I

The Question Presented

> The peasant, or the child, can reason, and judge, and speak his language, with a discernment, a consistency, and a regard to analogy, which perplex the logician, the moralist, and the grammarian, when they would find the principle upon which the proceeding is founded, or when they would bring to general rules, what is so familiar, and so well sustained in particular cases.
>
> – Adam Ferguson, *An Essay on the History of Civil Society*

Is the theory of moral cognition usefully modeled on aspects of Universal Grammar? Noam Chomsky has suggested on a number of occasions that it might be (see, e.g., 1978, 1986a, 1988a, 1993a). In *A Theory of Justice,* John Rawls makes a similar suggestion and compares his own elaborate characterization of the sense of justice with the linguist's account of linguistic competence (1971: 46–53). A number of other philosophers, including Stephen Stich (1993), Alvin Goldman (1993), Susan Dwyer (1999), Matthias Mahlmann (1999), and Gilbert Harman (2000), among others, have ruminated publicly about the idea as well. Despite this, and despite the fact that the competence–performance distinction and other parts of Chomsky's basic theoretical framework have been successfully utilized in other areas of cognitive science, such as vision and musical cognition,[1] little sustained attention has been given to examining what a research program in moral cognition modeled on central features of Universal Grammar might look like, or how traditional philosophical questions about the nature of morality might be fruitfully addressed in these terms. The present study attempts to fill this gap.

[1] For visual cognition, see, for example, Gregory (1970), Marr (1982), and Richards (1988). For musical cognition, see, for example, Bernstein (1976), Lerdahl & Jackendoff (1983), and Jackendoff (1992: 165–183). For a recent attempt to apply parts of Chomsky's framework to the empirical investigation of logical cognition, see Macnamara (1986). I am indebted to Joshua Tenenbaum for many helpful discussions about possible applications of Chomsky's framework to the cognitive sciences and for directing me toward the essay on visual competence by Richards.

A natural place to begin taking a fresh look at the topic is Rawls' influential book *A Theory of Justice*. In the 1950s and 1960s Chomsky transformed the study of language and mind by arguing that all normal human beings are endowed with a genetic program for language acquisition. Chomsky drew attention to the fact that, prior to any formal instruction, once a child has mastered her native language, she is able to make a wide range of intuitive judgments about the properties and relations of expressions in her language, including whether any random sound sequence constitutes a grammatical sentence, whether a given expression is ambiguous, and whether one of two arbitrary expressions is a rhyme, paraphrase, entailment, or contradiction of the other. Chomsky argued that these and other linguistic behaviors would be inexplicable without presupposing the child's tacit knowledge of the grammar of her language. He reoriented theoretical linguistics toward the empirical investigation of the principles underlying this postulated knowledge, or what he labeled *linguistic competence;* and he thereby helped revive aspects of the rationalist tradition of Plato, Descartes, Leibniz, and Kant.

Rawls was one of the first philosophers to recognize the potential implications of Chomsky's project for moral philosophy. In Section 9 of *A Theory of Justice,* he pointed to several structural similarities between the descriptive part of ethics and theoretical linguistics, and he suggested that just as the latter studies aspects of linguistic competence, so the former should be directed toward investigating our *moral* competence, or what Rawls called there our "sense of justice" (1971: 46).[2] Rawls thus signaled his displacement of the narrower, semantic concerns of early twentieth-century analytic philosophers such as G. E. Moore (1903), A. J. Ayer (1946/1936), and Charles L. Stevenson (1944)[3] and a return to an older conception of ethics, assumed by nearly all

[2] Although Rawls uses related phrases, such as "morally competent" and "competent judge," in his early paper "Outline of a Decision Procedure for Ethics" (1951a), the term *moral competence* does not appear in his discussion of moral theory in Section 9 of *A Theory of Justice*. Instead, Rawls identifies his primary object of inquiry in Section 9 by means of different concepts, including "moral capacity," "moral conception," and "sense of justice." For example, instead of holding that the first task of moral philosophy is to describe moral competence, Rawls says "one may think of moral philosophy at first … as the attempt to describe our moral capacity; or, in the present case, one may regard a theory of justice as describing our sense of justice" (1971: 46). Instead of suggesting that an accurate description of moral competence may help resolve long-standing philosophical questions, Rawls writes: "if we can find an accurate account of our moral conceptions, then questions of meaning and justification may prove much easier to answer" (1971: 51). Finally, instead of imputing moral competence to all normal human beings, Rawls assumes "that each person beyond a certain age and possessed of the requisite intellectual capacity develops a sense of justice under normal social circumstances" and "that everyone has in himself the whole form of a moral conception" (1971: 46, 50). In my conversations with him, Rawls confirmed that moral competence, in a sense analogous to Chomsky's notion of linguistic competence, is an accurate description of the moral capacity, sense of justice, or moral conception he takes to be the moral philosopher's provisional object of inquiry in *A Theory of Justice*.

