their feelings of disgust influence their moral beliefs, often in improper ways (D. Kelly 2011, pp. 101–136; Slater et al. 1998). Combined with the unfortunate habit many people have of treating their own preferences as having normative import, it is not surprising why we have real examples of people like Dr. Gustoff.

Now *Evil Intellectual* represents an extreme case. So if SMI implies that cases like it result in the mutual defeat of the disputed beliefs, then all the more will mutual defeat result from the more mundane disagreements in which agents have even better evidence of their interlocutor's sincerity, strength of feeling, and stability of judgment, among other factors.

Many of the details of *Evil Intellectual* parallel *Thermometer* and satisfy NEWC in the following way. First, each knows that their two disputed beliefs cannot both be right, satisfying condition (i). Second, both are capable of knowing upon what each disputed belief is based (through a combination of introspection and testimony), satisfying condition (ii). Third, given that each appeals to a seeming with the same phenomenological credentials as the other's, each knows that the other has some support for his disputed belief (after all, if one dismissed the evidential weight of seemings, then he would undermine his own support), satisfying condition (iii).¹⁵ If SMI is right in claiming that the epistemic support of a seeming is determined by its phenomenological credentials, then both Dr. Gustoff and Dr. Ferguson have reason to think that both disputed beliefs are equally well supported by the adduced evidence. After all, each person has the same phenomenal credentials supporting his own disputed belief as the other does in support of his disputed belief, and they both know that. Thus, Dr. Gustoff and Dr. Ferguson satisfy condition (iv). Finally, if SMI is right that the phenomenological credentials are the only aspects of the rival seemings that determine the epistemic support for both beliefs, and neither

¹⁵ One might worry that intuitions cannot be disclosed, only reported. Yet, reporting an intuition (e.g. "it seems self-evident to me that p") is reporting one's evidence, if SMI is right. Moreover, even though an interlocutor does not have first-person access to the other's intuition, we often do not have first-person access to another's evidence in disagreements and must rely upon their testimony of the facts (e.g. in *Thermometer*), including facts about how things seem. Experience also suggests that the mere report of another's seeming can provide one strong evidential grounds for assenting to the proposition it supports (e.g. reports of it seeming that there is a rock in one's shoe, reports that it seems that one should ϕ given by apparent moral experts). Hence, the reports of another's seemings ordinarily give us reason to take them at their word, trusting that things do appear to them as they have reported. Unless there is good reason to doubt another's sincerity, or at least to doubt that the phenomenology reported corresponds to what is genuinely felt—as might be the case when talking with an enthusiast—reports of seemings will satisfy conditions (iii) and (iv) in the ways detailed above.

Dr. Gustoff nor Dr. Ferguson has additional supporting evidence for his belief, then condition (v) is satisfied. Consequently, Dr. Ferguson and Dr. Gustoff should both withhold judgment regarding the truth of their disputed beliefs, as well as withhold judgment regarding the truth of all beliefs that inferentially depend upon the newly defeated beliefs for their justification.

Are disagreements relevantly similar to the one considered in *Evil Intellectual* rare? It doesn't seem like they are, at least not in pluralistic societies. Rather, it seems that the relevant sort of disagreement is widespread, and if SMI is right, then these widespread disagreements should have the same epistemic results as *Evil Intellectual*. Anecdotally, at least, it looks as though individuals are capable of holding to a wide variety of peculiar moral beliefs, and in many cases, seem to explain those moral beliefs as being based upon seemings with very similar phenomenal features to those seemings upon which ordinary moral beliefs are based. (Think of disagreements spurred in in Introduction to Ethics classes, or similar disagreements outside academe.) Often disagreements like these occur without either side being able to produce a non-question begging justification for his or her disputed view (assuming some reason at all can be given). Yet, given the tenor of the disagreement, both disputed beliefs clearly seem very strongly to be true to their respective advocates. Hence, it is highly likely that in disagreements like these, each side takes their respective position to be self-evident, at the very least, in a weak sort of way.¹⁶ Particular topics that seem to generate these sorts of disagreements are the moral impermissibility of torture, the death penalty, abortion, homosexuality, euthanasia, killing and

¹⁶ Haidt's phenomena of "moral dumbfounding" (cf. Haidt 2001, p. 817) seems additional strong evidence that people take many moral beliefs to be at least weakly self-evident, grounded in intuitions. What is weak self-evidence? Conee describes self-evidence as involving a phenomenal experience "as though detecting something in what [the proposition] says that is sufficient for its truth" (2012, p. 429). It seems clear to me that the phenomenal strength, or vivacity, of experiences like this can differ as a matter of degree. When the experience is weak, then one has weak self-evidence, cf. (Audi 2004, p. 53). This is not to say that strong seemings are equivalent to self-evidential seemings, just to say that the experience of appearing to detect something in a proposition, the grasp of which is sufficient to justify the proposition, appears capable of varying by degree in vivacity.

consuming non-human animals, embryonic stem-cell research, as well as purchasing carbon credits to off-set one's 'eco-footprint', to name a few.

Some sociological research buttresses the anecdotal evidence that symmetrical disagreements in pluralistic societies are common. In their study of the moral thinking of emerging young adults in the United States, Christian Smith and his colleagues quote one young man reasoning in what they take to be a typical way. "What makes something right? I mean for me I guess what makes something right is how I feel about it, but different people feel different ways, so I couldn't speak on behalf of anyone else as to what's right and what's wrong" (Smith, Christoffersen, Davidson, and Herzog 2011, p. 22). Of course, extrapolating meta-ethical views from these sorts of statements is a precarious business. All the same, it seems plausible to interpret this young man as claiming that what makes him believe some act is good is how he feels about the act; in other words, his moral beliefs are based upon the total introspectively accessible experience (or phenomenology) that constitutes a moral proposition's seeming true or seeming false to him—in harmony with the thesis of SMI. Unfortunately, according to this study, many young adults are embracing the sort of moral skepticism to which SMI leads, rather than rejecting the dubious premise that moral knowledge is, at bottom, merely based upon how an agent "feels" (2011, p. 221).

