Possible Dilemmas Raised by Impossible Moral Requirements

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Abstract

　　The priority that Tessman's argument gives to phenomenological and neuropsychological explanations of moral requirements entails a fundamental shift in our understanding of these. Two central problems of normative theory come together in Tessman's account. The first arises when an agent's sense of requirement clashes with what a systematic theory prescribes. The second arises when neuropsychological accounts fail to fit the prescription. Tessman argues that no account successfully resolves moral dilemmas such that *ought* always implies *can,* and she argues that neuropsychology explains our sense of impossible requirements. This explanation eliminates the role of a prescriptive theory in explaining an agent's sense of requirement.

Keywords: moral requirements, moral dilemmas, metaethical construction, Lisa Tessman, moral psychology

I.

　　The trajectory of debates in normative ethics raises a dilemma, although not necessarily an insoluble one. Normative theories purport to provide an account of moral requirements that squares with moral experience. However, moral phenomena—that is, moral experience and the beliefs we have about it — tend to be unruly and difficult to systematize. Elements of moral phenomena continually slip the grasp of various unified and systematic theories. The quandary of whether to continue to press for a unified account or submit to the pull of residual moral phenomena can be called a *theory vs. phenomena dilemma*. Escaping the theory vs. phenomena dilemma is possible; wholly avoiding it is not. An argument for a normative theory starts with our moral beliefs. Systematic theories of the right or the good bootstrap their way from core beliefs (about, for example, the universality of moral requirements or the intrinsic goodness of pleasure) to systematic generalizations thought to unify those beliefs.

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Even if we leave the content of general principles open, or promise to construct something later out of idealized moral judgments, normative theories must answer to those of our more certain and pervasive actual moral judgments. Any systemizing normative strategy must also account for deeply held understandings of our moral experience that are anomalous or in conflict with the theory. While there is the option of trimming away overhanging phenomena by denying that the phenomena have moral legitimacy, few wholeheartedly prefer to chop. Rather, the standard response for twentieth century defenders of various moral theories is to show that the theory fits the phenomena. Kant lets us care about our friends sometimes rather than act from duty, and consequentialism is not so demanding that it can't leave space for agents to prefer their own projects.[2] Whether or not this dilemma for moral theory can be resolved, the enterprise of creating a systematic moral theory that harmonizes our conflicting judgments is not unlike whack-a-mole. Our theoretical hammers rarely keep the phenomena down for long.

Lisa Tessman's (2015) argument for impossible moral requirements turns on the ideas that some moral dilemmas are irresolvable for moral agents and that we may find ourselves required to do what it is impossible for us to do. In such cases, even if a person does her best to satisfy one moral requirement while failing to satisfy another, she cannot eliminate her sense that she remains required to do what she was unable to. And she is likely to morally regret what was left undone. This type of moral failure is not the usual moral failure caused by poor judgment, weakness of will, or preference for one's own interests. Rather, it is failure caused by the collision between moral requirements we can't relinquish and our human limitations in an imperfect and often tragic world. How tempting then, in the face of unavoidable regret and inescapable loss, to create a systematic theory to harmonize and prioritize such conflicts. Tessman cautions us that giving into this temptation makes us unable to account for a core phenomenon of moral experience: our sense that some moral reasons we have are non-negotiable even when we lack the means to adequately act on them. The pervasiveness of the theory vs. phenomena dilemma for contemporary normative theory reveals that Tessman's defense of impossible moral requirements has far-reaching consequences. If she is right, we have no choice but to abandon the hope of a systematic normative theory altogether. And there is more: if we want to take the phenomena seriously, she argues, ought does not imply can.

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[2] See Baron (1995), Herman (1985), and Scheffler (1982). There is necessarily a trimming of the phenomena here. For example, Herman argues that Kantian theory leaves room for partial concerns but that a moral agent's first commitment must be to morality itself. For a criticism of this response see Rivera (2010).