[3] For an early anticipation of this development, see generally Rawls (1951b).

of the leading philosophers and jurists of the Enlightenment, who placed the empirical study of the human mind and its various moral faculties and sentiments at the forefront of their inquiries.[4]

Although *A Theory of Justice* became highly influential, Rawls' linguistic analogy was not warmly received. Early reviews by R. M. Hare (1973), Thomas Nagel (1973), Ronald Dworkin (1973), and Peter Singer (1974) sharply criticized the idea that moral theory could or should be compared to linguistics. More recently, Norman Daniels (1979, 1980), Richard Brandt (1979, 1990), Joseph Raz (1982), and Bernard Williams (1985), among others, have objected to Rawls' idea as well.

Rawls did not defend the linguistic analogy in print after he first proposed it in *A Theory of Justice*. To a certain extent this seems understandable, given his diverse interests and the need to respond to so many criticisms more proximate to what emerged over time as his central, practical concerns. It may also reflect Rawls' tacit agreement with at least some of the objections to the linguistic analogy advanced by his critics.[5] What is quite surprising, however,

[4] Moral philosophy, moral psychology, and jurisprudence were not clearly distinct disciplines until at least the latter part of the nineteenth century, and most authors who examined one subject wrote extensively on the others as well. In particular, many of the leading Enlightenment treatises on moral philosophy, natural law, and the law of nations include important discussions of moral psychology. A partial list of such works from which this book draws, ordered chronologically by their date of initial publication (or, in some cases, by their date of original composition), includes the following: Hugo Grotius, *On the Law of War and Peace* (1625), Thomas Hobbes, *Leviathan* (1651), Samuel Pufendorf, *Elements of Universal Jurisprudence* (1660), John Locke, *Essays on the Law of Nature* (1660), Samuel Pufendorf, *On the Law of Nature and Nations* (1672), John Locke, *An Essay Concerning Human Understanding* (1689), G. W. Lebniz, *New Essays on Human Understanding* (1705), Joseph Butler, *Fifteen Sermons on Human Nature* (1726), Francis Hutcheson, *Illustrations on the Moral Sense* (1728), David Hume, *A Treatise of Human Nature* (1739–1740), Christian Wolff, *The Law of Nations Treated According to Scientific Method* (1740–1749), Francis Hutcheson, *A Short Introduction to Moral Philosophy* (1747), Jean-Jacques Burlamaqui, *The Principles of Natural and Politic Law* (1748), David Hume, *An Enquiry Concerning the Principles of Morals* (1751), Jean-Jacques Rousseau, *Discourse on the Origin of Inequality* (1754), Emile Vattel, *The Law of Nations; or Principles of the Law of Nature Applied to the Conduct and Affairs of Nations and Sovereigns* (1758), Adam Smith, *The Theory of Moral Sentiments* (1759), Jean-Jacques Rousseau, *On the Social Contract* (1762), Immanuel Kant, *Groundwork of the Metaphysics of Morals* (1785), Thomas Reid, *Essays on the Intellectual Powers of Man* (1785), Immanuel Kant, *Critique of Practical Reason* (1788), Thomas Reid, *Essays on the Active Powers of the Human Mind* (1788), Mary Wollestonecraft, *A Vindication of the Rights of Men* (1790), James Wilson, *Lectures on Law* (1790–1791), Mary Wollestonecraft, *A Vindication of the Rights of Woman* (1792), and James Mackintosh, *A Discourse on the Law of Nature and Nations* (1799). Compare Sidgwick (1988/1902: 160–161) (noting an "absence of distinction between the provinces of Ethics and Jurisprudence" in the history of moral philosophy prior to Grotius, which Grotius only partially abandoned). For some further discussion, see generally Haakonssen (1996) and Schneewind (1998); see also Mikhail (2007b, 2008c) and the references cited therein.