Now that I've explained my argument against SMI, I will flesh out the argument in greater detail as I consider and respond to objections.

3. OBJECTIONS AND REPLIES

3.1. Etiology Sufficient for Defeat, Unnecessary for Justification

In *Thermometer*, the natural response to the disagreement is to consider at least one of the thermometers to be malfunctioning. Why not claim a similar diagnosis is apt for *Evil Intellectual*? In the latter case, we might even add that we know which of the two ‘instruments’ is malfunctioning, namely, Dr. Gustoff’s conscience. The problem is that advocates of SMI are ordinarily epistemic internalists, and it’s hard to see how this response fits the internalist’s position. Supposing the advocate were to claim that facts about etiology, though not necessary for justification, are sufficient for defeat. Is there a problem with that? I think so, as I will explain.

First, the internalist’s acceptance of facts about etiology here, as being relevant to justification when it comes to defeat but irrelevant to justification otherwise, appears to employ an arbitrary double standard. How is it that facts that are ordinarily irrelevant to justification, can in cases like those considered here, defeat justification? The internalist’s response is likely to be that an agent must comport to the norms of rationality, and when facts about etiology have a bearing on those norms (as they do, in cases like these), an agent’s justification depends upon responding to those facts in a rational way. However, it’s hard to see *why* facts about etiology have a bearing on the norms of rationality if the epistemic internalist is right in claiming that these facts are ordinarily irrelevant to forming beliefs rationally.

If I base my belief that John is having a surprise birthday party this weekend on Jessica’s telling me she is organizing it, only evidence that undermines my justification for trusting Jessica’s testimony will count as an undercutting defeater for my belief about John’s party (cf. Pollock 1986, pp. 37–39). If it turns out that Susan, a pathological liar, has independently and quite coincidentally told Lucas that John is having a surprise birthday party this weekend, discovering that fact will not undercut my belief about John’s party. Rather, because my

justification was totally independent of Susan's testimony, having a defeater against Susan's reliability is irrelevant to the justification of my belief. Analogously, if the internalist does not think that the causal processes that give rise to a belief comprise even a part of its justification, then it is up to him to show how facts about the unreliability of those processes might defeat a belief justified in a totally independent way. Of course, facts about etiology do intuitively generate defeaters in a range of cases, but these intuitions should be explained as compatible with epistemic internalism, and not simply smuggled in. Alternatively, to count as a rebutting defeater, facts about an improperly functioning faculty would have to count as good evidence that a moral belief was in fact false. Yet, it's hard to see how that could be, since most moral facts seem to be logically independent of facts about how our cognitive faculties are working.¹⁷

Given that the first problem has implications not just for SMI, but for many internalist accounts in epistemology, the advocate of SMI might be convinced some adequate response to the objection is forthcoming. However, there's at least one other reason to be cautious about this line of defense for SMI. The second problem is that, without a deeper account of how etiology functions in justification conferral, an advocate of SMI must face the problem of moral skepticism anew. For the prevalence of unresolved moral disagreement provides strong evidence

¹⁷ Why not think that some considerations can count as defeaters without counting as justifiers? For instance, I know that I cannot speak German, and this fact defeats my having a duty to speak it in some unusual cases. But suppose I learned German. Knowing the language does not give me a duty or a reason to speak it. Hence, ability facts can count as defeaters for action without counting as justifiers. Why can't there be a parallel in epistemology? There is at least prima facie reason to be hesitant. My having a duty or a reason to act requires the satisfaction of conditions that are individually necessary and jointly sufficient. The duty to speak German requires circumstances in which speaking German is needed, as well as an ability to do so, among others. My inability counts as a defeater because one necessary condition for duty is unsatisfied, but mere ability is not sufficient for a duty. There must also be necessitating circumstances, which is why ability facts can count as defeaters and not justifiers. For there to be an analogy with externalist considerations in epistemology, externalist considerations must be necessary but not individually sufficient conditions for justification. Yet this is not what internalists ordinarily claim, thus Audi writes "what justifies a belief ... is (internally) accessible" (2001, emphasis added). Similarly, an internalist cannot say that justification is overdetermined by a concurrence of internally accessible evidence and something external, for the latter is ruled out as grounds for justification by internalist principles and an overdetermination would imply that when internally accessible evidence is defeated, as it is in *Thermometer*, the belief is still justified by an undefeated externalist component—which is just to reject epistemic internalism. I thank a blind referee for raising both possible responses on behalf of SMI.

that many of the faculties that give rise to moral seeming states are in fact malfunctioning, at least to some degree. Facts about unresolved general moral disagreement thus constitute grounds for a general defeater against all relevantly similar moral seemings. In *Thermometer*, the fact that neither Mark nor Shirley had justification for thinking one of the two thermometers was malfunctioning gave them both reason to withhold judgment regarding the deliverances of both instruments. In a similar way, the conflicting and unresolved deliverances of individuals' consciences give us reason to withhold judgment regarding the deliverances of these and other conflicting moral faculties.¹⁸

More concretely, the Dr. Fergusons of the world must have a justified reason to believe that their own consciences are functioning properly when faced with the relevant type of disagreement. The reason must be justified because, after all, if an unjustified reason would suffice, then disagreement-based defeat could be defeated by any belief, no matter how irrationally-formed. But then it's hard to see why one even needs a belief to arrive at a defeater-defeater or defeater-deflector in the face of disagreement. Yet, it is not rational merely to assume in the face of countervailing evidence that it is one's own seemings that are properly produced, for no other reason than because these are the propositions that in fact seem true to oneself (and the propositions one's interlocutor's seemings are about seem false, or even absurd). Alternatively, it is hard to see what other reasons are available to avoid this skeptical problem if the justification-conferring power of a moral seeming is determined by its phenomenological credentials alone, as SMI contends.¹⁹

¹⁸ The import of thermometer analogies for disagreement has been argued as limited, cf. (Enoch 2010, pp. 959–965; White 2012). For a recent defense of the plausibility of this analogy, see (Littlejohn 2012). Even if the analogy is weak, I do not intend to rely it alone to support the present objection to SMI.