A second dilemma for normative moral theory lies in wait. It arises out of scientific explanations for moral belief, primarily using the tools of neuropsychology, evolutionary theory, and experimental psychology. Normative theory takes moral phenomena—beliefs, intuitions, emotions—as its data. A systematic normative theory gets its purchase through its power to organize and unify what people think and feel about morality. Scientific approaches offer an alternative, and wholly distinct, account of moral beliefs, emotional responses, and the phenomenology of moral experience. Tessman explains the ineliminability of impossible moral requirements via recent work in neuropsychology. She reveals an explanatory match between the moral phenomena for agents in the throes of dilemmatic moral requirements and neuropsychological accounts that explain such experiences. Here then is an alternative account of the moral phenomena. Tessman borrows from neuropsychology the key finding that moral judgments arise out of two systems: an intuitive system and a rational system. She argues we cannot give clear priority to one or the other. Each is fundamental to our moral thinking.

What does attention to the explanatory power of the scientific account mean for any theory where prescriptive moral requirements ground our moral reasons? One hope is that scientific accounts do not automatically debunk our sense of requirement. Tessman's account contains this hope. If it is realized, science offers an explanation for the phenomenological experience of moral requirements and leaves normative theory to resolve the justificatory issues. On this view, multiple accounts of moral phenomena provided through different modes of explanation can all be correct. (Clearly, the neuropsychological account and the evolutionary account of moral belief and behavior necessarily square off somewhere.) When we try to choose between theory and phenomena, inconsistencies force us to find a fit between them; however, it may be that a prescriptive normative theory and a scientific account of how we experience normativity are compatible or can be harmonized in some way.

Whether things work out this way depends upon the explanatory scope of normative theory. As with agents' experiences of moral dilemmas, normative theory may suffer an ineliminable loss when a scientific account is given explanatory priority over normative theory to account for our moral beliefs and values and what we do with these. The scientific account offers a different paradigm than that offered by normative theory to explain why we believe we are subject to moral requirements. Obviously, it does not show us that we are indeed justified or bound to change our reasons in the face of an argument that they are bad ones. However, if we give a scientific account explanatory priority—if science tells us *why* we have certain kinds of moral reasons, and we nevertheless want to have an independent normative theory that prescribes certain reasons—we must either fit the prescriptive account to the science or choose between the scientific or prescriptive

explanation as the *ultimate* account of the reasons someone has. Call this an *explanation vs. prescription* dilemma.

I will focus here on Tessman's solution to this dilemma. What makes Tessman's argument so powerful is that she tackles both of these dilemmas for moral theory holistically and offers a view of moral requirements that squares the moral phenomena with a normative theory that is designed to square with neuropsychology. The book therefore tackles an indispensable task for our understanding of moral reasoning. Normative theory has to square with science somehow. We are certain kinds of creatures. We have certain kinds of brains. Our moral experiences are fundamentally shaped by these unavoidable facts. Tessman shows why we cannot deny their relevance.

Tessman's book does not lay out these dilemmas explicitly. But her argument confronts them head on. Her solutions are likely to prove revolutionary. The theory vs. phenomena dilemma threatens to undermine the possibility of an impartial, unified, systematic normative theory. Tessman embraces this result, arguing that morality is plural, involves both partial and impartial reasoning, and can come from both rational and emotional processes. Morality is therefore unavoidably dilemmatic. While normative theorists may resist Tessman's conclusion that morality is dilemmatic, the comprehensive way her argument matches current neuroscience with central—and recurring—problems of normative theory and moral psychology presents a significant challenge to a theoretical paradigm of normative theory that has so far neglected the neurological character of moral reasoning.

The explanation vs. prescription dilemma threatens to undermine an understanding of the role of normative theory in providing an explanation for the source of our moral reasons. It is paradigmatic in normative theory that the theory of the right or the good plays some role in explaining why we have the reasons we do. Thus, normative theory not only tells us how to identify and/or arrive at good moral reasons (if it is not a decision theory) but gives us an account of the way actual moral reasoning works. For example, in Chapter 5 of *Utilitarianism*, Mill takes it as given that he must provide some explanatory link between the sense of justice and the utilitarian principle.[3] Kant claims we apprehend moral law and takes it as

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[3] For example, Mill says, "to have a right, then, is, I conceive, to have something which society ought to defend me in the possession of. If the objector goes on to ask, why it ought? I can give him no other reason than general utility. If that expression does not seem to convey a sufficient feeling of the strength of the obligation, nor to account for the peculiar energy of the feeling, it is because there goes to the composition of the sentiment, not a rational only, but also an animal element, the thirst for retaliation; and this thirst derives its intensity, as well as its moral justification, from the extraordinarily important and impressive kind of utility

given that this explains both the structure and content of many of our moral beliefs. The fit between explanation and prescription in Aristotle is similarly tight. While only virtuous people fully understand what their good really consists in, we can explain the moral reasons we have by viewing them as attempts to strive for our good.

