

Case-specific moral intuitions as empirical facts

Normative claims about morality proposed by philosophers often rest to a considerable degree on their proponents' introspective moral intuitions concerning particular cases. Philosophers often contrast specific case examples in thought experiments to probe their own moral intuitions and those of their readers. These moral intuitions are then commonly treated akin to empirical facts: They are employed as evidence supporting the plausibility of normative claims, similar to the way in which empirical data are employed in the natural sciences to support descriptive claims.

Conceptualizing case-specific normative intuitions as empirical facts opens a venue for empirical data from moral psychology to inform the normative debate in moral philosophy despite the is-ought-divide. Moral philosophers' normative intuitions about specific cases can be seen to result from a partly implicit psychological judgment process. The output of this psychological process – the moral intuition, the existence of which can be seen as an empirical fact – then serves as a premise from which a normative proposition is inferred (or at least as “evidence” that lends intuitive support to a normative proposition). I would argue that, to the extent to which the argument for a normative claim rests on case-specific moral intuitions, the strength of this argument will depend on the extent to which the underlying intuitions are intersubjectively shared. This is where cognitive psychologists can make an important contribution to normative theorizing. They can test for the pervasiveness and robustness of specific moral intuitions in the general public using proper experimental techniques. Their data cannot directly prove or falsify any normative claim, but they can raise or diminish the strength of a normative argument by supporting or discrediting one of the factual assumptions (the existence of a compelling case-specific moral intuition that is intersubjectively shared) on which it rests.

Not all normative theories are equally susceptible to empirical challenges of this sort. Unger (1996) noted that different philosophers put different emphasis on case-specific intuitions. Whereas *preservationists* start out from their case-specific moral judgments and attempt to tailor a complex moral principle that can account for all these judgments, *liberationists* start out from relatively general moral principles and tend to dismiss case-specific judgments as flawed (i.e., produced by morally irrelevant factors) when they are at odds with this principle. It thus seems that normative theories constructed via the liberationist method are relatively immune to criticism based on empirical data about laypeople's case-specific moral judgments since these theories do not heavily rely on case-specific intuitions in the first place. Preservationist normative theories, however, are designed with the specific purpose of accounting for various case-specific moral intuitions. If these intuitions are not intersubjectively shared to a noteworthy degree, there seems to be no need to develop a complex moral principle tailored to account for them. Additional reasons would have to be given for why the normative claim should be accepted even though evidence suggests that the underlying case-specific intuitions that motivated the claim do not have intuitive force for most people.