

## Moral Rationalism and Empirical Immunity\*

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With the rapid recent growth of naturalized metaethics, Richard Joyce's paper sounds an appropriate cautionary note. It's easy to be overwhelmed by sexy new data and to neglect the difficulties in using the data to draw major philosophical conclusions. One of the central views in the sights of naturalists has been moral rationalism. Jonathan Haidt (2001), Joshua Greene (this volume), Jesse Prinz (forthcoming), and I (2002, 2004b) have all used recent empirical findings to challenge moral rationalist views. Although Joyce is not himself a moral rationalist (see Joyce 2002), he deftly works to beat back our attacks on moral rationalism. Here my goal is to uphold the view that empirical work can challenge moral rationalism in the aftermath of Joyce's insightful discussion.

Joyce distinguishes three kinds of rationalist claims: psychological, conceptual, and justificatory rationalism.<sup>1</sup> According to Psychological Rationalism, "moral decisions and moral deliberations causally flow from a 'rational' faculty."<sup>2</sup> Conceptual

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<sup>1</sup> Joyce uses "psychological rationalism" for the view that I labeled "empirical rationalism" (Nichols 2002), but I am happy enough to adopt his terminology for present purposes.

<sup>2</sup> Walter Sinnott-Armstrong notes that on one natural reading of this characterization, Psychological Rationalism is almost certainly true. Here's his example: Sometimes we have good reason to trust a given person's views concerning a wide range of issues. On the basis of a person's prior trustworthiness, we might reasonably accept her testimony that it is morally wrong to buy new furniture made from the wood of old-growth forests. I might thus use reason alone to arrive at the conclusion that I shouldn't buy such furniture. Hence, if the definition of Psychological Rationalism is simply that *sometimes* we make moral judgments that causally flow from rational faculties, then psychological rationalism seems safe from science. But the point of Psychological Rationalism is that moral judgments are *ultimately* a product of rational faculties. Rational faculties are supposed to be the basic font of our moral judgment. Sentimentalists, on the other hand, maintain that the basic font of our moral judgment critically involves the emotions. However, both sentimentalists and Psychological Rationalists can agree that once moral judgments have been established, then those moral judgments can be used in subsequent episodes of "pure" reasoning. For instance, one can use reason to derive some new moral conclusion from one's standing moral judgments. Or, as in Sinnott-Armstrong's example, one can reason to moral conclusions from what one takes to be reliable testimony. The opponent of Psychological Rationalism maintains that these cases are

Rationalism is the view that “it is a conceptual truth that moral transgressions are transgressions of practical rationality.” And Justificatory Rationalism is the view that “moral transgressions are rational transgressions: moral villains are irrational.” The key empirical charge against Psychological Rationalism is that there are rational agents (psychopaths) who nonetheless have serious impairments in their capacity for moral judgment (Nichols 2004b; Prinz forthcoming). Joyce doesn’t take issue with this challenge against Psychological Rationalism, allowing that rational faculties might not be sufficient for moral judgment.<sup>3</sup> Rather, Joyce argues that empirical data will leave Conceptual and Justificatory Rationalism largely untouched. Hence, the focus here will be on whether empirical evidence bears on those two forms of rationalism. And where necessary, I will help myself to the assumption that Psychological Rationalism (construed as the view that rational faculties suffice for moral judgment) is false.

## 1. Conceptual rationalism and empirical immunity

Conceptual Rationalism is, of course, a claim about concepts. The central thesis is that it is a conceptual truth that moral requirements are rational requirements. The discussion here, as in Joyce’s article, will focus on Michael Smith’s treatment, since he has been one of the most articulate and clear advocates of Conceptual Rationalism in the recent literature. As Smith puts it, “our concept of a moral requirement is the concept of a reason for action; a requirement of rationality or reason” (1994, p. 64). Smith maintains that Conceptual Rationalism entails Motivation Internalism<sup>4</sup>, according to which “It is supposed to be a conceptual truth that agents who make moral judgments are motivated accordingly, at least absent weakness of the will and the like” (Smith 1994, p. 66). Thus, Conceptual Rationalism is committed to the claim that it’s a conceptual truth that people who make moral judgments are motivated by them.