There's a close fit in Tessman between explanation and prescription but it suggests a different explanatory paradigm for normative theory. Thus, there's a theoretical remainder in Tessman's solution to the explanation vs. prescription dilemma. Her account of what makes a moral requirement truly authoritative does not play a role in an explanation of the agent's sense of requirement. Tessman does not doubt that normative theory can still do the job of arriving at action-guiding prescriptions that give interpersonal reasons to moral agents—reasons we can confidently apply to others whether they have them or not. She provides the outline of such an account. While the view she presents is compelling, it does not fully acknowledge how the rest of the book's argument challenges a close explanatory tie between normativity and the way moral agents reason. If we square normative theory with neuroscience, and allow neuroscience priority in explaining moral reasons, there may be no direct relationship between the way a normative theory anchors some moral requirements as legitimate and our belief that we are required to do some particular thing. Tessman holds that our sense of requirement can be explained through neuroscience and that normative theory can go on to eliminate some requirements as legitimate. She offers a type of metaethical-constructivist / social-justificatory normative theory that could potentially do this job. The question I consider in this paper is whether the scientific explanation changes one job that normative theory has generally been tasked with by changing the evidential role of moral experience within normative theory.

A difficulty in doing justice to the book's arguments is that they are incredibly systematic and comprehensive. Tessman's approach to the theory vs. phenomena

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which is concerned." And also ". . . the idea of justice supposes two things; a rule of conduct, and a sentiment which sanctions the rule. The first must be supposed common to all mankind, and intended for their good. The other (the sentiment) is a desire that punishment may be suffered by those who infringe the rule. There is involved, in addition, the conception of some definite person who suffers by the infringement; whose rights (to use the expression appropriated to the case) are violated by it. And the sentiment of justice appears to me to be, the animal desire to repel or retaliate a hurt or damage to oneself, or to those with whom one sympathises, widened so as to include all persons, by the human capacity of enlarged sympathy, and the human conception of intelligent self-interest. From the latter elements, the feeling derives its morality; from the former, its peculiar impressiveness, and energy of self-assertion. . . ." (Mill [1861]1951, 73–79).

dilemma bears on many central dilemmas of normative theory. For example, Bernard Williams (1985), Lawrence Blum (1980), Michael Stocker (1976), and others have noted the normative pull of our partiality to those we care about. Tessman's argument follows up on these concerns, and she shows that neuropsychology makes further trouble for the view that morality is impartial by its very nature (144). She also rejects value monism. The norms we feel bound to inevitably come from all over.

One reason Tessman's conclusions are more difficult for prescriptive normative theorists to ignore than prior uses of neuropsychological and experimental data is that she doesn't start by assuming science is authoritative over normative theory or dismantle normative theory that fails to fit with neuroscience. Rather, her argument works from inside the phenomenological descriptions of moral psychology that have been pushing normative theory along for many decades. She uses the phenomena of moral experience to show that neuroscience could account for whole swaths of moral psychology that are generally theorized about without even a cursory glance toward the brain.[4] What makes Tessman's conclusions unavoidable is that normative theory must answer to fundamental aspects of moral experience. If science offers us a relevant explanation of the data of moral experience that bears on how we experience moral requirements, we are hard-pressed to prefer a prescriptive account as our primary explanation for the origin of moral requirements.

II.

I will now turn to some of the more particular details of Tessman's argument. Moral dilemmas can cause unavoidable moral failure. However, not all cases of unavoidable moral failure arise out of moral dilemmas. At certain points, Tessman considers unavoidable moral failures that are not dilemmas in the standard way because there is no pull between two things that are required and cannot be done; rather, there is a situation in the world where a person cannot do the one thing that she believes she is required morally to do.

