Consequentialist Demands, Intuitions and Experimental Methodology

Abstract. Can morality be so demanding that we have reason not to follow its dictates? According to many, it can, if that morality is a consequentialist one. We take the plausibility and coherence of this objection – the Demandingness Objection – as a given and are also not concerned with finding the best response to the Objection. Instead, our main aim is to explicate the intuitive background of the Objection and to see how this background could be investigated. This double aim leads to different albeit connected threads of inquiry. We first outline the Objection, its different forms and how intuition figures in them. After this, we move on to consider the ongoing debate about the use of intuitions in (moral) philosophy with a focus on two challenges: what intuitions are and how we can detect them. To answer these challenges, we propose an account according to which moral intuitions are seemings that are characterized by being non-inferential, spontaneous, non-doxastic, phenomenologically distinctive, non-sensory, intrinsically motivating, and stable. Armed with these seven "markers" of moral intuition, we put a forward a complex experimental methodology and raise and respond to possible problems with it.

Keywords. Consequentialism, demandingness objection, moral intuitions, experimental methodology, moral psychology, cognitive science

I. Introduction

It is commonly held that philosophical intuitions have some evidential value; they count in favour of or against philosophical theories and approaches. Perhaps nowhere is this evidential role of intuition more important than in both moral theory and (empirical) moral psychology. For moral theory, such supposed intuitions form, among others, the basis of claims that consequentialism is over-demanding: The Demandingness Objection (henceforth: Objection). But is this charge correct? Perhaps, but we think that, before any such verdict can be reached, it is important to empirically flesh-out the supposed intuitive basis of the Objection. In this paper, we explain the Objection (section II) and theorizing on intuitions (section III) before we propose an account of moral intuitions as seeming states that are characterized by being non-inferential, spontaneous, non-doxastic, phenomenologically distinctive, non-sensory, intrinsically motivating, and stable (section IV). We then go on to explore the difficulties in

empirically testing for these "markers" of moral intuition (section V) before summing up our argumentation and make some concluding remarks (section VI). In doing so, we also draw attention to the failure of much (empirical) moral psychology and cognitive (neuro)science to give proper consideration to the ontology and experimental epistemology of moral intuition: Philosophical reflection and analysis reveals that not every moral judgment is based on intuition and that not every intuition is a moral intuition. Drawing on insights from epistemology, moral philosophy, and cognitive (neuro)science, our account offers an integrative conceptual analysis and empirical directions for advancing both moral theory and the cognitive (neuro)science of morality.

II. The Demandingness Objection to consequentialism

It isn't saying much to claim that morality is demanding; the question, rather, is: can morality be so demanding that we have reason not to follow its dictates? According to many, it can, if that morality is a *consequentialist* one. Why is this?

To answer this question¹, we need first to understand what consequentialism is. Consequentialism, in its most general sense, is the view that normative properties depend only on consequences. This general approach can then be applied at different levels to different normative properties of different kinds of things, but the most prominent example is consequentialism about the moral rightness of acts. This act-consequentialism holds that whether an act is morally right, depends only on the valuable consequences of that act. More precisely, in its classical form which we will not question in this paper, promotion of the good is understood as maximization. Thus, its single principle, often called the principle of beneficence, gives us the act-consequentialist criterion of rightness: "act in such a way as to

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¹ For a full answer, we would also have to spend time on the issue of why consequentialism is singled out as the *only* objectionably demanding moral theory and whether this is correct or not. For a detailed treatment of this issue, see (*blinded*), on which this section relies on in part.

produce the best possible consequences." The Objection originally targeted only utilitarians who advocated consequentialism with a welfarist theory of value, that is, a theory that focuses on human welfare as the relevant consequence. However, the Objection can be employed against any form of act-consequentialism (henceforth: consequentialism) that involves maximization (and perhaps also against those versions that are non-maximizing).

What exactly does the Objection say?² It is built upon two pillars: one, that consequentialism is excessively demanding and, two, that an adequate morality shouldn't be excessively demanding. Consequentialism requires the agent to promote the good until the point where further efforts would burden the agent as much as they would benefit others. However, the situation that determines what would be best overall is far from ideal: today's world involves, for example, significant levels of poverty that prevailing levels of charitable donations are insufficient to eradicate.³ Given that acting to alleviate poverty is likely to have, in sum, better consequences than pursuing individual goals and projects, it seems unavoidable that, if one accepts consequentialism, one must devote most of one's resources to humanitarian projects. At the same time, most would agree that this cannot be right, that people should not be required to sacrifice so much to comply with the demands of morality. This is the second pillar of the Objection. Its function is to ground a constraint on admissible moral theories requiring them to avoid excessive demands. If they do not, the conclusion follows that these theories cannot be morally correct and, as such, guide people's conduct.

In short, the Objection claims that consequentialism's excessive demands are objectionable. We can put this charge somewhat more formally as the conclusion of an argument in the following general form:

² The Objection is perhaps most clearly stated by those who oppose it. For an early statement see Sidgwick (1907), p. 87; for a recent statement see Cullity (2004), Chapter 1. For further references, see Hooker (2009), p. 162 footnote 4, and Carter (2009), pp. 163-85, as well as the works to be cited later in this section.

³ Unfortunately, it is easy to cite statistics for this claim. Any report by the WHO, the World Bank, UNICEF or UNDP paints the same dire picture, certainly of the global situation, but also, in most cases, of domestic circumstances in industrialised countries. See Pogge (2008), pp. 2-3 for more data and references.

- 1) Consequentialism makes demand D;
- 2) Demand D is excessive⁴;

Therefore,

- 3) Consequentialism is excessively demanding;
- 4) If a moral theory is excessively demanding, then it should be rejected;

Therefore,

5) Consequentialism should be rejected.