In an earlier paper, I reported some preliminary evidence that the folk have intuitions that do not conform to the thesis of Conceptual Rationalism (Nichols 2002). In particular, people seem to allow the existence of a “rational amoralist”, a person who makes moral judgments without being motivated by them. Undergraduate students were presented with the following case (among others):

John is a psychopathic criminal. He is an adult of normal intelligence, but he has no emotional reaction to hurting other people. John has hurt and indeed killed other people when he has wanted to steal their money. He says that he knows that hurting others is wrong, but that he just doesn’t care if he does things that are wrong. Does John really understand that hurting others is morally wrong?

In the study, most of the participants said that John the psychopath *did* really understand that hurting others is morally wrong, even though he didn’t care if he did things that are

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derivative, and that if we trace back to the origins of moral judgment, we will find that the springs of moral judgment are not located exclusively in the rational faculty.

<sup>3</sup> Joyce does maintain, rightly, that a weaker version of Psychological Rationalism, according to which rational faculties are *necessary* for moral judgment, remains unscathed by any empirical evidence.

<sup>4</sup> Smith uses the term “Practicality Requirement”, but I’ll follow Joyce’s terminology here.

wrong. The empirical work is presented as a *prima facie* objection to Conceptual Rationalism of the sort Smith promotes. Let's call it the *empirical challenge*. Obviously the challenge isn't meant as a refutation, for there are several moves available to the Conceptual Rationalist. Let's turn to some of those replies.

Joyce has two different replies to the evidence on behalf of the Conceptual Rationalist, but I want to begin by charting a third possible reply. The Conceptual Rationalist might deny that folk views are relevant at all. Rather, the conceptual rationalist might say that Conceptual Rationalism is not about folk concepts. "After all," the antagonist says, "why should we trust the folk on such an important matter as the nature of moral concepts? And you don't need any experiments to convince me that the folk are generally ignorant. Not to mention foolish. No, the conceptual rationalist is making a claim about the concepts of GE Moore and the like."

This smacks of elitism, but the real problem with it is that conceptual analysis so construed sacrifices any relevance outside the confines of the ivory towers. To be sure such conceptual analysis would be insulated from empirical evidence on folk intuitions, but at the cost of marginalizing the entire enterprise. In short, this view of conceptual analysis faces the *problem of the audience*. Why should the vast majority of the population who are not analytic philosophers *care* about the analysis of the concepts that are parochial to GE Moore and his cronies? And if the philosophers are just talking amongst themselves, with no promise of contact with the outside world, why should the outside world continue to fund their endeavors?

I begin with this anti-folk-concept reply to get it out of the way. This is *not* a reply that Smith (or Joyce) would make, for it is not the way Smith construes his project. On the contrary, Smith follows the Lewisian tradition in which conceptual analysis is precisely the analysis of folk concepts. And in the Lewisian tradition, the method of analysis depends critically on charting the folk platitudes surrounding the concepts. Thus, Smith writes, "To say that we can analyse moral concepts, like the concept of being right, is to say that we can specify which property the property of being right is by reference to platitudes about rightness: that is, by reference to descriptions of the inferential and judgemental dispositions of those who have mastery of the term 'rightness'" (39). Smith is, then, on board with the idea that Conceptual Rationalism is a claim about *folk concepts*.