Tessman focuses on two main scenarios that create impossible moral requirements for individuals. First, a person may be in a situation where she faces two requirements and can only act on one due to incompatibility or conflict. Second, a person may face something she ought to do and is unable to do. Tessman sets aside the issues of blame and avoidable agent failure, such as forgetting. At one point, she suggests there may be impossible moral requirements of which we are

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[4] It is possible that the specific findings of Haidt, Greene, and others are not decisive. However, the more general structural issue regarding moral reasoning that Tessman's view raises is likely to remain.

unaware.[5] Generally, however, Tessman attends to requirements as they arise from within the agent's perspective, in keeping with the neuropsychology she utilizes to explain the experience of moral dilemmas. Not all dilemmas raise impossible moral requirements. An impossible moral requirement arises when something non-negotiable is lost by failing to act on the moral requirement. Moral failure arises when nothing similarly valuable can be substituted or compensated for what someone failed to do; dismissing her sense that she remains required would force her to reject a value that she regards as non-negotiable.

As stated earlier, insoluble moral dilemmas and impossible moral requirements cut very deeply into the idea that we can provide a systematic account of morality. Those skeptical about systematic accounts, such as Williams and Stocker, rely on descriptions of the phenomena of moral experience to make such arguments. Tessman's argument goes further than this and shows that neuropsychology supports her dilemmatic picture of morality by demonstrating the existence of a dual process of moral reasoning that inevitably creates conflictual senses of moral requirement. She utilizes Haidt's "social intuitionist model" of moral reasoning and Greene's model that moral reasoning encompasses both a cost-benefit/consequentialist type of reasoning and a more immediate affective response type (Tessman 2015, 63). When we pay attention to the phenomenology of our moral experience, it is clear our moral reasoning is untidy, and we are continually susceptible to doubt, dilemma, conflict, and regret. We can explain this by the fact that we are "creatures who create and maintain a plurality of moral values through different cognitive processes" (59). On this dual process model, some moral (and other) judgments will arrive through 'System 1,' which is fast, automatic, intuitive, holistic, and context-dependent. (59) In this system the "process is unintentional and runs automatically," the "process is inaccessible," and "only results enter awareness" (59). Other moral judgments will arise through 'System 2,' which is slow, intentional, accessible to consciousness, and context-independent. Both systems generate reasons that we feel required to attend to, and there will be some reasons we find ourselves unwilling to jettison even when we cannot act on them. According to Tessman, "Neuroscientific studies illuminate why violating a non-negotiable

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[5] "It is likely the case that *some* of our negative affective responses are caused by phenomena that should not be considered to be moral remainders; furthermore, there are cases in which in some sense we *should* have a negative affective response such as regret or remorse (say, to not successfully meeting the needs of the distant needy) that would signal a moral remainder, and yet we lack this negative response and so do not notice any moral remainder. Thus non-negotiable moral requirements may or may not be experienced as such, that is, as remaining standing when overridden. (Tessman 2015, 31–32)

moral requirement does not feel the same as negotiating away a negotiable moral requirement: the two experiences involve different sorts of brain processes" (13).

A difference between Haidt and Greene is that Haidt sees the 'rationalizing' element of neurological process as informed by interpersonal social reasoning (which fits with Tessman's (13) view, following Margaret Urban Walker, that moral justification is ultimately social). By contrast, Greene sees the intuitive emotional processes as operating in conjunction with independent rational ones. Reason-giving is post hoc after an intuitive process pushes our moral judgment in a particular direction. Greene's account describes two different types of emotional responses in moral reasoning—'alarm bells,' which do not allow for moral trade-offs, and 'currency,' which "determine[s] the values and disvalues that can be traded off in consequentialist reasoning" (Tessman, 70).