¹⁹ Advocates of SMI have not wholly ignored etiology. For instance, many require that their epistemological principles apply to ordinary agents, e.g. (Audi 2004, p. 43). However, if this or another etiological property of an agent is a necessary condition for the justification-conferring power of a seeming, then it is hard to see how it fits with the advocate of SMI's characteristic endorsement of epistemic internalism.

Now this is not to say that according oneself prima facie self-trust is irrational, far from it. The point here is that self-trust within a certain domain must be defeasible if we are to avoid an irrational sort of dogmatism, and as the analogy with *Thermometer* suggests, knowledge of the highly-varied outputs of various moral faculties gives us reason to suspend judgment on the etiological trustworthiness of each moral faculty until we have a plausible defeater-defeater or deflector that allows us to rationally resume according ourselves self-trust in many of our non-inferential moral judgments. True, moral realists have provided a wealth of explanations for the untrustworthiness of some moral seemings. However, to capitalize upon these explanations, the advocate of SMI should first show that these explanations are not importantly question begging (i.e. not subject to, or presupposing the successful resolution of, the same disagreement-based defeat affecting other moral beliefs). For instance, explanations that give preference to, by assuming the high plausibility of, Kantian or Utilitarian principles seem to be problematic if these principles are indeed subject to disagreement-based defeaters. Second, the advocate of SMI should also explain how the mere availability of these defeater-defeaters can deflect or defeat the defeaters that arise from disagreement in particular cases; a limited but practical sort of skeptical problem may be lurking if individuals must be apprised of these potential explanations before their disagreement-based moral skepticism is resolved.

3.2. Moral Disagreement is Evidence against Rationality

In a paper defending his version of SMI, Audi claims that when faced with an agent who disagrees with a moral belief we take to be self-evident, it is very hard for us to be justified in believing that (1) the agent has really considered the matter carefully, and (2) is as rational and thoughtful as we are with respect to the issue in question (2008, pp. 489–490; cf. Huemer 2006,

pp. 131–133, 137–139; Shafer-Landau 2003, p. 262). What exactly is involved in having justification for (1) and (2)? Justification for both (1) and (2) involves, among other things, knowing that one’s interlocutor is not being influenced by background theories, beliefs, or conceptions (especially normative conceptions “that may affect assessment of an issue without even coming to consciousness”), as well as religious convictions and theoretical commitments, all of which whose influence “may be causal rather than justificatory” (2008, p. 489). Given how much seems to be required, Audi suggests “The breadth, complexity, and quantity of evidence needed about the other person are great, and error in assessing it is difficult to avoid” (2008, p. 489). If one is not justified in believing (1) or (2) about one’s interlocutor, then disagreement will not lead to defeat.

There are at least two problems with this strategy. First, people are ordinarily prideful and selfishly biased to believe that they are nearly always rational, and those who disagree with them, less so (sometimes much less so, particularly when the disagreement is a strong one, cf. Elga 2005). If all it takes to avoid defeat in a disagreement is to avoid looking for the sorts of evidence that would justify one in believing (1) and (2) about one’s interlocutor, then defeat will be implausibly easy to deflect. Acquisition of evidence of an interlocutor’s satisfaction of (1) and (2) seems to require what seems to be an abnormally high degree of epistemic humility (among other things). Consider an example to illustrate this point.

Scatterbrained: Due to budget cuts and faculty shortages, Simon Freach is urged out of retirement in order to teach a graduate course on symbolic logic. Despite his advanced years, Simon reluctantly agrees. While reviewing the principles of valid inference in class, Simon asserts that if it is not the case that A and B, then it is not the case that A and

it is not the case that B. Susan, a first-year graduate student, gently but persistently suggests to Simon that he has made a mistake. After some reflection, Simon disagrees and insists to Susan that if she were only to reflect for a few moments, she would realize that the principle he asserted is self-evidently true.

Although Audi is concerned with moral disagreement, it is safe to assume that his principles for disagreement-based defeat are not *sui generis*. Thus, for Simon to have a defeater, it seems that he must be justified in the belief that Susan was being rational, was not being influenced by some background train of thought, that she was not distracted, and that she is being appropriately reflective, to name a few. Yet, given only the facts known from the disclosure of disagreement, it seems that he lacks justification to believe in the satisfaction of most of these conditions. Consequently, Audi's conditions imply that Simon does not have a defeater in *Scatterbrained*, despite intuitive results to the contrary.

The *Scatterbrained* case helps to highlight an additional problem with this line of defense. In brief, Audi's position on justification in the face of disagreement suggests that an implausible sort of self-serving bias is in fact rational. In particular, it seems that the chief motivation for thinking that justification for the satisfaction of (1) and (2) is necessary for defeat is that the evidential weight of the interlocutor's belief at least partially depends upon (1) and (2) being true, in some way. But if that's the case, then it's hard to see why one must not have justification for the truth of analogues of (1) and (2) regarding oneself in order for a similar belief of one's own to be justified. Even if the evidential weight of the interlocutor's belief does not depend upon the satisfaction of (1) and (2), it's hard to see why Audi's conditions specify such a strong preferential treatment of one's own epistemic conditions. It is as though one has de

facto justification for believing that one is always rational, free from distorting influences (whose effects may be causal and unconscious), etc.—though for others, such beliefs must have justification. For it is almost as difficult to be justified that one has personally satisfied these conditions as it is to be justified that another has satisfied them. After all, few can specify all the ways in which their rationality is being affected causally and unconsciously by background beliefs, conceptions, and theoretical commitments (among others).