Joyce's first reply on behalf of the Conceptual Rationalist is to question the reach of the data. He suggests that by running different experiments we might find that folk responses do not really conflict with Smith's motivation internalism. For Smith's account doesn't say that anyone who judges that something is morally required will be motivated to comply, *tout court*. Rather, Smith says that such a person will be motivated to comply "absent the distorting influences of weakness of will and other similar forms of practical unreason" (1994, 61). Smith goes on to say, "it is supposed to be a conceptual truth that agents who make moral judgements are motivated accordingly, at least absent weakness of the will and the like" (66). As Joyce rightly notes, the experiments did not test for this: "The subjects were not asked whether John the imaginary psychopath might be suffering from weakness of the will or spiritual tiredness, nor whether he might be accused of irrationality for remaining unmoved by his moral judgments" (p. 12). That is, by getting better versions of the question, we might show that the empirical challenge is based on a misinterpretation of people's responses.

I find this kind of objection entirely welcome. That's the essence of the game. Indeed, I would hope that in future, the matter will be investigated empirically. I must say though that I'd be surprised if the changes Joyce suggests would make much difference. To see why, consider a case that is much more entrenched: Satan. In the US, a solid majority of people believe in the devil<sup>5</sup>, and I would expect that most of them think that Satan understands perfectly well which things are morally wrong, and he doesn't care to avoid those things – indeed, he precisely wants to bring those things about. Furthermore, part of what seems to make Satan so very evil is that he is not weak willed, spiritually tired, etc. Satan is the rational amoralist *par excellence*. Even those who think that Satan doesn't exist likely think that Satan is *possible*, or at any rate, if Satan isn't possible, his possibility isn't precluded by the fact that Satan would have to be a rational amoralist. So I expect that the empirical challenge for Conceptual Rationalism would persist even in studies with additional controls. Nonetheless, I wholeheartedly welcome the claim that the experiments are limited and would need to be supplemented to sustain the challenge to Conceptual Rationalism.

The second response Joyce makes on behalf of the Conceptual Rationalist seems much more radical and defiantly *not* in the spirit of the game. Here, Joyce writes:

Conceptual truths, for Smith, can be terribly unobvious to ordinary speakers. To have competence with a concept is to know *how* to use the word that stands for the concept—and that know-how may be very difficult to articulate even for the people who have it. By analogy, it might be very bad way of figuring out how a champion swimmer swims to ask him to describe his own swimming technique. Hence Smith is not terribly impressed with questionnaires revealing people's intuitive responses to set questions. Such questionnaires surely have *some* bearing on conceptual content, but they're a long way from settling the matter. If you want to know the content of a concept, then the best person to ask—Smith thinks—is an expert who has examined the patterns of usage of moral language as it is employed in real life (12).

This kind of response is much more dismissive of the possibility of learning much about folk concepts by consulting the folk. Two clarifications about the empirical challenge are in order. First, the empirical challenge does not deny the existence of a platitude *supporting* motivation internalism. Rather, the challenge emerges because there is evidence of a platitude in the opposite direction. So the challenge arises because the evidence suggests that either folk platitudes give no credence to motivation internalism *or* folk platitudes are inconsistent with respect to motivation internalism. The second clarification is that the empirical challenge does not assume that the folk can tell us everything about their concepts or that folk responses settle the matter. On the contrary, presumably folk conceptual analysis will also draw on other resources, including processes like reflective equilibrium. So even if it's a platitude that there can be a rational amoralist, we might want to discard this platitude under reflective equilibrium.

Now, with these caveats in mind, it would be rather surprising for the Lewisian analyst of folk concepts to take a generally dismissive attitude about folk responses. For the analysis is supposed to depend crucially on platitudes, and we do rather expect the

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<sup>5</sup> In a 2004 Gallup poll, 70% of the US participants said that they believed in the devil. <http://www.pollingreport.com/religion.htm>.