If we follow the trail left by the history of moral philosophy, we'll be led to conclude that the truly authoritative judgments must be those endorsed through a rational process. Tessman rejects this path. It is crucial to her view that emotional responses to others (for example, ones stemming from love) also present moral requirements. The argument that we are unable to dismiss intuitive processes as irrational or subsume them under the authority of rational processes relies on the idea that there are moral aliefs—affect-laden associative states that drive behavior but which are not fully responsive to evidence. In the case of a nonmoral alief, we have Tamar Gendler's example of our recoiling from eating dog-poop shaped fudge even when we know it is likely to taste delicious (Gendler 2008, 635). According to Tessman, moral aliefs are normative, and they prescribe or proscribe that "the agent who has a moral alief must not just be moved to action, but rather moved to action while grasping that it is good or right to be so moved, or that she/he *must* be so moved" (78)

Tessman agrees with Jesse Prinz that certain psychological states can be normative in this way and our moral emotions will signal which these are by causing us to have the view that we ought to do something, or what Prinz calls "oughtitude" (Tessman 2015, 78). Guilt, anger and love all render "prescriptive sentiments" which are volitional states found in

> a whole range of feelings of necessity, from a mild sense that it would be good to perform an act or that an act is negotiably required, to the strong experience of volitional necessity that Frankfurt describes, where not performing an act is utterly unthinkable. (Tessman, 75)

These are, according to Tessman, among the ways that we apprehend moral requirements. What makes the use of moral aliefs compelling in our explanation of

how dilemmas are experienced is that they are able to account for the ineliminability of the moral remainder.

Thus, reason cannot resolve our dilemmatic moral responses—or eliminate our sense we must act when failing to do so leaves a non-negotiable moral remainder. Tessman painfully illustrates this in Primo Levi's description of his experiences at Auschwitz. The impossibility of helping his fellow Italian prisoners cannot eliminate Levi's sense that he should do this, even at agonizing cost.

> Naturally I would have liked to have helped them, given the means and the strength, if for no other reason than to stop their crying. In the evening when all the work was finished, conquering my tiredness and disgust, I dragged myself gropingly along the dark, filthy corridor to their ward with a bowl of water and the remainder of our day's soup. The result was that from then on, through the thin wall, the whole diarrhoea ward shouted my name day and night with the accents of all the languages of Europe. (Levi [1959] 2008; quoted in Tessman, 187)

Tessman says that Levi "did not reason his way to judgment. Instead, he had a prescriptive sentiment regarding, and experienced the volitional necessity of, saving the patients, a judgment that was triggered automatically through what must have been alarm-bell-like emotions" (89).

Attention to the phenomena suggests that our apprehension that we must do something in the face of others' suffering doesn't begin in reason. Reflection on characteristic moral reactions to others' suffering, particularly when we love them and feel responsible for their welfare, also indicates that reason has limited authority over our moral responses. We apprehend requirements both intuitively and rationally, and neither has authority over the other.

From the inside, Tessman's account vividly tells us what it is like to experience moral failure. This doesn't yet tell us, however, what makes a subjective sense of requirement into an actual requirement. Tessman is unwilling to grant that any experience of requirement elicits an actual requirement. Our sense we must care for our cruel and domineering father at the expense of our own happiness, or our belief we must commit violence against innocent people out of loyalty to our nation-state, can be experienced in precisely the same way that parental love or outrage over a genuine injustice can be experienced. And this danger is not a function of the unreliability of alarm-bell emotions or intuitive responses alone. People can take the data given to them through Greene's 'currency' process—our mental operation responsive to cost-benefit/consequentialist considerations—and also regard themselves as required to do horrific things.

If our sense we are morally required can be wrong, how do we arrive at good moral reasons? What makes a person's sense that she is morally bound to act legitimate? Tessman moves her explanatory account toward a prescriptive account by conjoining a type of metaethical constructivism to a social process of justifying values in collaboration with others. An important metaphor throughout Tessman's account is that of a Neurathian ship. We cannot assess our values from an independent, objective standpoint. We build our normative ship at sea, rather than on the ground. Tessman's additions and revisions to metaethical constructivism show her commitment to account for as much of the phenomena as possible.

Sharon Street's metaethical constructivism fits naturally with Tessman's phenomenology of how an agent arrives at the view she is morally required to do something. Street says that "normative experience" arises when things are "'counting in favor of' or 'calling or' or 'demanding' certain responses on our part" (Street 2008, 240; quoted in Tessman, 104). On the constructivist view, all values "are constructed out of the activity of valuing," and the ultimate test for correctness lies in the agent's own set of reasons (Tessman, 103). Genuine values arise out of a practical or evaluative standpoint. The moral judgment becomes correct "when it has emerged as the all things considered judgment that is the result of a successfully resolved conflict" (Tessman, 113). In Tessman's view, the various processes—both rational and arational—are seen as raw material from which we can build better judgments.

