Can Romanians' Intuitions Regarding Same-Sex Couple Rights Be Rationally Taken Into Account? A Proposal for an Empirical Study

Toni Gibea

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CAN ROMANIANS' INTUITIONS REGARDING SAME-SEX COUPLE RIGHTS BE RATIONALLY TAKEN INTO ACCOUNT? A PROPOSAL FOR AN EMPIRICAL STUDY[1]

TONI GIBEA[2]

Abstract

Three million Romanians signed a petition to organize a referendum in order to specify in the Constitution that a family should be formed only through the consensual marriage between *a wife* and *a husband*, not two *spouses*, as the Constitution states at this moment. This fuelled in the media an intense discussion that relied mainly on intuitively evaluating the subject-matter. The objective of this article is to advance a proposal for an empirical study where Romanians' moral intuitions regarding same-sex couple rights (partnership rights, adoption, marital rights so on and so forth) could be rationally taken into account in a debate. In order to achieve this goal, I argue in the second section how intuitions can be rationally taken into account in experimental ethics by systematically examining them within designed experiments or empirical studies. I will then briefly summarize the already existing data on same-sex couple rights from other countries and illustrate how it might also be used in Romania's case. The fourth section contains a brief proposal of an empirical study composed of an experimental task (it varies the words "marriage" and "partnership" and the parenting right) and two correlational tasks (sensitivity to disgust and trust).

Keywords: same-sex couple rights, moral intuitions, experimental ethics, normative, harm, empirical evidence.

1. Introduction

According to data offered by IGLA-Europe,[3] twelve European countries and some regions in the United Kingdom (England, Wales and

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[2] University of Bucharest. Email: gibea.toni@gmail.com.

[3] The European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association: https://www.ilga-europe.org/sites/default/files/2017/full_annual_review.pdf (accessed 29 October, 2017).

Scotland) recognise marriage rights for sexual minorities, 16 countries and some regions from Spain and United Kingdom offer a form of registered partnership similar to marital rights, other seven countries recognise same-sex partnerships (with limited rights), and 20 countries have laws for non-heterosexual couples cohabitation. Note that some countries offer more than one form of legal recognition; this is the case of Finland where same-sex marriages are legal, but the state also leaves legal alternatives for partnerships (equivalent to marriages) and cohabitation. All 13 countries that give full marital rights to same-sex couples also allow them to adopt children. This is the case for other three countries, such as Malta, Andorra and Austria, which only recognise same-sex partnerships, but grant the same rights as those implied by marriage. Slovenia gives adoption rights only to one parent.

From a total of 50 European countries, 18 have constitutional limitations regarding marriage (*e.g.* Armenia, Bulgaria, Croatia, Moldova, Turkey, and others). Usually, ex-communist countries do not recognise marital, partnership or combinational rights for sexual minorities. Romania fits in this latter category. During the communist regime, homosexuality was a crime, with laws forbidding it, and even after the fall of communism in 1989, the Romanian legislation found different ways to incriminate homosexual activities until 2001. Given its history, it is not unexpected that at the time being the Romanian Civil Law[4] gives marital rights only to heterosexual couples.

Yet, Romania is not one of those 18 countries that have constitutional limitations on marriage. According to the Romanian Constitution: "A family is formed by free consensual marriage between two *spouses*, both equal, which have the rights and obligations, as parents, to ensure the raising, the education and the training of the children."[5] Since 2015 an organisation which labels itself as a non-judicial, political, and confessional independent alliance, the *Coalition for*

[4] In the Civil Law at the article 271 it is clearly stated that marriage is allowed *only* between a woman and a man, therefore same-sex families are not recognized by the state.

[5] Approximate translation from the Romanian Constitution, title II, chapter 1, article 48.

Family,[6] supported by many civil society organizations, gathered more than three million signatures[7] asking the state officials to organize a referendum with the purpose of modifying the Romanian Constitution. Just to put this number in context, three million citizens represent 15% of the entire population of Romania.[8] The *Coalition*'s goal is to replace the term "spouses" with the phrase "a wife and a husband" in the abovementioned article of the Constitution. If this initiative is rendered successful, the legal *status quo* is consolidated further and any future attempts to offer equal legal marital rights to sexual minorities will be regarded as unconstitutional.