folk to recognize their own platitudes. Here there is a striking and instructive disanalogy with Joyce's example of the champion swimmer. Smith maintains that the way to characterize the folk mastery of moral concepts is by reference to platitudes. But this is presumably not how one would characterize the champion swimmer's mastery of the backstroke. That is, we wouldn't expect folk platitudes to be the key source of information about the mechanics underlying a mastery of the backstroke. In addition, since Smith's approach to analyzing folk concepts proceeds by characterizing the folk's "inferential and judgmental dispositions", the experimental investigation of folk responses is a powerful resource for charting the contours of folk concepts (for discussion see e.g. Nichols 2004a, Nichols forthcoming). If we really want to understand folk concepts, we will want to exploit these resources to their fullest. This need not mean that we exclude the expertise that philosophers have to offer. But when the philosopher-experts disagree on some central feature of folk concepts, it seems particularly apt to see what the folk have to say. That's exactly what gave rise to the preliminary study mentioned above. Philosophers who have examined the patterns of usage of moral terms disagree about whether the folk concept of *moral requirement* is internalist or externalist. So, I looked to the folk to see whether their intuitions about a controversial case (the rational amoralist) conformed to internalist or externalist accounts. Although I'm happy to allow that reflective equilibrium might overturn the folk response, it would be rather disingenuous simply to dismiss folk responses when they are in concert with the analysis offered by your opponent. And in the present case the folk responses fit the views of externalists like David Brink (1989). Of course, this doesn't mean that the challenge establishes that the externalist account of folk concepts is right. But it does, I think, put a burden on the Conceptual Rationalist to explain why it's appropriate to ignore this particular folk intuition.<sup>6</sup>

## 2. Justificatory rationalism and empirical immunity

One of the most interesting contributions of Joyce's piece is his emphasis on Justificatory Rationalism, a view which has been largely neglected by those working in naturalistic metaethics. As Joyce notes, Justificatory Rationalism needs to be distinguished from Psychological Rationalism, and he goes on to argue that Justificatory Rationalism is insulated from the empirical facts. Much of this is quite convincing, but I want to argue that the empirical facts can pose a significant, if indirect, threat to Justificatory Rationalism.

The Justificatory Rationalist is trying to find a "rational foundation for ethics" (23) and show that "moral transgressions are rational transgressions" (19). In effect, the Justificatory Rationalism is trying to show that there is a purely rational *argument* that

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<sup>6</sup> One interesting possibility available to the Conceptual Rationalist is to maintain that although the folk responses reveal a platitude that defies motivation internalism, this platitude is, in fact, psychologically effete – it's just a bit of cognitive effluvia that doesn't impact moral cognition outside of such artificial settings. But notice that this is yet another empirical question. We can't determine whether the anti-internalist platitude is cognitively impotent simply by doing a priori analysis.

justifies the contents of our moral judgments. Crucially, Joyce argues, the failure of Psychological Rationalism won't undermine Justificatory Rationalism:

the truth (or otherwise) of Justificatory Rationalism will not be affected by neuroscientific research concerning what is going on in people's brains when they make moral judgments, for the theory is compatible with just about any discovery concerning the springs of moral judgment and action. All that is required of human psychology in order for Justificatory Rationalism to be reasonable is that we at least fulfill the minimal requirements for being rational agents...(22)

Joyce is quite right that the failure of Psychological Rationalism would not deal a direct blow to Justificatory Rationalism. That is, the falsity of Psychological Rationalism can't show that there is no rational foundation for ethics. But what it can do, I think, is undercut the force of various Justificatory Rationalist arguments. As a result, certain findings about the actual nature of moral judgment might provide a serious difficulty for the project of Justificatory Rationalism. I'll consider here the Justificatory Rationalist arguments of the two rationalist philosophers discussed most by Joyce – Peter Singer and Michael Smith.