[5] Some of the alterations that Rawls made to the revised edition of *A Theory of Justice* appear to lend support to this assumption (compare Rawls 1999a: 40–46 with Rawls 1971: 46–53).

is that the debate over the analogy itself has been so one-sided. Until recently, there did not exist a single, sustained defense or critical examination of Rawls' idea in the entire philosophical literature.[6] At first glance, this seems strange. Chomsky's revolution in linguistics has generated a large following and has been thought by many philosophers and scientists to constitute a fundamentally new and promising approach to cognitive psychology and the study of the human mind (see, e.g., George 1989; Harman 1974; Kasher 1991; Otero 1994). Likewise, Rawls' work has been revolutionary in the context of recent moral, political, and legal philosophy, and it has also generated an enormous secondary literature (see, e.g., Wellbank, Snook, & Mason 1982; see generally Freeman 2003; Pogge 2007; Richardson & Weithman 1999). Coupled with the fact that Rawls considers (or at least once considered) moral theory to be a "type of psychology" (Rawls 1975: 7, 9, 22) and, in his most explicit methodological remarks in *A Theory of Justice,* repeatedly compares moral theory to generative linguistics (1971: 46–53), the absence of a detailed study of this comparison seems rather striking.[7]

It may be, of course, that so little has been written on the subject because there is so little of interest to say – in other words, because the analogy is so obviously inapt. This seems to be the general attitude of the critics to which I have referred (cf. Freeman 2007: 34–35). I am of the opposite opinion; and, while I certainly think that there are limits to how far the analogy can be usefully pressed, I believe that substituting moral competence for linguistic competence provides an illuminating perspective from which to view the aims and approach of moral theory.

[6] Although the gist of this statement was accurate when I first made it in 1995 as part of my original dissertation proposal, it no longer seems entirely appropriate. Stimulated partly by my previous work on the topic (see, e.g., Mikhail 2000, 2002a, 2002b; Mikhail & Sorrentino 1999; Mikhail, Sorrentino, & Spelke 1998), many important discussions of the linguistic analogy now exist in the literature. See, for example, Dubber (2006), Dupoux & Jacob (2007, 2008), Dwyer (2007, 2008), Dwyer & Hauser (2008), Greene (2005, 2008a, 2008b), Harman (1999, 2008), Hauser (2006), Hauser, Cushman, & Young (2008a, 2008b), Hauser et al. (2007), Jackendoff (2007), Kar (2006), Knobe (2005), Mahlmann (2005a, 2005b, 2007), Mahlmann & Mikhail (2005), Mallon (2008), Mikhail (2005, 2007a, 2007b, 2008a, 2008b), Nado, Kelly, & Stich (2006), Nichols (2005), Patterson (2008), Prinz (2007, 2008a, 2008b, 2008c), Roedder & Harman (2008a, 2008b), Sripada (2008a, 2008b), Sripada & Stich (2006), and Stich (2006). To the best of my knowledge, however, *Rawls' Linguistic Analogy* remains until now the only original book-length treatment of the topic.

[7] For two important statements, written over a century apart, of the importance for moral philosophers to attain a better empirical account of moral psychology, see Bain (1868) and Darwall, Gibbard, & Railton (1992). Compare Anscombe's (1958) important remarks about the need for philosophers to develop a more adequate "philosophical psychology." As Darwall, Gibbard, & Railton (1992: 188–189) observe, by the early 1990s many philosophers began to show renewed interest in moral psychology after a long period of relative neglect (see, e.g., Flanagan 1991; Miller 1992).

In what follows, therefore, I defend Rawls' claim that moral theory can be usefully modeled on aspects of Universal Grammar. My exposition falls into three main parts. In the remainder of Part One, I first introduce the linguistic analogy by identifying some key features of the theory of language to which the study of human morality might be usefully compared, and by drawing on those features to formulate a new analytical framework for the theory of moral cognition. I also examine what Rawls actually says about the nature of moral theory in *A Theory of Justice* and call attention to what, for our purposes, are his remarks' leading features. In Part Two, I attempt to clarify the empirical significance of Rawls' linguistic analogy and thereby place the theory of moral cognition on a sounder footing by formulating and stating a provisional solution to the problem of descriptive adequacy with respect to a range of commonsense moral intuitions, including those discussed in the trolley problem literature that began with the work of Philippa Foot (1967) and Judith Jarvis Thomson (1986). Finally, in Part Three I consider several influential early criticisms of Rawls' linguistic analogy and the conception of moral theory it presupposes – in particular, those of Hare, Singer, Nagel, and Dworkin – and argue that they are without force against the research program that Rawls describes in *A Theory of Justice,* and that I attempt to develop further here.