This general form acquires a specific reading depending on what in one's view is objectionable about excessive consequentialist demands. In particular, the way we have introduced the objection is compatible with three different versions of premise 2) and a fourth can be added as an often-mentioned corollary. On the moral reading, consequentialism is claimed to be wrongfully demanding since it requires agents to make sacrifices that they are not, in fact, morally required to make as they are excessive. On the rational reading, consequentialism is held to be unreasonably demanding since it requires agents to make sacrifices that they do not have decisive reason to make since they are excessive. Third, on the motivational reading, consequentialism is taken to be motivationally overexerting because it pictures agents as moral saints who can bring themselves to do whatever morality asks of them no matter how excessive it is. A fourth, epistemic reading of the objection, holds that consequentialism is epistemically challenging because it requires agents to be (nearly) all-knowing when it comes to the consequences of their actions or because it makes agents in some other way severely epistemically disadvantaged (e.g., it requires them to understand a very complex principle or have outstanding computational abilities).

⁴ We take it that 'excessive' implies 'objectionable'. If one holds that this is not so, then 'excessive' can be changed to 'excessive and therefore objectionable'.

A lot can be said about the different readings and how they are responded to. We make use of one of these responses but our primary interest lies not in the response itself but in the empirical and theoretical mechanism behind the response. The targeted claim is the one in premise 2). This premise is normally taken to rely, at least in part, on an intuition. This makes sense since intuitions, as we explain below, are often taken to be evidence for moral theories, i.e., as providing a suitable vantage point from which the different theories can be evaluated and contrasted with one another. This being so, one of way of rejecting or at least weakening support for the premise is with reference to its alleged intuitive grounding. Such a move against the premise can take two forms. Either the premise can be questioned by denying the existence of the particular intuition in question, or arguing that we have reason not to rely on it as evidence. The former route is rarely discussed in the literature, which the latter predominates taking typically two forms. One targets the specific "demandingness-intuition" in question, the other targets intuitions in general.

We have an interest in both versions of the response, although our focus is on the first one. To establish such a response, one must find a way of detecting intuitions. To do so, several answers should be in place. First, short of the ability to treat, in this regard at least, all four

⁵ There is significant literature on the Objection in its different forms. For further references and discussion of some of the relevant matters see (*blinded*). Bykvist (2009), Chapter 7 and Mulgan (2007), Chapter 5 also provide a good introduction to the debate.

⁶ We say "at least in part" because, certainly in the case of the motivational and epistemic reading, the more general applicability constraint that generates these complaints can be driven also by moral or conceptual arguments. See Smith (1989: 117-8) for a good discussion. Similar, theory-laden grounds may be found for the other readings as well, but it is hard to deny their intuitive grounding. See e.g., how Portmore (2011), Chapter 2 introduces the motivation for the rational reading of the Objection or how Bykvist (ib.) and Mulgan (ib.) spell out the background for the moral version of the Objection by using typical 'intuition-pump' type of examples and fictional cases. It should be noted that Smith also acknowledges the role of common sense in motivating the Objection.

⁷ The first route is discussed in (*blinded*), while the second approach is often called the "strategy of extremism" because its message is that consequentialist demands are not objectionable. The typical way this is then argued is by undermining or discrediting the intuition that the premise relies upon, often as part of a general attack on intuitions. Thus, it is argued that this and, perhaps, other intuitions rest on lack of information, lack of clear thinking, lack of imaginative empathy or on some psychological "failure", or that they track something entirely different from issues of excessive demands. For references, see Kagan (1989); Singer (1972); Unger (1996). For criticism of some of these ideas, see Cullity (2004); Mulgan (2001). For a brief argument that shares the most affinity with what we are about to present in this paper, see Tedesco (2011).

readings of the Objection as one, we need to choose our preferred reading. This paper focuses on the moral reading of the Objection. This is the historically most influential version and it is also the one that is most discussed today. It is also the reading of the Objection that most suits our experimental methodology to be presented below. This already gives away the second important step: the aim of such methodology is to give us tools to examine the existence and spread of certain intuitions. But to work out such methodology, we need to deal with at least some of the issues that the second form of the response raises: we need to be able to tell what intuitions are and how we can detect them. That is, we need to engage with the ongoing debate about intuitions.

III. The debate about intuitions

Why is it so crucial that the Objection is based on an *intuition* rather than merely an opinion? We have already signalled what the answer is. Intuitions matter for a philosopher because they are typically taken to have evidential value. Like observations in science, intuitions are the raw data that competing moral theories should at least try to accommodate: If an intuition counts in favour of a theory, this is good for the theory; if an intuition counts against a theory, this is bad for the theory. To be more precise, intuitions can be considered as evidence in two ways: i) they offer defeasible justification to believe that p or ii) they provide an initially credible starting point in a process of seeking reflective equilibrium. The former is a foundational approach; the latter is a coherentist approach in epistemology. In both cases, intuitions are not taken to be *decisive* evidence, however. There can be grounds to discount

⁸ Most (albeit not all) works cited as references in the preceding footnotes focus on this version of the Objection.

⁹ A caveat is in order, though: While for our theoretical purposes it is true that we need to choose a particular version of the Objection to focus on, in the actual experimental setting it might not be easy to distinguish the different readings. This, as we see things, is perhaps another challenge an ideal experimental methodology targeting the Objection would have to tackle.

¹⁰ See, among others, Lynch (2006); Sosa (2006). It should be noted though, that there can be other views on what intuitions are good for; see Andow (2015) for a detailed discussion.

intuitions, or, as mentioned above, even not to take them into consideration. It is also possible that, on balance and compared to other theories, a moral theory turns out to be the best available even though it has counterintuitive implications.