During a recent debate organized and broadcasted by the Public Television (TVR),[9] a number of evaluative statements were put up front by those against same-sex marriages, *e.g.* if allowed, same-sex marriages would harm heterosexual marriages; same-sex marriages would significantly change our society in a bad way; it is abnormal and contrary to our culture and religion to allow two persons of the same sex to marry, and so on and so forth. Most of the people falsely believe that the proponents of equal partnership rights are the ones which initiated the organisation of a referendum. This misrepresentation of the facts was observed by the host of a Radio Show when his listeners systematically said that the supporters of equal partnership rights came with this initiative and that they want to fight against it.[10]

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6 This is how they define themselves: http://coalitiapentrufamilie.ro/despre-coalitia-pentru-familie/ (accessed 29 October, 2017).

7 This information was made public by the Coalition on their website: http://coalitiapentrufamilie.ro/2016/03/31/coalitia-pentru-familie-3-milioane-de-romani-semnat-proiectul-de-lege-pentru-ocrotirea-casatoriei-familiei-constitutie/ and by independent media: http://www.digi24.ro/stiri/actualitate/evenimente/3-milioane-de-semnaturi-pentru-schimbarea-definitiei-casatoriei-din-constitutie-reactia-comunitatii-lgbt-521022 (accessed 29 October, 2017).

8 I took the total population of 20 million (including minors under 18 years which have no right to vote) from the last census organized in 2011.

9 June 2017. The recording can be accessed here: https://www.youtube.com/watch?v=l8lQpmrtGu0 (accessed 29 October, 2017).

10 This fact could be clearly observed during a Radio program where Romanians where asked what is their opinion on this subject matter, and most of them were confused about what is happening: https://www.youtube.com/watch?v=ZhQSJNzNB8I (accessed 29 October, 2017).

In all of these cases, people assumed that they know what ought to be done and express their explicit moral intuitions[11] against same-sex marriages. Luckily, a promising and methodologically innovative line of research, called "experimental ethics"[12] has been recently developed. This new line of research allows us to empirically examine people's moral intuitions so that we can evaluate how we can take them into account in a normative debate. By properly examining people's intuitions we are able to understand them better and to propose a governance framework that fits in society. I will develop this idea in the following sections.

My objective in this article is to advance a proposal that contains an empirical study in which Romanians' moral intuitions regarding same-sex couples' rights could be rationally taken into account. In order to achieve my goal, I first need to show how experimental ethics can help us to rationally take moral intuitions into account. In the third section, I will present some existing data on same-sex couples' rights gathered from different countries, including Romania. This section is important because it gives us a good starting point for thinking at what might also be valid in Romania's context.

Given the current international context and the development of innovative experimental methods, it is highly important for rule makers to rationally take into account people's intuitions before deciding to raise a powerful constitutional obstacle against any future attempt to legalize same-sex marriages. Furthermore, the proposed experimental setting can be used in other cultural contexts where the legalisation of same-sex marriages is similar to the one in Romania,[13] where it seems questionable or intuitively undesirable.

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[11] I use the phrase "moral intuitions" in the sense in which it is used in moral psychology.

[12] More about this line of research in *Experimental ethics: Toward an empirical moral philosophy* (Lütge et al. 2014). A general and shorter overview can be read here: https://plato.stanford.edu/entries/experimental-moral (accessed 29 October, 2017).

[13] Ex-communist countries could form a target group to this regard.

2. Moral Intuitions within the Framework of Experimental Ethics

In the first section, I implied that the field of experimental ethics has developed exponentially in the past few years in such a way that we can effectively use its methods to collect relevant evidence for different social debates. Experimental ethics is usually associated with the broader *manifesto* of experimental philosophy (Knobe & Nichols 2008). Sadly, this movement is accounted by some as a negative project whose main objective is to impose an experimental way of philosophizing and, therefore, to replace the classical method of conceptual analysis, named *armchair philosophy*[14]. This is neither the only view, nor the dominant one. Some authors, such as Jesse Prinz, reject the dichotomy between laboratory work and armchair reflection (Prinz 2008). He argues that this kind of view upon disciplines is not tenable anymore. We can find several examples were philosophers get up from their armchairs to go in labs to test their intuitions and *vice versa*. This controversy and many other important ones cannot be adequately approached in this article. Experimental ethics fits into this context by focusing on the study of moral intuitions. There is no consensus on the definition of moral intuitions. For the purpose of this article, I adopted Walter Sinnott-Armstrong and his collaborators' view of moral intuitions as "…strong, stable, immediate moral beliefs" (Sinnott-Armstrong *et al.* 2010, 246).