The problem with the metaethical demand for consistency, Tessman argues, is that moral dilemmas reveal that some values are non-negotiable and thus consistency isn't realistic. Authority may come from finding a judgment true, but authority also inheres in those judgments that are non-negotiable—such as requirements arising from the commands of love. These judgments survive reflective equilibrium and the process of reflection the metaethical construction requires. They are sacred; not to do them is unthinkable.

> If *every* judgment, including judgments regarding sacred values, had to be subjected to the method of reflective equilibrium, then one would have to think of every judgment as open to reconsideration and rejection. This is precisely what a sacred value is not: it is not open to reconsideration and rejection. (Tessman, 125)

Although she thinks constructivist accounts must allow some sacred values to survive, Tessman points out that people are prone to sacralize values that are formed through bad processes, such as harmful ideologies. How do we determine which of our values (or those of others) should remain immune to reconsideration? Tessman's solution here is to adapt the metaethical constructivist account to

accommodate a social process of justification, following Margaret Urban Walker. Walker's view also relies on a process of reflective equilibrium but with an important addition. For Walker, the process whereby moral judgments attain authority do not just take place in an agent's head. Morality is "a socially embodied medium of mutual understanding and negotiation between people over their responsibility for things open to human care and response" (Walker 1998, 9; quoted in Tessman, 130). We must bring our moral beliefs forward so that others can respond to them. We must use a transparency test on our moral judgments for these to generate truly authoritative moral requirements.

An issue for sacred values remains. Walker's account suggests they should be eliminated due to inconsistency and would thus fail to reflect their role in our reasoning. In response to this, Tessman also sees a role for a neuropsychological account in Haidt's social intuitionist model, which de-emphasizes reasoning and leaves greater room for automatic intuitive processes. Such a model is metaphorically described as a "trial by water" such as those purportedly given in the Middle Ages to see if a person is a witch. In this trial, a sacred value is "thrown in the water" to see if it floats (Tessman, 128). While the agent herself cannot willingly put the sacred value in the water, her communication and collaboration with others make it possible to see the value in such a way that enables her to consider—indirectly—whether the value is something she truly must not relinquish. This

> can still be thought of as a Neurathian process, but a *social* one, and one that may rely heavily on affective interactions and automatic, intuitive processes. It is not *I*, but rather *we*, who are on board the Neurathian ship. *I* might not be able to step off the rotten plank. . . . But other members of my moral community (or another community) stand on other planks, are confident of other things, and can elicit changes in me and my values. (Tessman, 138; italics in original)

Although Tessman, like Street, rejects moral realism, moral values are grounded by these social processes. Thus, it is not just up to me which of my moral values generate legitimate moral requirements. If I am attentive to the views of others, it becomes possible for me to see that filial loyalty should not take precedence over my own freedom and well-being. If patriotism urges me to fight in an unjust war, the harms such a war causes for others and their rejection of my government's propaganda offer me an alternative account that can potentially (but not necessarily) transform my confidence that loyalty to my compatriots or patriotic duty generates a moral requirement in this case.

While the legitimacy of the purported requirement depends on a metaethical construction/social justification process, Tessman's use of science to

explain why dilemmas arise commits her to the view that our sense of requirement is due to neurological processes. The metaethical constructivist/social justification account gives us a procedure whereby our moral intuitions and emotions generate something that can be established as an interpersonal moral requirement, but it does not seem that this is a process of truth-tracking. My sense that I am required to protect my child depends on my love for my child, and my neurology explains why I won't relinquish that sense of requirement. What is left over when we consider the explanation vs. prescription dilemma? Once we have an explanation of the phenomenological experience, we may ask where prescriptive theory continues to be informative. It tells us what we should do—but how? We believe circumstances give us reasons. We experience our reasons in particular ways; for example, we may experience the suffering of our compatriots in a situation of overwhelming agony and powerlessness as a non-negotiable moral reason in the way that Primo Levi did, a reason that cannot be disregarded, even when helping them is impossible.