It's true that we do often know more about our own epistemic circumstances in forming a belief than another's. And, as previously indicated, my contention is not that we lack some sort of default entitlement to self-trust. As Wedgwood (2010, pp. 237–244) has persuasively argued, there may be reasons why even in the midst of disagreement one continues to have some fundamental trust in one's own moral intuitions, rather than others. After all, only my own current intuitions can provide an epistemic basis for my beliefs without my needing additional reasons to trust those intuitions. All the same, practical considerations on the ineliminability of one's own intuitions guiding and providing a rational basis for one's beliefs are not rational considerations in favor of those beliefs against others, as Wedgwood (2010, pp. 243–244) also notices. So once we begin—or are rationally forced to begin because of some disagreement—to attend upon the epistemic credentials of our own disputed belief relative to another's, it seems irrational to deflect the potential defeating power of the other's judgment because I cannot see that my interlocutor has passed a threshold of rationality in forming her belief which is both onerous and is one to which I have manifestly not subjected myself and my disputed belief. For such a consideration to count against the other's belief (in favor of one's own), it should be based upon some epistemic credential possessed by one's own belief and lacked by the disputant's—in this case, the credential of relevance is the agent's high degree of rationality in forming the

belief. Audi's view seems to be that disputants start disagreements with defeasible justification that their own beliefs always possess such weighty credentials, but this is a strong position to take and one not obviously necessary to explain self-trust. Moreover, if we are to arrive at principles that conform to our intuitive judgments regarding disagreement-based defeat (e.g. that found in *Scatterbrained*) then this position should be rejected.

Perhaps rather than thinking of the satisfaction of (1) and (2) as individually necessary and jointly sufficient conditions for defeat to arise, Audi is thinking of (1) and (2) as jointly sufficient conditions only. If so, this successfully avoids the problems I have heretofore raised against his conditions, since defeat can arise without one's being justified in believing (1) and (2) with respect to one's interlocutor, and correspondingly one need not hold one's interlocutor to an excessively high standard of rationality.²⁰ But if this is all Audi has in mind, then the possible response to skeptical worries about disagreement-based defeat is rendered toothless. For it was the difficulty of satisfying these conditions with respect to one's interlocutor that made disagreement-based defeat so difficult to come by. If (1) and (2) are merely jointly sufficient conditions, which need not be satisfied for defeat to arise from disagreement, then that is compatible with defeat arising from moral disagreement much more easily and more often. In other words, this potential way of understanding Audi's conditions gives us no reason to think SMI can avoid the problems detailed above.

One last variation of this objection must be considered. Much of the literature on disagreement-based defeat focuses on peerage. An advocate of SMI might seek to avoid clear disagreement-based defeat by claiming that another's disagreeing with us over a moral matter is evidence that she is not a full-scale epistemic peer on the matter in question (cf. Audi 2008, p. 490). The plausibility of this solution is unclear to me. Its success depends upon the failure of a

²⁰ I'm grateful to a blind referee for this suggestion.

relation of peerage holding between two agents, but what is required for peerage conditions to obtain is at least partially opaque. Similarly, but more importantly, the success of this defense also seems to depend upon the particular, but as yet unexplained, way in which peerage functions to deflect defeat. On first glance, peerage looks like it is a relation between people who are *equally reliable* in a particular domain. However, there seems to be good reason to doubt the estimates we make of our own reliability (cf. among others Elga 2005; Kruger & Dunning 1999; Shanteau 1992); consequently, explaining peerage as a matter of reliability gives us reason to doubt we can know who our peers are.²¹ More broadly, and as argued above, if the advocate of SMI wishes to pursue this strategy for defense, he should provide an account that makes sense of etiological facts in a way that plausibly fits with the thesis characteristic of SMI.

Alternatively, the advocate of SMI might be thinking of peerage in a non-etiological way. If so, perhaps what he has in mind is something like this. Given what I know about myself, sometimes an interlocutor of mine *seems* less reliable, sometimes equally as reliable, and sometimes more reliable. Peerage obtains between oneself and another when the other seems about equally as reliable as oneself. Defeat arises only from those disagreements wherein there are no evidential asymmetries and my interlocutor seems equally as reliable or more reliable than myself.

Unfortunately, a strategy like this does not seem plausible, for at least two reasons. First, this strategy neglects providing additional constraints on what makes for a justification-conferring seeming that another is or is not a full-scale epistemic peer on some matter. Without these constraints, the response implies that dogmatic individuals perpetually avoid disagreement-

²¹ Besides the strangeness of not ordinarily being justified in invoking such a commonplace notion as peerage, the ability to justifiably evaluate the credibility of a speaker vis-à-vis one's own credibility seems central to norms of testimony-acceptance. Thus, I am strongly inclined to accept expert testimony without much investigation, I am partially inclined to accept peer testimony without much investigation, but I am moderately inclined to double-check or place little reliance upon the testimony of one whose epistemic credentials I do not know. If these are reasonable attitudes, then peerage skepticism should incline us to place little reliance on all but recognizably expert testimony.

based defeat because moral disagreement always makes their interlocutors appear to be less than full-scale epistemic peers on the matter. The particularities of the constraints here matter. For we know that there are pervasive biases that make nearly everyone (except perhaps the mildly depressed, cf. Moore and Fresco 2012) irrationally inflate their own abilities. Hence, we have reason to believe that many demote those who are in fact their peers because of ‘self-enhanced’ seemings, and consequently we have good reason to believe that a great many peerage seemings are partially irrational and thus incapable of deflecting disagreement-based defeat from genuine peers. Of course, as indicated above, moral realists have not been shy in suggesting distorting factors that could be rational grounds for non-dogmatically demoting another in a disagreement. But if these are to be rational grounds, they should be shown as not importantly question-begging. For instance, demoting another who might otherwise have appeared to me to be a peer because he strikes me as being in the grip of a background ideology, to wit Kantianism, seems importantly circular and thus irrational.