However, even with these modifications and qualifications, there is a range of dissenting voices when it comes to using intuitions as evidence in moral theorizing. Among the many criticisms of the idea, two are directly relevant for conducting experimental research in philosophy. The first concerns the question of *what intuitions are*; the problem being that in the absence of a proper characterization intuitions appear to be strange, *a priori*, (perhaps) Platonic entities that philosophers, especially those with naturalistic inclinations, have trouble accepting. The second objection to using intuitions as evidence is more methodological. The idea is that given what intuitions are (that is, given an answer to the first problem), there are insurmountable problems concerning their empirical investigation. In other words, the challenge is *how to find intuitions*, even if we know what they are. The idea is the problem in the idea is the problem in the idea is the problem in the idea in the idea in the idea is the problem in the idea in the idea in the idea is the idea in the idea in

Our position is then this. To put the particular response to the Objection in motion, it is crucial to define what (moral) intuitions are and how one can actually learn what (moral) intuitions people hold: The (assumed) nature of (moral) intuitions at least in part determines the particular investigative methods we can employ to detect such intuitions. Moreover, the ongoing debate about intuitions also encourages us to work with a clear account since there are many who doubt the evidential value of intuitions, in part, by expressing sceptical positions on the above two questions. This is therefore the task we turn to – taking up the ontology and experimental methodology of moral intuitions – in the next two sections.¹⁴

¹¹ There are others, of course. For a good overview, see Appiah (2008); Doris & Stich (2005); Jenkins (2014); for a more specific debate concerning moral intuitions, see Singer (2005); Sandberg & Juth (2011).

¹² For recent contributions to this debate, see Goldman (2007); Hales (2000).

¹³ See Kauppinen (2007); Podsakoff et al. (2003); for a response, see Nagel (2012). This isn't the same as the traditional epistemological question regarding the evidential function of intuitions, in general, the role they play in gaining (moral) knowledge. That sort of question interests us less in this paper and what we have to say about it we subsume under the first ontological challenge.

¹⁴ Some of the ideas to be presented have appeared before in print in a more rudimentary form, see (*blinded*) for details.

IV. Theoretical foundations: What are (moral) intuitions?

Start with the more basic question: what are intuitions? There are three sides to this question. One concerns the *ontology of evidence*: what is evidence? One answer is to hold that whatever justifies your believing *that p*, that is, whatever plays the role of justifier, is your evidence. Since we assume that intuitions are justifiers – understood as intuitings, i.e., attitudes – intuitions meet the criteria for evidence. The typical alternative to this account is to hold that one's evidence consists of considerations that epistemically count in favour of or against holding certain of one's beliefs. That is, on this view evidence is what is intuited, namely, a proposition. Both accounts have their problems but in this paper, it is not our task to argue for either. In what follows, building on Pust (2016, §2.4), we assume the following picture is correct: intuitings, which are attitudes, are what qualify what is intuited, which is a proposition as evidence, by justifying one's belief in that proposition. When in the rest of the paper we talk about intuitions as (providing) evidence, this is the picture we will have in mind.

The second side of our starting question concerns the *ontology of intuitions*: what kind of things are intuitions? We have already given an initial answer: intuitions are intuitings, that is, attitudes. Once this basic commitment is in place, the literature supports the following views (Ibid., §1). Intuitions can be i) beliefs, ii) dispositions to believe, iii) some kind of *sui generis* mental state, and iv) desires.¹⁷ The position we prefer falls in iii): we understand (moral) intuitions as seemings (or appearances). However, just as with the ontology of evidence, in this

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¹⁵ The first is claimed to overly psychologize evidence, the second is accused of neglecting the intuitiveness of the evidence in question.

¹⁶ For what appears to be a similar position, see Chudnoff (2014), p. 14. It also matters, certainly for some advocates of intuition, that intuitions while justify may not serve as evidence. We disregard this idea and use the two terms interchangeably. For grounds for doing so, see Bedke (2008), pp. 165-6.A possible further way of spelling out the exact role intuition – the attitude – plays in this picture is to consider it as what Dancy (2004), Chapter 2 calls an enabler: a precondition for the proposition *that p* to be evidence. See van Roojen (2014), pp. 159-160 that appears to put forward such an idea.

¹⁷ It's not entirely clear where the view that intuitions are understandings of self-evident propositions (e.g. Audi 2004; Shafer-Landau 2003) belongs; perhaps a fifth category should be created for it.

paper we are not arguing for this position but merely take it as given.¹⁸ What is important for us is that whichever position we advocate is such that it is compatible with the observational features we take intuitions to have, and delineate below, and with other parts of our proposal that follow later. For our focus on experimental methodology this is what matters and the rest only serves the purpose of working out the background of our position and to provide completeness and consistency with the literature.

Nonetheless, exactly with the latter two aims in mind, we feel we should say something more on how our assumed position is compatible with the epistemically privileged status of intuitions. Again, however, we have to rest content with declaration of the underlying positions. The typical background for taking seemings to be providing defeasible evidence (or having initial credibility) is what is called *epistemic liberalism* (Huemer 2005, Koksvik 2011).¹⁹ At the same time, epistemic liberalism doesn't allow just any kind of seeming to be evidence-providing: the seeming in question must possess certain characteristics in virtue of which this role is granted to it. One approach is to hold that this happens if the seeming is a reliable indicator of the truth of its content (due, e.g., to the nature of that content (as with sensory perception) or to the aetiology of the seeming (as with competence-based accounts)); another approach says that the seeming must possess a certain kind of phenomenology with respect to its content (Chudnoff 2014, 13-4). This paper accepts epistemic liberalism and we are in favour of the phenomenological approach to support intuitions' privileged epistemic role – however, again, we do not argue for these claims in the paper.²⁰

¹⁸ One obviously important question to answer is what kind of seeming we are talking about. The seeming could be intellectual (Bengson 2015), it could be practical (Dancy 2014) or something else (it is often considered quasi-perceptual but this qualifier, as stands, often functions only as a placeholder or as a reminder that intuitions justify the way perceptions do).

¹⁹ In a coherentist framework, an approach like van Roojen's (2014) can provide further support (should it be needed). On his view, the content of an intuition qualifies as evidence not solely because it is intuited but also because it coheres well with the content of other similar judgments (although he nowhere explains what "similar" amounts to).

²⁰ Bedke (2008) argues, to our mind convincingly, that ethical intuitions have evidential value in virtue of their phenomenology. Chudnoff (2014) agrees. On the other hand, Railton's (2014) recent influential analysis advocates a competence-based approach.