Before beginning, it may help to make some preliminary clarifications about the remarks that follow. The first concerns the place of the linguistic analogy within the history of philosophy. Rawls is by no means the only author who has compared the rules of justice with the rules of grammar. On the contrary, many other writers have made the same or similar comparisons. Moreover, as the quotations from Smith and Ferguson reveal, the linguistic analogy is, in fact, a traditional one. Indeed, when one looks, one finds that many of the most serious commentators who have attempted to explain the origin and growth of commonsense moral and legal knowledge have turned to the comparison with language for inspiration.[8]

Table 1.1 is a compilation of just some of the authors who, like Rawls, have compared the rules of justice with the rules of grammar, or the theory of morality with the theory of language, in one way or another during the modern period. As Table 1.1 reveals, the linguistic analogy has exercised the imagination not only of philosophers, but also of a wide range of scientists and scholars, including anthropologists, biologists, economists, linguists,

[8] As an historical matter, the analogy traces at least as far back as Aristotle's observation that the gift of speech and a sense of justice are what distinguish humans from other animals. See Aristotle, *The Politics,* 1253 a1–15: "[T]hat man is more of a political animal than bees or any other gregarious animal is evident. Nature … makes nothing in vain, and man is the only animal who has the gift of speech. … And it is [also] a characteristic of man that he alone has any sense of good and evil, of just and unjust, and the like, and the association of living beings who have this sense makes a family and a state."

TABLE I.1. *Some Modern Authors Who Draw a Linguistic Analogy (1625–2000)*

Grotius 1625	Gilmore 1974
Hale 1668	Cover 1975
Pufendorf 1673	Donagan 1977
Hutcheson 1730	Chomsky 1978
Hume 1740	Much & Shweder 1978
Rousseau 1754	Quine 1978
Smith 1759	Smith 1979
Ferguson 1767	Perrot 1980
Kant 1783	Kohlberg 1981
Reid 1785	Shweder, Turiel, & Much 1981
Bentham 1789	Grey 1983
Wilson 1790	Gruter & Bohannan 1983
Paine 1791	Hampshire 1983
Von Savigny 1814	Friedman 1985
Feuerbach 1833	Kagan 1987
Mill 1861	Posner 1990
Bain 1868	Tienson 1990
Von Jhering 1869	Ellickson 1991
Darwin 1871	Flanagan 1991
Holland 1880	Fischer & Ravizza 1992
Pollock 1882	Neale 1992
Nietzsche 1887	Goldman 1993
Gray 1909	Johnson 1993
Cohen 1916	Quinn 1993
Piaget 1932	Stich 1993
Pareto 1935	Cosmides & Tooby 1994
Ross 1939	McKie 1994
Burke 1945	Pinker 1994
Ladd 1957	De Waal 1996
Ryle 1958	Stein 1996
Brandt 1959	Fletcher 1998
Oakeshott 1962	Gert 1998
Frankena 1963	Mikhail, Sorrentino, & Spelke 1998
Fuller 1964	Dwyer 1999
Nozick 1968	Harman 1999
Rawls 1971	Jackendoff 1999
Kroy 1973	Mahlmann 1999
Simpson 1973	Mikhail 2000

psychologists, sociologists, political scientists, and lawyers.[9] In light of this, one may wonder what is special about *Rawls'* linguistic analogy, as distinct from the various comparisons that others have drawn. My answer has several parts. First, Rawls stands out as the individual among this group who is perhaps most knowledgeable about both the history of moral philosophy and the theoretical foundations of generative linguistics.[10] Second, Rawls appears to have been the first philosopher to grasp the potential implications of the modern revival of Universal Grammar for ethics. Already in the 1960s one finds other philosophers, such as Robert Nozick (1968: 47–48), drawing inspiration from the competence–performance distinction and other aspects of Chomsky's framework. It was Rawls, however, who first organized and articulated an entire conception of moral theory on that basis. Third, *A Theory of Justice* is arguably the twentieth century's most important book of moral and political philosophy. Richard Rorty (1982: 216) is correct, I believe, to describe it as one of the few "genuine interuniversity paradigms" in an increasingly fragmented field.