Second, and similarly, if facts of the disagreement are taken without constraint to be evidence that one’s interlocutor is not a full-scale epistemic peer on the matter, then disagreement-based defeat will be implausibly hard to come by. It’s unlikely that Simon, for instance, would consider Susan to be equally as reliable as he is in the case of *Scatterbrained* (after all, he might reason, he has had an illustrious career as a logician and she has not). Thus, this strategy would counterintuitively suggest that Simon’s erroneous belief is not defeated. The pursuance of this strategy should provide an account of the constraints facing one who uses facts about the disagreement as part of the rational demotion of her interlocutor. Alternatively, if facts of the disagreement cannot rationally affect one’s appraisal of the other’s reliability, then this solution will not be sufficient to explain why Dr. Ferguson does not have a defeater after his

disagreement with Dr. Gustoff in *Evil Intellectual*. In which case, this solution will not be sufficient to ward off the skeptical problem facing SMI.²²

3.3. Appeals to Evidence in the Face of Disagreement

In *Moral Realism*, Shafer-Landau argues that moral intuitions are prima facie justified, but when one recognizes a disagreement over that intuition, then some inferential justification should be sought in order to preserve the justified status of the belief (2003, pp. 261–265). Hence, he writes “It is true that awareness of disagreement regarding one’s moral endorsements may serve as a defeater. It will do so if one has nothing to say on behalf of one’s moral views, after receiving or conceiving of a challenge from a dissenter whose conflicting views are themselves coherent, compatible with non-moral evidence, etc.” (2003, p. 265). Shafer-Landau’s conclusion here seems to parallel my own argument against SMI. Audi’s position seems similar. On his account, a rational seeming is sufficient for justified moral belief, but “where a need for justification arises” there are evidential grounds supporting self-evident moral seemings available to an agent upon reflection, and which can provide some inferential support to the disputed moral belief (Audi 2008, pp. 488–491). For Audi, these grounds ultimately consist in Rossian prima facie duties, or even more deeply, Kant’s explication of the categorical imperative, from which the prima facie duties can be inferred (2004, pp. 53–54, 80–120). By this line of defense, the advocate of SMI can accept that, at least initially, encountering moral disagreement of the relevant sort provides each agent a defeater for both disputed beliefs. Yet, the advocate can quickly add that such defeat does not imply skepticism, since one can develop

²² Might peers be considered those who have equally strong phenomenological credentials for their seemings? I don’t think this is a very plausible solution; among other reasons, it is not uncommon to encounter agents to whom things do not simply seem true or false, but (almost) always appear *strongly* true or false. These people are often called ‘ideologues’. But this strategy suggests that those who have more measured and moderate seemings will not be full-scale peers with ideologues, which is counterintuitive.

inferential justification for one's newly defeated belief, and presumably, inferential justification is less vulnerable to defeat.

This strategy is plausible at first glance. However, it still has a problem. SMI seems at least partially motivated by its plausible solution to the regress problem in moral epistemology. By SMI, one needn't have an infinite or circular chain of justification-conferring beliefs. Rather, seemings are regress stoppers because they have justification-conferring power; but not being beliefs, they are in no need of further justification. Beliefs based upon seemings are thus properly basic for an agent. What this strategy suggests is that though properly basic moral beliefs are vulnerable to defeat from disagreement, they can be propped back up, so to speak, by inferential justification. However, for a belief like this to be propped back up, and skepticism avoided, the premises in the inference supporting the moral belief must presumably be justified for the agent. Thus, these premises must either be, or be justified by, others of one's properly basic moral beliefs, which are, in turn, supported by seemings.

There are two ways this strategy might work, which I will analyze in turn. First, it is possible that an agent merely experiences a new seeming about the same moral proposition that has been defeated by disagreement. This does not seem to be what Audi and Shafer-Landau have in mind, for good reason. For this, in a certain sense, begs the question. After all, the whole point of looking for something else to prop up the defeated belief was that the justification-conferring power of the previous seeming was defeated by disagreement. It's hard to see why coming up a new seeming that entails the truth of the same belief doesn't merely subject that new seeming to the same disagreement-based defeat as before. Assuming that the new seeming has the same basic phenomenological credentials as the previously defeated seeming (to wit, self-evidential credentials), there is no reason to think that the new seeming raises the epistemic likelihood of

the belief it supports. Thus, it factors into NEWC in the same way as the previous seeming, and likewise the belief faces the same fate as before, namely, defeat. The second way this might work is that an agent apprehends several of his seemings whose propositional contents collectively imply or entail the truth of the disputed belief. This seems to be what Audi and Shafer-Landau are after.²³ Does it succeed? I argue that it does not.

An agent encounters disagreement and his belief that p_{mb} , supported by the seeming s_{mb} , is defeated. To bolster the defeated belief by an inference, he now needs premises. For simplicity, let us suppose all the premises are themselves justified for the agent directly by his experiencing seemings that they are true. (As I will explain later, this will not affect the outcome of the defensive strategy.) Thus, the agent has $s_1 \dots s_n$ seemings, each supporting the propositions featured in the inference, $p_1 \dots p_n$. The conclusion of this inference is that p_{mb} is true. To strengthen the advocate of SMI's potential case, we can suppose also that the premises of the inference are as well-supported as s_{mb} ; thus, $s_1 \dots s_n$ all have self-evidential phenomenal credentials (in addition to s_{mb} , whose justification-conferring power has been defeated by disagreement). In order for the inference to defeat or deflect the disagreement-based defeater against p_{mb} , by NEWC, the inference should render the belief that p_{mb} *more* justified for the agent than it was when supported by s_{mb} alone (thus raising its epistemic support against a rival moral belief, condition (iv)).