Tessman says that the sense we should do something to alleviate suffering even when we are completely unable—and our inability to utilize a rational process to extinguish that sense—is like 'alarm bells,' arising as it does out of an intuitive and emotional process that reason cannot push away. This seems right. Her view is that such responses can undergo both an internal process of reflective equilibrium and an external social process that puts forward our reasons for examination to see if they make sense. Again, this account rings true in a phenomenological sense: We do retrospectively assess our past experiences of moral failure, both by asking ourselves if the moral expectation fits within our set of moral values and by considering what others believe morally. If shame over our moral failure does not shut down our ability to reflect, it is often an urgent question for us whether we *were* required to act in the way that we believe. A woman in agonizing guilt over a past abortion desperately needs recourse to perspectives that allow her to consider whether her belief she murdered a child is justified. Here is the puzzling thing about this answer when it comes to anchoring moral requirements: What I am responding to in situations—what I believe makes me required—seems to have no immediate explanatory or causal connection to the metaethical construction/social justificatory process. It is hard to see how the process plays a role in the moment I believe myself required. It cannot do so on Tessman's account because many of the intuitive responses that give me the sense of requirement are immediate and not subject to dismissal through a rational process.

My moral responses have a causal and explanatory connection to a metaethical construction/social justificatory process over time if I happen to change the aspects of the world that I respond to as a result of transparency testing some of my values. Taking Tessman's use of Haidt's social intuitionist model into account, we are always responding morally within interpersonal contexts, and the moral claims

we believe the world makes on us are shaped by others' reactions to our choices. So there is a way that reasons can be informed by aspects of the testing/verification process Tessman describes. However, the examination via metaethical construction and social intuition does not explain our sense that we are required because the sense that we are required comes before this process. Rather, the prescriptive account runs alongside our sense of requirement and checks the status of this sense. My beliefs about what I should do necessarily occur prior to the justificatory process on this account.

Thus, there is no clear explanatory relationship between our *feeling* we are morally required in a particular situation—to respond to someone's vulnerability, to care for our children, to protect the rights of others whose lives we are bound up with in a social system—and our *being* required. This need not be an objection to Tessman's account. Rather it shows that attempts to make normative theory responsive to scientific findings will have substantial impacts on the structure of normative theory, particularly its explanatory role. Tessman does not regard scientific explanation as debunking or undermining of normative theorizing. We may still be able to arrive at a theory of moral requirements that allows us to posit interpersonal moral reasons, but our getting it right with our personal moral reasons is not clearly dependent on our success at drawing from this more universal set of moral reasons.

Tessman's book is best read in my view as showing us that both the theory vs. phenomena dilemma and the explanation vs. prescription dilemma are dilemmas that unavoidably leave theoretical remainders. There may be no way to put the genie back into the bottle if we agree to the following two propositions: First, normative theory cannot ignore scientific explanations of our moral experiences. (The particular neuroscience is still in flux but this actually won't undermine the overall program Tessman sets out.) Second, there's no dodging the phenomena in the form of central moral beliefs about persistent moral emotions, such as the regret over moral failure. If Tessman's account is correct, moral beliefs and values come from all over the place. They come from interpersonal commitments, and they come from higher-order processes of rational reflection. Our current neuropsychology suggests that these types of reasons cannot be harmonized in a moment. But if this is the case, then normative theory's purchase on the project of moral prescription is not secure. We can prescribe, but the prescription is limited to what kind of creatures we are, and this changes to a significant degree a paradigmatic understanding of the explanatory role normative theory has over our beliefs.

Tessman's ultimate achievement is showing that an account of *why we reason morally as we do* is relevant for virtually every important question in normative theory. It tells us if values should be plural. (They should.) It tells us if

morality should be impartial. (It shouldn't.) It shows us if the rational should have authority over the emotional and intuitive. (It cannot.) It shows whether we have a hope of a systematic account of our moral reasons that unifies, harmonizes, and systematizes those reasons. (We don't.) What we as moral agents *should* do and *should* believe is explanatorily secondary on her account of moral requirements. I have argued that this constitutes a significant paradigm shift for normative theory. My suspicion is that this shift is unavoidable.

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