Joyce uses Singer as an exemplar of Justificatory Rationalism, and Joyce says that the central idea that locates Singer as such a rationalist is his view that “the principles of rationality favor a certain degree of impartiality in our dealings with each other, from which it follows that a person's rational faculty would, if properly exercised and unimpeded, recognize this fact” (21). Joyce draws from the following passage from Singer for illustration:

Reason makes it possible to see ourselves in this way because, by thinking about my place in the world, I am able to see that I am just one being among others, with interests and desires like others. I have a personal perspective on the world, from which my interests are at the front and center of the stage... But reason enables me to see that others have similarly subjective perspectives, and that from “the point of view of the universe” my perspective is no more privileged than theirs. Thus my ability to reason shows me the possibility of detaching myself from my own perspective and shows me what the universe might look like if I had no personal perspective (Singer 1993, 229)

Singer is no doubt right that, from the perspective of the universe, my perspective enjoys no privilege over another's perspective. And shortly following on the above passage, Singer goes on to point out that “the major ethical traditions all accept... a version of the golden rule”, and the golden rule, of course, fits well with taking the perspective of the universe (230). Somewhat later, he writes, “the reduction of pain and suffering, wherever it is to be found... may not be the only rationally grounded value, but it is the most immediate, pressing, and universally agreed upon one... If we take the point of view of the universe, we can recognize the urgency of doing something about the pain and suffering of others” (232).

In reading these passages, I find myself nodding in agreement about how sensible the golden rule is and how it is indeed urgent that we try to reduce the pain and suffering of others. In short, I feel the pull of Singer's argument. But let's look at the argument more closely. Singer calls attention to the salient fact that from the perspective of the universe, there is no rational basis for privileging my own perspective. This leads Singer to the conclusion that we should reduce pain and suffering wherever we find it. But by

what conveyance do we get to move from “from the perspective of the universe there is no rational basis for privileging my own perspective” to “rationality indicates that we should reduce pain and suffering, wherever it may be found”?<sup>7</sup> Why, that is, should I give priority (or indeed credence) to the perspective of the universe when it comes to deciding the rational thing for me to do? From the perspective of the universe, it’s not rational to privilege my own perspective; but how do I get from that fact to the conclusion that I shouldn’t privilege my own perspective? Of course, even Justificatory Rationalists would typically agree that the mere fact that a person’s inclination is not rationally privileged from the perspective of the universe does not show that it’s *irrational* for him to follow that inclination. From the perspective of the universe, my preference for vanilla over chocolate enjoys no privilege over another’s reversed preference. But it would hardly be irrational of me to follow my preference when ordering ice cream; it would be bizarre to conclude that I shouldn’t follow my preference. From the perspective of the universe, when it comes to pain and suffering, my perspective isn’t privileged; but how does the Justificatory Rationalist use this to draw the strong conclusion that it’s irrational for me to privilege my perspective, that I *shouldn’t* privilege my own perspective?

It seems likely that one key factor here is the intuition that privileging my own perspective seems unfair, unjust, wrong. That is, I find the following claim powerfully intuitive:

*Justification Principle.* Rationality reveals that from the perspective of the universe my interests aren’t privileged, so I shouldn’t privilege them to the exclusion of the interests of others.

I suspect that the force of Singer’s argument derives largely from the support it gets from the intuitiveness of claims like the Justification Principle. Given that my perspective has no elevated status from the perspective of the universe, there’s something intuitively repugnant about discounting the perspectives of others.<sup>8</sup>

Of course, relying on intuitions in philosophy isn’t exactly disreputable, so there is no easy objection to make on those grounds alone. Intuition plays a central role in many venerable philosophical arguments. However in the present case, I’ll suggest, if Psychological Rationalism is false, this will call into question whether our intuitions in favor of claims like the Justification Principle can carry much weight in a Justificatory Rationalist argument. For in some cases, the causal origin of an intuition can render the intuition inappropriate support for certain arguments. In the present case, if Psychological Rationalism is false, then intuitions in favor of claims like the Justification Principle might suffer from such a “grounding problem” with respect to the Justificatory Rationalist argument. A grounding problem arises when an argument depends on an

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<sup>7</sup> One might make a case that the golden rule is *prudentially* rational. For instance, perhaps adopting the golden rule is the best way to ensure that one will get the benefits of reciprocity. But Justificatory Rationalists strive to support the contents of our moral judgments without drawing on such crassly self-interested considerations.