In order for this inference to support the belief that p_{mb} , $p_1 \dots p_n$ must imply or entail p_{mb} . That much is obvious. The central problem is that, given the way that SMI determines the justification-conferring power of a seeming, it appears highly implausible to think that p_{mb} could

²³ In his (2002) argument against moral intuitionism, among others, Sinnott-Armstrong suggests this strategy faces an additional problem, namely the need to provide arguments for one's moral beliefs after disagreement undermines the plausibility of the intuitionist's epistemic foundationalism. Put more simply, seemings are only *tentative* regress-stoppers, and thus *tentative* epistemic foundations. I thank a blind referee for pointing out this connection.

be more justified by $s_1 \dots s_n$ than it already was merely by s_{mb} . For the phenomenal credentials of $s_1 \dots s_n$ and s_{mb} are the same, possessing self-evidential phenomenology, and $s_1 \dots s_n$ are about wholly different propositions, $p_1 \dots p_n$. It is true that these propositions collectively support p_{mb} , but $s_1 \dots s_n$ themselves have much stronger phenomenological connections to the propositions they are about than they do to some further proposition connected by logical implication. Consequently, p_{mb} would have been at least equally as well off with the direct support offered by the self-evidential seeming about it, s_{mb} . Thus, the inference does not render the belief that p_{mb} more justified for the agent than it was when supported by s_{mb} alone.²⁴

Why not think that logical implication from all these self-evidential seemings confers more justification to p_{mb} by some sort of additive power? This way of harnessing the epistemic support of multiple seemings leads to strange results. I will point out two. The first, already mentioned, is that this additive power suggests that, given their logical relations, $s_1 \dots s_n$ more strongly supports a proposition none of the seemings are about (or has any phenomenological connection to) than any proposition the seemings are about. There is a *prima facie* tension between that implication and the thesis of SMI, since now it is not the phenomenological credentials of a seeming that alone determines its justification-conferring power, but also the logical (and thus non-phenomenologically determined) relations between seemings and non-phenomenologically related propositions.

The second implication is similar. This strategy suggests that the more of one's seemings that can be logically connected to a proposition by being featured in a valid argument in its favor, the more strongly supported that proposition will be by the postulated additive power. But there

²⁴ I am not arguing that judgment aggregation—based on the seemings of others—in favor of one's disputed belief might not provide additional evidence in favor of that belief (by perhaps providing evidence in favor of one's reliability or trustworthiness). The present argument is instead that it is implausible for the advocate of SMI to claim that a belief is better supported by argument than a self-evident seeming.

are broadly logical connections amongst a great many of my seemings (seemings which admittedly have no phenomenological connection to one another), and given the logical rules of conjunction and addition, I am able to construct inferences featuring nearly all my seemings as premises. If the logical relations between seemings can be exploited in the way here suggested, then the more seemings one employs, the stronger the resulting justification-conferring power will be. But that's implausible.

Could the advocate of SMI preclude this strange result by claiming that only seemings *ineliminably* featured in an inference can add to the epistemic support of the entailed proposition? Unfortunately, this suggestion is inconsistent with SMI's characteristic internalism, for being ineliminably featured in an argument is an 'external' feature of the propositional contents of these seemings—a feature that agents ordinarily are not aware (or potentially aware) of, save perhaps logicians. Weakening the condition so that seemings that phenomenally *appear* ineliminably featured can be employed in the inference has the strange result that people who are very bad at logic can have inferences offering much stronger support than, say, logicians who are keen to construct proofs that feature as few propositions as possible.

Earlier we supposed that the premises of the bolstering inference were directly supported by seemings. Would it help to deny that, such that each premise might itself be supported by an inference? I don't think so, and the argument I've just provided should explain why. Given SMI's way of appraising the justification-conferring power of seemings, it seems that the more epistemically 'distant' a moral belief is from a seeming (i.e. the more inferences that are required for justification to be conferred onto that belief from a seeming), the more likely that belief is *less* strongly supported than a proposition a seeming is straightforwardly about. There needn't be justification "loss" across multiple inferences, but it does not seem as though any moral belief

can have better epistemic support, by SMI, than one for which one has a seeming with self-evidential phenomenological credentials. More generally, it seems implausible to think that an inference can make its conclusion any more justified than are its premises; after all, to quote the old adage, *nemo dat quod non habet*—no one gives what he does not have—and inferences only ‘have’ the justificatory support of their premises and a potential transference of justification to the conclusion. Since, at best, all the premises of an inference will be self-evident, inferences cannot possibly render a belief more justified than it was when supported by a self-evidential seeming alone. Consequently, there is reason to suspect that appealing to inferences or evidence in a disagreement will not help avoid the skeptical problem facing SMI.

Even trickier for the advocate of SMI who seeks to bolster a defeated moral belief by appeals to other seemings is that such a strategy may actually make skepticism more systematic. For each disagreement wherein one appeals to others of one’s moral seemings also makes those seemings vulnerable to the same disagreement-based defeat. In this way, the effects of the initial defeat can become pervasive as one tries to prop up one’s defeated moral belief with other seemings. After a sufficiently thorough disagreement, it is possible—given the actual variation of moral beliefs among people in pluralistic societies—that all of one’s moral seemings are defeated by disagreement with another agent. Further consideration of Audi’s position may help illustrate this point.

As explained above, Audi thinks that reflection makes available strong evidence in favor of self-evident moral propositions, which can bolster moral beliefs that are potentially vulnerable to defeat from disagreement. In particular, one can find support in the apprehension of more general self-evident moral propositions, such as Ross’s prima facie duties or, even more foundationally, Kant’s categorical imperative (cf. 2008, p. 490). What’s important here is that the

nature of this evidence looks like it makes disagreement, and thus defeat generated by disagreement, rather unlikely. The problem is that this evidence is also subject to disagreement-based defeat. Revisiting and expanding upon *Evil Intellectual* should make this clear.