A fourth reason why Rawls' linguistic analogy is worthy of special attention concerns how best to interpret the arguments of *A Theory of Justice*. It is a familiar observation that Rawls' text supports different readings and that various methodological and metaethical viewpoints can appear to be consistent with it (see, e.g., Brink 1989). Less attention has been given, however, to the fact that Rawls devotes one section of the book, Section 9, to clarifying how he conceives of the subject matter of moral philosophy, and to making explicit how he thinks the discipline should be pursued. Rawls' stated aims in Section 9 are "to prevent misunderstanding" about "the nature of moral

[9] Here I should perhaps clarify that not all of the authors listed in Table 1.1 approach the idea of a linguistic analogy from similar or even compatible theoretical standpoints. For example, Bentham's linguistic analogy arises out of his interest in the link between universal grammar and universal jurisprudence, whereas Von Savigny's does not. Reid holds that both rules of justice and rules of grammar are innate, whereas Mill draws a linguistic analogy to argue that morality is not innate, but learned. Likewise, Chomsky and Quine have quite different views about the apparent similarities and differences between language acquisition and moral development. I am grateful to Allen Wood for calling my attention to the need to highlight this point.

[10] Rawls' knowledge of the history of moral philosophy is well known and needs no elaboration here. Fortunately his lectures on this topic, along with his lectures on political philosophy, have been now published (see Rawls 2000, 2007; for a review of the former, see Mahlmann & Mikhail 2003). Rawls' familiarity with generative linguistics is less well known, but, as I will endeavor to explain, it is substantial and goes deeper than is often assumed (although it does appear inadequate in certain respects). On this point it is worth highlighting that Rawls spent several years helping to build the new Department of Linguistics and Philosophy at MIT in the early 1960s, at a time when Chomsky's new paradigm in linguistics and the philosophy of language and mind began to unfold (for some relevant background, see Pogge 2007). I am grateful to Sylvain Bromberger, Noam Chomsky, Charles Fried, Gilbert Harman, and John Rawls for sharing with me their personal recollections of this period, and for discussing with me the direct and indirect impact of Chomsky's work on Rawls.

theory" by "explaining in more detail the concept of a considered judgment in reflective equilibrium and the reasons for introducing it" (1971: 46). In spite of Rawls' efforts, however, uncertainty over the three key concepts in this statement – considered judgments, reflective equilibrium, and moral theory itself – has been widespread.

In my opinion, Rawls' remarks in Section 9 constitute one of the most powerful short statements about the nature of moral theory ever written. In part this is because of the comparisons between moral theory and generative grammar that Rawls draws. Nonetheless, I believe that a careful review of the secondary literature that has built up around such topics as reflective equilibrium and considered judgments suggests that much of this commentary appears to be misinformed about the development of these concepts in Rawls' philosophy and their counterparts in generative linguistics. By attempting to clarify these issues, I hope to contribute to a better understanding of the conception of moral theory presupposed by Rawls in *A Theory of Justice*.

These remarks lead to another important qualification. It is important to emphasize that all of the references to "Rawls' conception of moral theory" in this book refer *only* to Rawls' stated conception of moral theory during the period 1950–1975. My investigation here is limited to how the "early" Rawls conceives of the subject matter of moral theory – and specifically, the place of the linguistic analogy within that conception – as evidenced primarily by his four main statements on the topic during the early part of his career:

(i) Rawls' Ph.D. dissertation, *A Study in the Grounds of Ethical Knowledge* (1950) (henceforth *Grounds*)
(ii) Rawls' first published article, "Outline of a Decision Procedure for Ethics" (1951a) (henceforth *Outline*)
(iii) Section 9 of *A Theory of Justice,* entitled "Some Remarks on Moral Theory" (1971) (henceforth "Section 9")
(iv) Rawls' 1974 Presidential Address to the American Philosophical Association, "The Independence of Moral Theory" (1975) (henceforth *Independence*).

The naturalistic conception of moral theory that I ascribe to Rawls in these pages may or may not be one he still embraced toward the end of his career.[11] In any case, I believe that whether and, if so, why Rawls' conception of moral

[11] Many of Rawls' philosophical views changed over the course of his career. In particular, Rawls moved from conceiving of his theory of justice as part of a comprehensive moral doctrine to regarding it as a political conception of justice that is tied to the specific needs and characteristics of modern liberal democratic societies. Based on my conversations with Rawls, I believe that the naturalistic conception of moral theory outlined in Section 9 of *A Theory of Justice,* which I seek to develop in this book, is one that he continued to embrace in its essentials throughout his career. However, I do not defend this claim here, nor does any part of my argument depend on it. For Rawls' own interpretation of how his theory evolved over time, see generally Rawls (1980, 1985, 1993, 2001a, 2001b).

theory changed over time can be more profitably discussed once the prior question – whether the linguistic analogy and the conception of moral theory it implies are vulnerable to the objections leveled against them – is better understood.