This takes us to the third side of our original question: what are the central *markers* of intuitions and moral intuitions in particular? That is, setting aside, for now, the heavily theoretical questions about ontology and justification, how do we encounter intuitions in everyday life? What do they look like? What are their central observational features? Here we must spend some more time explaining our position partly because of the complexity of the question and partly because the markers we put forward as central largely determine the direction and design of our empirical programme. The literature discusses a range of relevant features²¹; of these we will focus on the following ones (a-g) as central while, in some cases, also mentioning philosophical consequences that are relevant for later parts of the paper or for better understanding:

a. Intuitions are *non-inferential*.²² There are two ways to understand this claim (Jenkins 2014, 94): epistemologically and psychologically. The former is the idea that intuitions must not depend epistemically on previously justified propositions. The latter is the idea that intuitions are non-inferentially arrived at: they are not the result of reasoning or inference. We are inclined to accept both readings but, given our experimental interest and our focus on observational features, only the second reading is relevant for us here.²³ Those who put forward this marker of intuitions rarely distinguish between conscious and non-conscious inference when it comes to the psychological reading. Given the psychological and the

²¹ Most recently, see the contributions in Booth & Rowbottom (2014) and in Chappel (2015); see also Audi (2015) and the references in the main text. Our approach here is in line, we take it, with Jenkin's (2014) view that "intuition" is a family resemblance concept. She identifies four bundles of symptoms (what we call "markers" above) and using these she puts forward two types/senses of intuitions: the common-sensical and the a priori. Our proposal in the text is more in line with the first, but, as she also admits, these two senses have several common features. It is also clear, already from our terminology, that these markers we take to give us what Railton (2014, 815) calls the observational sense of intuition.

²² This is often connected to the idea that intuitions are theoretically uncontaminated because they are not inferred from moral theories and principles; see Tersman (2008), van Roojen (2014), Mikhail (2011), Chapter 8 for details.
²³ Although, concerning the epistemological reading, at least in a coherentist framework, as van Roojen (2014) forcefully argues, lack of inference may not always be required. This happens if the intuition in question coheres well and is thus inferentially supported by other similar responses that add to the stock of information the content of the intuition originally contains.

specialist philosophy literature (cf. Mikhail 2011, 175; Harman et. al. 2011), it seems necessary not to rule out non-conscious inferential processes. Put simply, intuitions are non-inferential in that they do not rely on *conscious* inference.

- b. Intuitions are *spontaneous*. Mikhail (2011, 143), who follows Rawls, takes this to mean that intuitions are unconsciously and unintentionally arrived at (this is often put as the idea that intuitions are not under our voluntary control, as in Kauppinen 2013, 362). This clearly relates to what Haidt (2001, 818) calls 'immediacy': that "intuition occurs quickly, effortlessly, and automatically, such that the outcome but not the process is accessible to consciousness." Note also that since we want lack of inference in the psychological sense, spontaneity implies at least the weaker psychological reading we have opted for: that no conscious inference should be present in intuiting. (In fact, many like Kauppinen ibid. understand spontaneity as involving lack of inference, period. However, as we point out above, to rule out non-conscious inference is to part ways with contemporary cognitive science, not a move we are comfortable with).
- c. Intuitions are *non-doxastic* (Bealer 1998; Koksvik 2011, 45). They are not beliefs since we can have an intuition but not the belief. As with perception: when you have a perceptual illusion and know about this, you do not believe what you perceive to be the case. Also, when someone intuits that *p* but does not believe that *p*, she is not similarly rationally criticisable as when someone believes that *p* and believes that *not-p* at the same time. This marker also opens the door to distinguishing moral judgments from moral intuitions while holding onto some form of cognitivism about both: We can say that moral judgments express beliefs that are caused, in part, by moral intuitions. This gives clear meaning to the idea that moral judgments are *based* on moral intuitions.

- d. Intuitions have distinctive phenomenology (Jenkins 2014, 94-5). They feel in a specific way (e.g., we feel that we reach into the things themselves when we have the experience). In particular, their phenomenal character accounts for the fact that intuitions are primitively compelling: they attract us to believe something just by themselves (Kauppinen 2013).²⁴ This does not rule out that different intuitions feel differently. In fact, Kauppinen (2013, 365-6; 2015a, 4-5) argues that specifically moral intuitions have a phenomenology that is different from the way epistemic, logical or linguistic intuitions feel: their phenomenology is richer and more diverse. However, this can be accommodated by, for example, endorsing Chudnoff's (2011) idea that intuitions are constituted by a collection of simpler thoughts.
- e. Intuitions are non-sensory (Bealer 1998; Huemer 2005, 102; Koksvik 2011). They are not based on sensory or introspective sources either directly or indirectly via memory²⁵, but on merely thinking about a proposition. Intuitions in this regard are unlike sensory perception: there is no pre-seeming experience on which an intuition is based. The only source of an intuition is the agent's conscious thinking about a proposition (Sosa 2014, 46-8).²⁶
- f. Specifically moral intuitions are intrinsically motivating (Kauppinen 2013, 366; 2015a, 5-6; 2015b; Chudnoff 2014, 24-7). That is, they motivate by themselves, without the help of

²⁴ This might also relate to Hare's (1981) idea that moral intuitions have 'objective flavour'. We can say that such intuitions are compelling because their target appears objective: it's just wrong. (Perhaps there is also a connection here to the spontaneity of intuitions: we are sure that we see "objectively" when we have them.) Another often mentioned feature here is (felt) necessity (Rawls calls it 'certainty', see Mikhail 2011, 245). See Jenkins (2014),

p. 95 for details.

25 There is a question how strongly one reads "indirectly" here. It shouldn't be so strong as to rule out obvious ways intuitions are dependent on stimuli. For example, there is often some action to elicit a moral intuition. Which means that it indirectly depends on sensory stimulus or input. Normally this would be visual in terms of watching some action or reading some moral scenario. For sure, this could also be the result of simply thinking about certain propositions but this would have to involve some sensory input indirectly, if only, through the experience necessary to develop concepts and language that are the basis of this internal thinking. One way around this would be to hold that these indirect connections are all *causal*, whereas the dependence mentioned in the text is rational, not causal.