Evil Intellectual II: Two weeks after discovering their moral disagreement [to wit, that disagreement detailed in *Evil Intellectual*], Dr. Ferguson and Dr. Gustoff go to lunch again. Dr. Gustoff mentions to Dr. Ferguson that their disagreement has gotten him thinking more deeply about his moral beliefs. In particular, it seems self-evident to him that we have a prima facie duty to always be beneficent to those who please us, and maleficent to those who displease us. Dr. Ferguson explains that he too has been thinking more deeply about his moral beliefs, and it seems self-evident to him that we have a prima facie duty to be beneficent to all people without exception, and strictly to avoid maleficence toward anyone. Lastly, to the best of their abilities, Dr. Gustoff and Dr. Ferguson detail to each other the phenomenological features of their rival seemings and cannot find any differences between them, nor any other evidence they have that justifies either disputed belief.

Here the dispute is over a belief with a more general character than before. And, as in the case of *Evil Intellectual*, SMI's way of appraising the epistemic value of each rival seeming suggests that Dr. Ferguson and Dr. Gustoff both have defeaters for both disputed beliefs (each satisfying the antecedent conditions of NEWC in a similar way to *Evil Intellectual*). Moreover, the defeat of both Dr. Gustoff and Dr. Ferguson's disputed beliefs is likely to defeat others of their moral beliefs that depended upon the disputed beliefs for inferential justification. Given the generality

of the disputed beliefs in *Evil Intellectual II*, the defeaters generated by disagreement could result in the additional defeat of very many more moral beliefs of a particular character. Moreover, were Dr. Ferguson's to defend his disputed beliefs by appealing to the categorical imperative, we should not be surprised to find that appeal met by Dr. Gustoff with an appeal to a similarly general moral principle in keeping with his morally perverse ideology.

Audi is likely to complain that disputes like that in *Evil Intellectual II* are highly artificial. Perhaps Dr. Ferguson does have a defeater, perhaps not, Audi might say, but the sorts of moral disagreements most people encounter are not with people so entrenched in evil as Dr. Gustoff. True enough. As previously indicated, cases like *Evil Intellectual* represent an extreme— noteworthy precisely because they are extreme. For SMI's implication that mutual defeat arises in cases like these shows that more commonplace disagreements are all the more vulnerable to defeat. Moreover, mundane disagreements often do track the polarizing pattern seen in *Evil Intellectual II*, as disagreements become deeper, more expansive, and more entrenched over time, with each side appealing to general principles that seem to them to be highly plausible and to support their originally disputed, particular moral belief. Sometimes agreement on general principles is discovered, and the disagreement centers on how the principles are appropriately applied to a particular action. However, very commonly, no consensus can be reached even at the general level. It should be wholly unsurprising to notice that the philosophical field of normative ethics has seen an *increase* in disagreements over time, disagreements over moral beliefs that span from the highly particular to the highly general. Appeals to Ross or Kant in this domain have certainly not been met with universal accord, so a similar lack of accord amongst people outside of normative ethics should be unsurprising. Supposing the phenomenological credentials supporting these varied beliefs are approximately the same—and I see no reason to think they

aren't—SMI suggests that disagreements over them end in defeat. So much, I think, for defenses of SMI.

CONCLUSION

In this paper, I have argued that the standard account of moral intuitionism faces a problem. In particular, if SMI is right about what confers justification onto our moral beliefs, then our moral beliefs are more vulnerable to disagreement-based defeat than we might otherwise have believed. For SMI appraises as equally epistemically valuable those seemings with approximately equal phenomenological credentials, and there seem to be many actual moral disagreements in which both sides have approximately equal phenomenological credentials supporting conflicting moral beliefs. After outlining this problem, I argued that a number of potential defenses of SMI do not succeed. Consequently, in order to avoid moral skepticism, it seems highly plausible to deny the thesis central to SMI, namely, to deny that the phenomenology of a moral seeming alone determines its justification-conferring power.

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WORKS CITED

- Audi, R. (1993). *The Structure of Justification*. Cambridge University Press.
- Audi, R. (1999). Self-Evidence. *Noûs*, 33, 205–228.
- Audi, R. (2001). An Internalist Theory of Normative Grounds. *Philosophical Topics*, 29, 19–46.
- Audi, R. (2004). *The Good in the Right: A Theory of Intuition and Intrinsic Value*. Princeton University Press.
- Audi, R. (2008). Intuition, Inference, and Rational Disagreement in Ethics. *Ethical Theory and Moral Practice*, 11(5), 475–492. doi:10.1007/s10677-008-9123-9
- Ballantyne, N., & Thurow, J. C. (2013). Moral Intuitionism Defeated? *American Philosophical Quarterly*, 50(4), 411–422.
- Baltzly, D. (2012). “Stoicism.” In Edward N. Zalta (Ed.), *The Stanford Encyclopedia of Philosophy* (Winter 2012). <http://plato.stanford.edu/archives/win2012/entries/stoicism/>.
- Bealer, G. (2000). A Theory of the A Priori. *Pacific Philosophical Quarterly*, 81(1), 1–30. doi:10.1111/1468-0114.00092
- Bedke, M. (2008). Ethical intuitions: What they are, what they are not, and how they justify. *American Philosophical Quarterly*, 45(3), 253–270.
- Bergmann, M. (2006). *Justification without Awareness: A Defense of Epistemic Externalism*. Oxford University Press.
- Bergmann, M. (2012). Rational Disagreement after Full Disclosure. *Episteme*, 6(03), 336–353. doi:10.3366/E1742360009000756
- Besong, B. (2014). Being Appropriately Disgusted. *Journal of Value Inquiry*, 48(01), 131–150.
- Besong, B. (Forthcoming). The Prudent Conscience View. *International Philosophical Quarterly*.