I have said that one aim of this study is to contribute to a better understanding of *A Theory of Justice*. Although this is true, it is important to make clear that the discussion that follows is less about Rawls or Rawls' linguistic analogy *per se* than it is about the linguistic analogy itself – or, more precisely, about the conception of moral theory that Rawls describes in these early texts. My overriding objective is not to argue for a particular interpretation of *A Theory of Justice* but to develop the substantive research program Rawls describes in Section 9 – which I would characterize as Universal Moral Grammar, or more simply, as the scientific study of the moral sense. I agree with Stich (1993: 228) that the future of moral philosophy rests squarely within the cognitive and brain sciences. The theory of moral cognition, however, is at present neglected, underdeveloped, and maligned.[12] There are a variety of reasons for this unfortunate state of affairs. Some are historical and sociological, having to do with the rise of behaviorism, logical positivism, and psychoanalysis, and the struggle of professional philosophers and psychologists to define the boundaries of their respective disciplines. Others are more conceptual. In any event, what seems clear to me, and what I will argue here, is that many of the early criticisms of Rawls' linguistic analogy contributed significantly to this state of affairs. In point of fact, Rawls' early writings contain the germs of a scientific theory of moral cognition that far surpasses the work of psychologists like Jean Piaget (1965/1932) and Lawrence Kohlberg (1981, 1984) in terms of depth, coherence, and analytical rigor. Regrettably, however, some rather specious criticisms that were initially leveled against that

[12] Again, this statement seems less accurate today than when it first appeared in the introduction to *Rawls' Linguistic Analogy*. Indeed, in many respects it no longer seems accurate at all: moral psychology is currently experiencing a renaissance and has arguably become one of the most fruitful areas of research in both philosophy and the cognitive and brain sciences, broadly construed. A useful and stimulating collection of essays can be found in the three-volume anthology edited by Walter Sinnott-Armstrong (2008). In addition to these essays and the references listed in note 6, a partial list of notable recent contributions which have informed what follows includes Baron & Ritov (in press), Bartels (2008), Bartels & Medin (2007), Blair (2002), Bucciarelli, Khemlani, & Johnson-Laird (2008), Casebeer (2003), Cushman (2008), Cushman, Young, & Hauser (2006), Doris (2002), Doris & Stich (2005), Gazzaniga (2005), Greene & Haidt (2002), Greene et al. (2001), Haidt (2001), Haidt & Joseph (2004), Kelly et al. (2007), Killen & Smetana (in press), Koenigs et al. (2007), Lombrozo (2008), Machery (2007), Miller (2008), Moll, de Oliveira-Sousa, & Eslinger (2003), Nichols (2004), Nichols & Mallon (2006), Pinker (2008), Pizarro & Bloom (2003), Robinson, Kurzban, & Jones (2008), Saxe (2005), Schnall et al. (2008), Sinnott-Armstrong et al. (2008), Solum (2006), Sunstein (2005), Tetlock (2003), Valdesolo & DeSteno (2006), Waldmann & Dieterich (2007), Wellman & Miller (2008), Wheatley & Haidt (2005), Young et al. (2007), and Young & Saxe (2008). Extensive bibliographies can be found in Sinnott-Armstrong (2008) and Sunstein (2005), among others.

theory have resulted in its lying virtually dormant for the last several decades. Part of what I hope to accomplish in this book is to revive and update Rawls' theory, and to reintroduce it to the community of philosophers, cognitive scientists, and legal scholars, with an eye toward future research. In this sense the remarks that follow are as much of an attempt to formulate and defend a research program in moral cognition modeled on aspects of generative linguistics as they are an effort to add to the existing commentary on Rawls.

The scientific questions raised by Rawls' linguistic analogy are classic ones: What constitutes moral knowledge? Is it innate? Does the brain contain a module specialized for moral judgment? Does the human genetic program contain instructions for the acquisition of a sense of justice or moral sense? Questions like these have been asked in one form or another for centuries. In this book I take them up again, with the aim of clarifying them and developing Rawls' proposal in *A Theory of Justice* for how they should be investigated.