²⁶ This connects to lack of inference here, of course. However, note that the way we understand this marker does not rule out non-conscious inference, only conscious inference is not permitted.

anything else (which doesn't mean that they necessarily motivate – there are conditions (e.g. depression, accidie) that can break the connection between motivation and moral intuition). One philosophical consequence of this marker is that insofar as (moral) intuitions are construed along cognitivist lines, they end up on the non-Humean side of the motivational divide in philosophy.²⁷ Either they are 'pure' cognitive states that motivate or they are states that are both cognitive and conative. A further implication is that, since there are people who seem to be unmoved by their moral beliefs (without any conditions present that would explain the break-down of the connection between belief and motivation), this suggests again that (moral) intuitions are non-doxastic.²⁸ Finally, recall the possibility to separate moral judgment (as belief) from moral intuition, this would also help us maintain motivational internalism about moral intuitions while endorsing externalism about moral judgments.²⁹

g. Finally, intuitions are *stable* (Mikhail 2011, 243). They are not fickle; instead, they, all other things being equal, endure over time. Notice that this doesn't contradict either the lack-of-inference or the spontaneity marker. Those concern how intuitions arise, how they come to us, not whether they endure over time. Nor is there contradiction with the oftmentioned idea that intuitions withstand the test of reflection (the sort of philosophical reflection that we pursue in philosophical dialogue). In fact, reflection can well be taken to be the hallmark of endurance for any state that we aim to qualify as intuition: if anywhere, here one can test endurance. What is more, as many emphasize (e.g. Kauppinen 2013, 372;

²⁷ Interestingly, while a non-Humean position can be considered as the minority, unorthodox position in philosophy, cognitive (neuro)science is replete with motivational mental states (for examples, see Huebner 2015). ²⁸ In fact, this connects interestingly to the account some hold of virtuous (moral) perception as opposed to 'mere' moral belief. See Little (1997) who interprets John McDowell's thinking along these lines. Her main idea is that virtuous cognition is like gestalt changes in sensory perception: we can suddenly come to see the dots as Marilyn Monroe's visage in the pointillist painting. See also Zagzebski's (2003) account of the thinning of moral judgment. ²⁹ Take, for instance, the famous case of Huckleberry Finn who helps Jim, the slave, even though he strongly believes (judges) that he (morally) shouldn't: his moral belief does not move him, but his moral intuition does. Kauppinen (2015a), pp. 246-7 endorses and argues for this view.

2015b), philosophical intuitions often only arise *after* intensive inquiry, reflection and scrutiny. At the same time, it does have to be emphasized that reflection is not to be used as a 'pledge' of validity in the sense that the only purpose of invoking reflection is that we *endorse* our intuitions in reflection: this, in our understanding, gives us (considered) moral *judgments* and not moral intuitions.³⁰

These are then the main markers we take intuitions to have - with the exception of f.) that is taken to hold only for moral intuitions and Kauppinen's point about d.) concerning the rich and diverse phenomenology of moral intuitions. Importantly, these markers are compatible with or even naturally accompany – as in the case of markers c.) and e.) – the idea that intuitions are seeming states. Hence they are consistent with our preferred views on the ontology of intuitions and evidence and, as we already noted, this will suffice for us in this paper.

V. Theoretical foundations: How to detect moral intuitions?

Let us now turn to the part of our discussion that connects directly to the concerns of experimental methodology: How can we detect moral intuitions as defined above? Given our account of moral intuitions a particular methodology offers itself: focus on detecting the relevant markers in order to separate moral intuitions from other mental attitudes that may form some role in moral judgements. At the same time, space and resources are limited. Therefore, at least in this paper, we will not put forward a complete experimental methodology that has different methods to test each marker separately. Instead, we focus on two markers – spontaneity and stability – where we can build on existing experimental tools - although, as we

³⁰ See e.g., Dancy's (2014, 801, 805) notion of endorsement by reason. Another potential problem that reliance on reflection might bring in is that some tend to involve conditions in reflection that are then used to argue against the experimental testing of intuitions. We have in mind, of course, Kauppinen's (2007) influential distinction between robust and surface intuitions and his subsequent argument that what he calls 'the survey method' cannot detect robust intuitions. We will come back to his challenge in the next section.

shall see, contrary to general practice in social psychology, from a philosophical point of view there are serious theoretical concerns to raise. We will be vocal about these concerns but will also attempt to assuage them. In addition, we also introduce a controversial idea linking moral intuitions to moral emotions to cover the two specifically moral markers – intrinsic motivation, rich and diverse phenomenology – as well as, perhaps, the other remaining markers. However, we will, again, raise some critical points about the alleged link instead of endorsing it without reservations. That is, although we think this may be a promising new investigative approach, it is not without its – theoretical as well as empirical – problems. All in all, we intend our discussion in this section to be constructively critical: we do not want to hide the – often deep – theoretical challenges experimental methodology faces. But we do want to point in a positive direction by offering responses to these challenges thus paving the way for a more defensible experimental methodology.²²

Let us then turn to the details and problems of the proposed methodology. Testing *spontaneity* may appear to be the easiest task since this is a central focus of psychological research on intuitive processes (Glöckner & Witteman 2010). Much of this research is based on dual-process models of reasoning and social behaviour (e.g., Evans 2008). These models propose a distinction between rational, controlled processes (often called analytical-rational or System 1 processes), on the one hand, and automatic, associative, affect-based processes (often called intuitive-experiential or System 2 processes), on the other. System 1 processes are supposed to operate quickly and with low levels of mental effort and conscious awareness. They, therefore, appear to capture the spontaneity marker of intuitions. Standard experimental paradigms are available to test the role of System 1 processes in reasoning. These include, in particular, placing participants under stringent time constraints (Horstmann, Hausmann, & Ryf

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²² We take it that what propose would qualify as a version of the "thickening" approach as described by Weinberg & Alexander (2014). While their criticism of this approach appears reasonable, they do not consider our version that avoids relying on only one "thickening" feature of intuitions.