- Bogardus, T. (2012). A Vindication of the Equal-Weight View. *Episteme*, 6(03), 324–335.
doi:10.3366/E1742360009000744
- Christensen, D. (2007). Epistemology of Disagreement: The Good News. *Philosophical Review*, 116(2), 187–217. doi:10.1215/00318108-2006-035
- Christensen, D. (2011). Disagreement, Question-Begging, and Epistemic Self-Criticism. *Philosophers' Imprint*, 11(6).
- Chudnoff, E. (2012). Presentational Phenomenology. In S. Miguens & G. Preyer (Eds.), *Consciousness and Subjectivity*. Frankfurt: Ontos.
- Chudnoff, E. (2011). What Intuitions are Like. *Philosophy and Phenomenological Research*, 82(3), 625–654
- Conee, E. (2012). Self—Support. *Philosophy and Phenomenological Research*, 84(2), 419–446.
doi:10.1111/j.1933-1592.2010.00434.x
- Elga, A. (2005). On Overrating Oneself. . . and Knowing it. *Philosophical Studies*, 123(1-2), 115–124. doi:10.1007/s11098-004-5222-1
- Elga, A. (2007). Reflection and disagreement. *Noûs*, 41(3), 478–502.
- Enoch, D. (2010). Not Just a Truthometer: Taking Oneself Seriously (but not Too Seriously) in Cases of Peer Disagreement. *Mind*, 119(476), 953–997. doi:10.1093/mind/fzq070
- Feldman, R. (2006). Epistemological Puzzles about Disagreement. In S. Hetherington (Ed.), *Epistemology Futures* (pp. 216–236). Oxford University Press.
- Haidt, J. (2001). The emotional dog and its rational tail: A social intuitionist approach to moral judgment. *Psychological Review*, 108(4), 814–834. doi:10.1037/0033-295X.108.4.814
- Hernandez, J. G. (Ed.). (2012). *The New Intuitionism*. Continuum.
- Huemer, M. (2006). *Ethical Intuitionism*. Palgrave Macmillan.

- Kelly, D. (2011). *Yuck!: the nature and moral significance of disgust*. The MIT Press.
- Kelly, T. (2011). Peer disagreement and higher order evidence. In A. I. Goldman & D. Whitcomb (Eds.), *Social Epistemology: Essential Readings* (pp. 183–218). Oxford University Press.
- King, N. L. (2011). Disagreement: What's the Problem? or A Good Peer is Hard to Find. *Philosophy and Phenomenological Research*. doi:10.1111/j.1933-1592.2010.00441.x
- Kruger, J., & Dunning, D. (1999). Unskilled and unaware of it: How difficulties in recognizing one's own incompetence lead to inflated self-assessments. *Journal of Personality and Social Psychology*, 77(6), 1121–1134. doi:10.1037/0022-3514.77.6.1121
- Lackey, J. (2010a). What Should We Do When We Disagree? In T. S. Gendler & J. Hawthorne (Eds.), *Oxford Studies in Epistemology* (Vol. 3, pp. 274–293). Oxford University Press.
- Lackey, J. (2010b). A Justificationist View of Disagreement's Epistemic Significance. In A. Haddock, A. Millar, & D. Pritchard (Eds.), *Social Epistemology* (pp. 298–325). Oxford University Press.
- Littlejohn, C. (2012). Disagreement and Defeat. In D. E. Machuca (Ed.), *Disagreement and Skepticism* (pp. 169–192). New York: Routledge.
- Moore, M. T., & Fresco, D. M. (2012). Depressive realism: A meta-analytic review. *Clinical Psychology Review*, 32(6), 496–509. doi:10.1016/j.cpr.2012.05.004
- Pollock, J. (1986). *Contemporary Theories of Knowledge* (First ed.). Rowman & Littlefield.
- Shafer-Landau, R. (2003). *Moral Realism: A Defence*. Oxford University Press.
- Shanteau, J. (1992). The Psychology of Experts: An Alternative View. In G. Wright & F. Bolger (Eds.), *Expertise and Decision Support* (pp. 11–23). Plenum Press.

- Sinnott-Armstrong, W. (2006a). Moral intuitionism meets empirical psychology. In T. Horgan & M. Timmons (Eds.), *Metaethics After Moore*. Oxford University Press.
- Sinnott-Armstrong, W. (2006b). *Moral skepticisms*. Oxford University Press.
- Sinnott-Armstrong, W. (2002). Moral Relativity and Intuitionism. *Noûs*, 36, 305–328.
doi:10.1111/1468-0068.36.s1-1.14
- Slater, A., Von der Schulenburg, C., Brown, E., Badenoch, M., Butterworth, G., Parsons, S., & Samuels, C. (1998). Newborn infants prefer attractive faces. *Infant Behavior and Development*, 21(2), 345–354.
- Smith, C., Christoffersen, K., Davidson, H., & Herzog, P. S. (2011). *Lost in Transition: The Dark Side of Emerging Adulthood*. Oxford University Press.
- Star, D. (2008). Moral Knowledge, Epistemic Externalism, and Intuitionism. *Ratio*, 21(3), 329–343.
- Stratton-Lake, P. (2002). Introduction. In P. Stratton-Lake (Ed.), *Ethical intuitionism: Re-evaluations*. Oxford University Press.
- Tolhurst, W. E. (1998). Seemings. *American Philosophical Quarterly*, 35(3), 293–302.
- Wedgwood, R. (2010). The Moral Evil Demons. In R. Feldman & T. A. Warfield (Eds.), *Disagreement* (pp. 216–246). Oxford University Press.
- White, R. (2012). On Treating Oneself and Others as Thermometers. *Episteme*, 6(03), 233–250.
doi:10.3366/E1742360009000689
- Wilson, A. (2009). Disagreement, equal weight and commutativity. *Philosophical Studies*, 149(3), 321–326. doi:10.1007/s11098-009-9362-1