<sup>8</sup> I’m not positive that this is the right interpretation of Singer’s argument, but if the argument doesn’t depend on some such intuition, then it is unclear to me how the argument is supposed to work.

intuition and the source of that intuition makes it an inappropriate basis of support for that argument.

Let's assume that Psychological Rationalism is false. Indeed, let's assume that our capacity for moral judgment depends crucially on certain emotions such that if we lacked those emotions (but retained our rational faculties) our capacity for moral judgment would be seriously defective.<sup>9</sup> For present purposes it is unobjectionable to assume such a sentimentalist moral psychology since the question is whether the empirical facts can undercut the plausibility of Justificatory Rationalism. The problem is that if such a sentimentalist moral psychology is right, then it is probably illicit for the Justificatory Rationalism to rely on lay intuitions in favor of claims like the Justification Principle. For those lay intuitions are likely a product of nonrational affective mechanisms, and it's quite possible that we would not find these claims intuitive if we lacked the affective responses. That is, we can't rely on the intuitiveness of the claims if their intuitiveness is rooted in our non-rational, emotional faculties. This will drastically limit the argumentative resources available to the Justificatory Rationalism. If Psychological Rationalism is false (and sentimentalism is true), then the Justificatory Rationalist needs to be wary of relying on our normative intuitions regarding the pain and suffering of others. This is analogous to the wariness we would have about a person's judging the relative facial attractiveness of a group of children, one of which happened to be their own child. If asked to make such an assessment, provided one is in the truth, the rational thing to do is to recuse oneself. I can't trust myself to be a good judge in such a scenario, for I know that my feelings for my children can contribute to my perception of how beautiful they are. Just as I would recuse myself from judging the relative facial beauty of children in my daughter's 1<sup>st</sup> grade class, so too would I recuse myself from judging whether it's rational to follow the perspective of the universe when making decisions about the suffering of others. For, on the assumption that sentimentalism is right, I know that my own intuitions about such matters are influenced by the emotions that I have.

Whether a particular intuition has a problematic source will often vary by individual. So, while it might be illicit for one person to accept an argument based on his intuition that *p*, it might be appropriate for another person to accept that argument based on her intuition that *p*. For their intuitions might have different sources, and those different sources might have differences in whether they deprive the intuition of warrant. Ironically if certain kinds of sentimentalist accounts are right (e.g. Blair 1995, Nichols 2004b, Prinz forthcoming), the one population whose intuitions about the Justification Principle wouldn't be compromised (with respect to Justificatory Rationalist arguments) is psychopathic. Imagine a pure psychopath – a person who has the psychopathic profile in full. Our psychopath has fully intact rational faculties. He recognizes that hitting people for fun is prohibited, but he doesn't think that it counts as importantly different from other prohibited actions, like jaywalking. Furthermore, let's suppose that his moral deficit is a consequence of an emotional deficit. For those of us who aren't psychopathic, our intuitions about the Justification Principle will be influenced by our emotions, but the psychopath doesn't have this problem. His intuitions will be grounded in his rational faculties. So the psychopath's intuitions would not suffer the grounding problem that

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<sup>9</sup> That is, defective as compared with the capacity for moral judgment exhibited in normal adults.

renders our intuitions about the Justification Principle ineligible for supporting Justificatory Rationalism.<sup>10</sup> Of course, if the Justificatory Rationalist has to rest his hopes on the moral intuitions of psychopaths, his hopes are likely to be dashed. For there's little reason to expect that the pure psychopath will find the Justification Principle powerfully intuitive.

Notice that if Psychological Rationalism turns out to be true<sup>11</sup>, then the above Justificatory Rationalist argument is relieved from the grounding problem that I've raised. For if Psychological Rationalism is right, then our moral intuitions are not compromised by having an emotional underpinning. This serves to underscore my claim that the empirical issues really do have bearing on arguments for Justificatory Rationalism. If Psychological Rationalism is wholly wrong, then we need to be wary about Justificatory Rationalist arguments that draw on folk intuitions. If, on the other hand, Psychological Rationalism is right, then such wariness is unnecessary. If the intuitiveness of the Justification Principle derives from a rational faculty, then there is nothing so untoward about relying on this intuition to make the case that ethics has a rational foundation.