2010) or adding cognitive load (i.e., a second task that has to be completed in parallel to the focal task; Gilbert & Hixon, 1991). Both methods rely on inhibiting System 2 processes. The underlying rationale is that once conscious reasoning is precluded from operating, what is left are System 1 processes that generate spontaneous responses.

However, while psychologists tend to focus only on System 1 processes when searching for intuitions, we must go beyond this restricted endeavour.²¹ This poses the first theoretical challenge in constructing an adequate experimental methodology. Let us be first clear about the challenge. As Kauppinen (2013, 372; 2015b) shows, our proposed picture of intuitions does not entirely fit the psychology literature: some System 1 intuitions would qualify as intuitions, others wouldn't. It is not just that System 1 processes often result in false beliefs (think of the heuristics and biases approach as in Kahneman et al., 1982) or that on other occasions they give us true beliefs that however emerge from quick and dirty inferences. It is also that System 1 processes are not guaranteed to produce seemings (as opposed to beliefs), at least there is nothing in the way they are typically understood that would guarantee this.

In response, two points should be made. First, on the experimental side, we should not forget that our proposed methodology does not focus on one marker alone. It is not suggested that just by testing spontaneity, we will be detecting intuitions. The method proposed, instead, is a form of triangulation: put in operation methods to check also for the presence of other markers to pick out those spontaneous reactions that are also intuitions. Second, on the theoretical side, there are grounds to question whether the standard understanding of System 1 processes is the correct one. Thus, Railton (2014) has forcefully argued that System 1 processes are mistakenly characterized the way this is typically done. In particular, these processes, argues Railton, can well accommodate intuitions while keeping them (prima facie)

²¹ Mikhail (2011) is a notable exception to this trend. Drawing on Rawls, contemporary moral philosophy, and the work of Chomsky in linguistics, Mikhail purposely employs abstract trolley problems that people have little or no experience of such that their moral judgements will better reflect their moral intuitions minus bias, stereotypes and other rehearsed social knowledge.

authoritative. That is, to paraphrase our presentation of the challenge, our notion of intuition is not the same as System 1 processes as *they are ordinarily understood by psychology or cognitive science*; yet, this may be, if Railton is right, a virtue of our approach not a problem with it.

In fact, it bears mentioning that our qualifier about how the dual-process models are *ordinarily* understood is significant. For, some of the leading advocates of dual-process approaches to moral psychology do not (any longer) think that the simple System 1 vs. System 2 distinction reflects what is actually happening in the moral mind-brain (Cushman 2013; Huebner 2015). In fact, prominent dual-process researchers have long admitted the heterogeneity within each "system" and the failure to map all of the proposed attributes of particular mental processes on to the two systems (Evans 2008). While the dual-process approach offers a useful distinction for the start of scientific inquiry into morality, and for combating a strange commitment that mental states must be accessible to consciousness (Searle 1990; Chomsky 1990), it, like the associated dependency on the emotion vs. cognition, may be holding up our understanding and theoretical explanation of our moral psychology.

Let us next turn to the detection of the marker of *stability*, our other focus in this section. Recall, the idea here is twofold. There is first the requirement that the spontaneously emerging attitudes we detect must also endure over time: we are not looking for fickle, momentary responses that quickly disappear either by themselves or because the agent begins to reflect on them. Now, the natural way, from a psychological point of view, to proceed here is to again invoke the dual-process account. Hence, similar to research addressing the spontaneity of intuitions, studies examining their stability will also attempt to elicit spontaneous moral responses. However, in a second step, these studies shall engage conscious, analytical-rational (System 2) mental processes to further examine whether the spontaneous responses endure over time in or outside reflection and reasoning and therefore acquire the marker of stability.

At the same time, as we already noted, the order of the emergence of a moral intuition can also be reversed. Namely, it is possible that reflection and reasoning are needed for the intuition to emerge spontaneously, i.e., System 2 processes must in this case precede the operation of System 1 processes.

Testing stability raises its own concern, though. We will mention and respond to two of these. First, on a version of the dual process theory System 1 processes are inherently nonconsequentialist because consequentialist views emerge from non-intuitive ("rational") processes characteristic of System 2 (Greene 2007). This suggests that, given our particular moral problematic - namely, the intuitive basis of the Demandingness Objection to consequentialism - we need to focus only on stability, setting aside the other markers of (moral) intuitions. However, this paints an oversimplified picture of the moral psychological landscape in many ways: System 1 processes are intuitive, affective and non-consequentialist; System 2 processes are not intuitive, non-affective and consequentialist. We have already stated that we don't agree that only System 1 processes, as they are ordinarily understood in psychological science, give us intuitions. But there seems also ground to question the claim that consequentialism must find support only in System 2 processes. Thus, Dancy (2014, 804-7) argues that System 1 processes don't have to be deontological only, but can also be consequentialist.³¹ Nor is this claim restricted to philosophical thinking. Taking an example from the cognitive science side, Mikhail's (2011) formal computational model, reflecting the kind of moral intuitions we characterise, includes a "moral calculus" for attributing, ranking, and comparing the probabilities of an action's good and bad effects. This System 1 process

³¹ One supporting argument he gives for this conclusion is that reaction time manipulation doesn't as such decide whether the process involved is deontological or consequentialist. In particular, he argues, the length of reaction time hardly proves much, let alone that we must always be dealing with deliberation that involves the calculation of consequences.

seems to bare some of the building blocks of consequentialism yet clearly displays unconscious and affective properties.³²

The second problem builds on the argument by Kauppinen (2007). He argues that we must distinguish between surface and robust intuitions with only the latter being relevant in an evidential role for moral theorizing, These intuitions, he argues, arise if three conditions are fulfilled (101): (i) If those who respond to the given experimental situation "are competent users of the concepts in question; (ii) if they considered the case in sufficiently ideal conditions; and (iii) their answer was influenced only by semantic considerations." Kauppinen then shows that no "survey method" can fulfil his three conditions (105-7). On this basis he concludes that the best method available that fulfils the conditions is old-fashioned armchair philosophical dialogue in which people reflect on examples, respond to challenges and so on (109-110): in short, "[i]t is philosophy pretty much as it has always been done" (109). Finally, this kind of dialogue is best practiced by experts, namely, (professional) philosophers (110-112). Since its publication Kauppinen's argument has received significant attention³³; here we would like to make three points in response.

First of all, Kauppinen's argument is relevant for us – here and now anyway – only insofar as it impinges upon the detection of the stability marker. This it does, arguably, through the device of philosophical dialogue that naturally makes use of reflection and deliberation. However, recall our introductory discussion of the marker in Section IV, while we admit that reflection and deliberation *may* be useful for testing stability (or in fact, just to prompt the

³² In fact, perhaps an even more general point can be made in closing. For, it is not clear that whether we are indeed investigating a *consequentialist* intuition irrespectively of where it appears (System 1 or System 2 processes). What we are interested in is the *moral* intuition that some consequentialist demands are wrong because excessive. This does not look like a consequentialist intuition at all; if it was, how could it be used to reject/constrain consequentialist demands? Perhaps Buss (2014, 870) is right: there aren't really 'consequentialist' intuitions, there are only (moral) intuitions that we then try to fit into, *post hoc*, explanatory stories. These can be consequentialist, Kantian, you name it. There may be also a connection here to the argument of Kahane et. al. (2015) that what has been classified as "utilitarian judgments" in the empirical literature are not actually utilitarian moral dilemmas since they do not reflect impartial concern for the greater good.

³³ For some immediate responses see Knobe (2007) and Nadelhoffer & Nahmias (2007). For recent discussions see Wang (2018) or Balaguer (2016).

intuition to emerge), this is not the same as saying that it is necessary, especially that it is necessary under the kind of conditions Kauppinen argues for (cf. Liao 2008, 257 for an argument along these lines). Second, even Kauppinen seems to admit that dialogue can go hand in hand with experimental methods³⁴ – but is dialogue sufficient on its own? We don't think so. Besides, in many ways, dialogue can also be considered an experimental method itself (just think of focus group discussions, in-depth interviews and other similar methods used in the social sciences). We should not forget that the experimental methodology we are proposing here is a form of triangulation: we are not saying that "survey methods" alone will do the job (as Kauppinen supposes experimental philosophers to hold), nor do we understand why philosophical dialogue would alone do the job. Finally, Kauppinen's argument builds on a narrow understanding of intuitions: he presupposes conceptual intuitions that derive their justificatory force, it appears, from an underlying conceptual competence. However, this doesn't have to be the case. We have shown, albeit briefly, in discussing the ontology of intuitions and the corresponding theories of what gives them their epistemically privileged role, that this is just one way to approach intuitions and their role in (moral) epistemology.³⁵ It might be the right way but it might not be: Kauppinen gives no arguments for his position.

Let us then accept that spontaneity and stability are testable markers, certainly from a theoretical angle. What about the other markers? As already noted, both space (in this paper) and resources (in the world) preclude us from presenting methods to separately investigate the other remaining five markers (which doesn't rule out, of course, that a large research project can be dedicated to such an endeavour). Instead, we would like to offer a controversial proposal. In moral philosophy, it has become customary to link morality to the emotions and

³⁴ Here is what he says (110, Italics are ours): "Now, it is clear that as long as we are talking about the folk's own concepts, robust intuitions of competence [sic] speakers must count. This really is data that must be explained or explained away, but it is not obtained by surveys, *at least not surveys alone*, since they cannot discriminate between responses that are robust and responses that are not."

³⁵ As a matter of fact, as we noted there in passing, our preferred view is that intuitions (= seemings) derive their evidential force from their particular phenomenology.

there is also growing psychological literature on the subject.³⁶ Should there be a properly strong link (see our discussion below), one could turn to the burgeoning field of emotion research for existing experimental tools. For example, one could employ a novel unobtrusive test targeting the nonverbal behaviour associated with moral emotions. Emotions marking individual moral transgressions – such as shame and some forms of embarrassment – are reliably related to (a) decreased body expansion, (b) averted gaze, and (c) downward head tilt. The idea could be to make use of the novel tool of automated face and posture video analysis (e.g., FaceReaderTM software) to assess the degree to which participants experience such emotions while making moral decisions.

However, to return to our more abstract interests in this paper, our needs are special: we need, first of all, very strong involvement of moral emotion in the agent's moral psychology; and we need this involvement to give a role to moral intuition. There can be different ways of establishing such connections but, to our knowledge, the most fitting proposal that is also available in a relatively worked-out form in the literature is Kauppinen's (2013) Humean theory of moral intuition.³⁷

Kauppinen's view is that moral intuitions are emotional manifestations of moral sentiments (of, typically, approbation and disapprobation, praise and blame); in short, they are constituted by moral emotions (typically: anger, guilt, admiration, resentment and the like). The idea is that moral emotions are felt moral intuitions. That is, they are felt affective states that involve a quasi-perceptual seeming concerning the rightness or wrongness of the situation or whatever other property their target is supposed to have (the so-called "formal object" of the

³⁶ See Tangney, Stuewig, & Mashek (2007) for a review on psychological research on moral emotions and Schnall et al. (2008) for the claim that disgust can render moral judgments more severe; for a philosophical inquiry into utilitarianism and the moral emotions, see Fehige & Frank (2010).

³⁷ The nearest candidate is probably Roeser (2011) who holds that moral intuitions are emotions and Dancy (2014) who equates moral intuitions with moral emotions while holding that intuitions are practical seemings (by which he means that they are responses to reasons). Sinhababu (2017), Chapter 4 also works out a perceptual theory of moral judgment that in many ways resembles to Kauppinen's. However, he does not include intuitions in his picture. Finally, Railton (2014) argues for the idea that intuition lives in the affective system but doesn't specify this further; in particular, he understand the 'affective' broadly of which emotions is only a part.

emotion). To take an example, your moral intuition that cheating on one's spouse is wrong receives the following treatment on this account. Your sentiment of moral disapprobation towards cheating on one's spouse manifests itself in (moral) anger towards someone who cheats on their spouse and the anger you feel presents the person's action as morally wrong. That is, it *seems* to you that the person's action is wrong and this *is* just your moral intuition constituted by your moral emotion of anger.