Let's turn now, more briefly, to an argument from Michael Smith. Smith points out that we might find that under idealized conditions of reflection there will be a convergence in views about what is right and wrong.

Why not think. . . that if such a convergence emerged in moral practice then that would itself suggest that these particular moral beliefs, and the corresponding desires, do enjoy a privileged rational status? After all, something like such a convergence in mathematical practice lies behind our conviction that mathematical claims enjoy a privileged rational status. So why not think that a like convergence in moral practice would show that moral judgements enjoy the same privileged rational status? . . . It remains to be seen whether sustained moral argument can elicit the requisite convergence in our moral beliefs, and corresponding desires to make the idea of a moral fact look plausible. . . . Only time will tell (Smith 1993, pp. 408-9).

Smith can be interpreted here as making a Justificatory Rationalist argument. And the argument, so construed, is not without merit. In essence, it's an inference to the best explanation. The convergence in mathematics gives us reason to think that there are some mind-independent facts that mathematicians are getting at. Math has a privileged rational status. Assume that we find the same convergence in the case of morality.

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<sup>10</sup> The presence of a grounding problem depends both on the source of the intuition and the argument to which it is supposed to contribute. For the source of an intuition might render it inappropriate for some arguments but not others. If the intuitiveness of the Justification Principle derives from a sentimentalist source, one is ill-advised to use the intuitiveness of the Justification Principle as central support for Justificatory Rationalism. However, it might well be acceptable for a philosophical sentimentalist to use the intuitiveness of the Justification Principle as support in arguments about the right thing to do.

<sup>11</sup> One important line of defense for Psychological Rationalism is that a distinctive rational defect underlies the moral defect in psychopathy (see e.g. Maibom forthcoming).

Wouldn't this give us a close parallel, hence wouldn't this show that morality also has privileged rational status?

Here again, I think it depends on how the empirical facts turn out. Crucially, if Psychological Rationalism turns out to be false and some version of sentimentalist moral psychology is right, then we might get a sentimentalist explanation of the convergence that displaces the Justificatory Rationalist explanation. Namely, we might explain convergence as a result of the fact that we have similar emotional repertoires that lead us to have similar kinds of moral judgments. In this case, we would lose the argument that ethics has a privileged rational status. The best explanation for convergence would not parallel the explanation given for mathematics. Rather, it would be deeply rooted in the nonrational character of our minds. If that's right, then we can hardly show that ethics has a rational foundation by appealing to convergence.

### **3. Conclusion**

Joyce's paper rightly emphasizes that the empirical facts have marked limitations when it comes to evaluating Conceptual and Justificatory Rationalism. Empirical facts about folk intuitions do not by themselves provide the analysis of a folk concept, and the empirical facts can never show that there is no rational foundation for ethics. However, I'm more optimistic that the empirical facts can make important contributions to debates over Conceptual and Justificatory Rationalism. While empirical facts about folk intuitions don't constitute an analysis of folk concepts, they do provide a vital source of information about folk concepts, a source that can't be dismissed lightly when the intuitions converge with the analysis of your opponent. As for Justificatory Rationalism, it's true that the empirical facts can't refute the existence of a rational foundation for the content of our moral judgments. However, the arguments meant to establish a rational foundation for ethics often *are* hostage to empirical facts. For instance, in some cases, Justificatory Rationalist arguments depend on intuitions that can't carry the requisite weight if a sentimentalist account of those intuitions is right. So, although cognitive scientists should be cautious about drawing quick conclusions about metaethics from their empirical findings, metaethicists should recognize that their debates are not immune from those findings.

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