There are two kinds of problems with this idea: theoretical and empirical. On the theoretical side, the view needs a fitting cognitive theory of emotion; it needs to tell us what makes an emotion moral; it has to tackle challenges from the meta-ethics and moral psychology literature. On the empirical side, there are certain misgivings that some, especially on the cognitive psychology side, might have with this account. Concerning the former challenge, much of the needed work has been done in Kauppinen's writings (2013, 2015a, 2015b) and we don't have the space to present it here.³⁸ We take it that enough has been said, here and elsewhere, to substantiate the present proposal and that we can assume its plausibility for the purposes of this paper. Therefore, we propose to turn to the empirical challenge instead. Here there is more to say (and respond to) since we cannot rely on what is written elsewhere.

The challenge consists in certain misgivings that some, especially on the cognitive psychology side, might have with this account that are not covered by Kauppinen himself. The reservations concern primarily the empirical data involved – after all, as is the case with any science, our picture changes as the data comes in, hypotheses are tested, and technologies are developed and deployed in order to generate new insights. Concerning newer data, Huebner's (2015) assessment of the empirical literature is that there is little to no real evidence that

³⁸ There is further work to use here in support of or as replacement for Kauppinen's account. See footnote 28 for some relevant references as well as the affective perception theory of emotion by Döring (2003; 2007). For a more critical assessment of these theories of emotion, see Salmela (2011).

emotion constitutes our moral knowledge.³⁹ Moreover, the empirical data can be interpreted as being consistent with the idea that emotion acts only to modulate, rather than constitute, moral judgments (Ibid). Finally, recent models of moral cognition, inspired by computational neuroscience approaches to reinforcement learning, suggest that moral judgement are the result of computations over mental representations, some with affective or value-based properties (Cushman 2013; Huebner 2015). These basic decision and learning models attribute value to outcomes without the need for more complex affective states like emotion. Such models apply to a range of organisms that display such reinforcement learning. It would be hard to conceptualize many of these organism as possessing emotions; at least as emotion is understood in the affective and cognitive (neuro)sciences.

These are relevant and important challenges and naturally we are not in a position to dispute them citing even newer contradictory empirical data. However, philosophy might still help us to respond. Here are three points to consider. First, as is clear from the preceding discussion, we make a distinction between (moral) judgment and (moral) intuition – we can arrive at the former through the latter with the help of reason (most typically, we endorse the intuition through reflection), but we at no point claim that emotions are in any intimate relation to *judgment* as opposed to intuition. At the same time, just a cursory look at the above presentation and/or the works cited there show that the authors talk exclusively about judgments, cognition, knowledge and not about intuitions. This can be a mistake but if it is, it's a telling one. Second, even if one holds that moral emotions constitute moral intuitions, this still is compatible with two ways of arriving at moral knowledge. On the one hand, emotions/intuitions can *facilitate* gaining moral knowledge by enabling the agent to arrive at a

³⁹ Reinforcing this conclusion, a recent meta-analysis of all the available data on the link between the emotion of disgust (the "posterchild" case of the emotion-morality link) suggests that there is little to no statistical evidence of an association between this emotion and moral judgment. Indeed, if you control for publication bias (as is common in meta-analyses) you find no statistical relationship between disgust and moral judgment at all (Landy & Goodwin 2015). See also Pölzler (2015) for a detailed critical analysis of the connection between moral judgment and emotion.

moral judgment and through it, knowledge. On this view, the agent could arrive at the given judgment without the emotion/intuition: there is in this case no *constitutive* connection between the given piece of knowledge (judgment) and the intuition (emotion). Finally, third, even if the relevant connection between knowledge (judgment) and emotion (intuition) is constitutive, this still doesn't imply that *all* moral judgements (knowledge) stand in such intimate relation to moral intuitions (emotions). That is, our moral knowledge might still be compartmentalized: some areas needing intuitive (emotional) backing, others don't.⁴⁰

To sum up, we believe that our methodological approach to assessing moral intuitions positively transcends the strong reliance of research in experimental moral philosophy and moral psychology on self-reports of moral judgments. Huebner (2011) as well as Kauppinen (2015b) have recently argued that such experiments alone cannot establish the intuitive basis (understood primarily in terms of the spontaneity marker) of moral judgments. Although no single study we would propose on the theoretical basis discussed in this paper would accomplish this, we believe that our multi-method approach would increase understanding of the intuitive processes involved in the Demandingness Objection to consequentialism in particular, and in moral thinking more generally.

VI. Summary and concluding remarks

The Demandingness Objection is a good example of the way intuitions are used as evidence in moral theorizing. This objection builds on the assumed evidential value of moral intuitions in that it claims that people *intuit* that consequentialism is (sometimes) excessively demanding and *therefore* certain actions demanded by consequentialism are not morally required – hence consequentialism is not the right theory to guide our conduct. This reasoning invites researchers

⁴⁰ Versions of the first two points, in different contexts, also appear in Dancy (2014, 803) and Döring (2003, 230). ⁴¹ This is not to say, of course, that the field hasn't developed significantly in this respect since the first survey studies. See, e.g., the chapters in the methodological section of Lütge et. al. (2014).

to empirically investigate people's intuitive assessment of their decisions in experimental situations. Yet, although different moral intuitions have been the topic of substantial empirical research, the intuition underlying the Objection has not yet received any systematic empirical attention. This paper aims to be a first step on the path to remedy this situation. Our proposal focuses on three core questions relevant to the critical discussion of the Objection: (1) Is the Objection supported by our moral intuitions? (2) What are (moral) intuitions? (3) How can we detect (moral) intuitions? Answering (2) and (3) can help us work out a sophisticated and novel experimental methodology that we can use, through carefully designed experiments, to answer (1). While there is no doubt that more theoretical work can be done to refine the proposed methodology, we are hopeful that the ideas proposed here will give rise to further philosophical and experimental work on the topic.

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