By taking Romanian adult citizens intuitions rationally into account I meant to systematically examine intuitions with empirical methods. In addition to this feature, experimental ethics also offers several normative arguments in which experimental data might fit in. It allows us to verify whether certain moral intuitions are biased or influenced by morally irrelevant factors (such as framing or other proved effects), if their moral intuitions favour a specific normative standard, what causes or triggers them, and so on and so forth. I will develop these ideas further, but first I will summarize what kind of normative arguments can be assembled by experimentally examining moral intuitions.

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[14] This label is used in the literature to name the belief that the only true task of philosophy is to make conceptual analyses.

Guy Kahane puts forward an important distinction between *alethic* and *epistemic* arguments (Kahane 2016, 289-290). Alethic arguments focus on deriving normative or evaluative propositions from descriptive propositions. The biggest challenge for this kind of arguments is the so-called Hume's guillotine or the gap between *is* and *ought*. On the other hand, instead of discovering the *moral truth* with empirical data, epistemic arguments focus on moral justification. Kahane talks about two epistemic arguments, the argument from unreliability and the argument from what our intuitions track. The last two are the main types of arguments which I will use in the context of this article.[15]

Let us take as an example Joshua Greene's research (Greene et al. 2001). He used a number of sacrificial and amoral dilemmas in order to detect what kind of neural processes are involved in the subjects who are trying to answer them[16]. He usually takes as paradigmatic example the well-known trolley and the footbridge dilemma. Greene observed that when subjects answered to these dilemmas two different neural processes were involved. The best way to explain this is by making an analogy to a photo camera (Greene 2013, 133). Just like a photo camera, the brain has an automatic and a manual mode. In the manual mode, a rational, slow process is in charge at the neural level; the dorsolateral prefrontal cortex (DLPFC) increases its activity. While in the second, fast and emotional mode, the ventromedial prefrontal cortex (VMPFC) and the amygdala increase their activity (Greene 2014). There is a lot of evidence that when these two systems are damaged or stimulated, the agent's moral evaluations could be anticipated (Young, Bechara *et al.* 2010; Young, Camprodon *et al.* 2010). When we accept to sacrifice one person in order to save five we use the manual mode, and when we refuse to push a person off the footbridge we use out automatic emotional mode. Accepting to sacrifice one person is labelled by Greene as "characteristically consequentialist judgements" and the refusal of

[15] Another essential remark made by Kahane is that we should not imagine that these kinds of arguments have one, two or three empirical premises. There can be a much bigger chain of premises.

[16] He used a functional magnetic resonance imaging technique (fMRI) as an instrument of observation.

sacrificing one person in order to save five is labelled as "characteristically deontological judgment" (Greene 2015, 699).[17]

The debunking argument is a version of the epistemic unreliability argument. The main idea is that if the causes, in Greene's case the neural causes, are normatively unreliable, then so are the intuitions they determine. Greene assumes that the automatic process is unreliable in the case of the footbridge dilemma, therefore the characteristically deontological judgments are unreliable (Greene 2008).

Peter Singer uses an evolutionary debunking argument[18] which asserts that intuitions caused by our arbitrary evolutionary past are unreliable (Singer 2005). Since deontological judgments seem to be caused by an automatic neural system shaped by evolution, deontology, as a moral theory, is unreliable. The main problem with the arguments advanced by Singer and Greene is that they need to assume from the beginning a certain moral standard. For instance, they have to label from the beginning as unreliable the neural emotional process and all the other neural process shaped by our common evolutionary past.

Walter Sinnott-Armstrong proposes a different kind of unreliability argument (Sinnott-Armstrong 2008). Instead of looking at the causal neural process, he argues that we can check if our moral intuitions respond to morally irrelevant factors, such as framing effects. For example, we can check whether or not Romanians' intuitions vary in similar contexts depending on how we label the same rights, as *partnership* or *marital* rights.

In another article, Greene and his colleagues examine how up close, personal harm and intention influence our responses in sacrificial dilemmas (Greene *et al.* 2009). The data he obtained fits into an epistemic argument on what our intuitions track. Shortly, Greene shows that our refusal to sacrifice a person responds to morally irrelevant factors like whether or not the person we sacrifice is close to us or if we use personal force. For example, we think it is inadequate to sacrifice a person in the

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[17] Although Greene talks in his papers about moral judgments, his experimental methodology fits the meaning of moral intuition I adopted from Walter Sinnott-Armstrong.

[18] Criticism regarding this sort of arguments might be found in the article "Evolutionary debunking arguments" (Kahane 2011).

footbridge dilemma because we use personal force (our own hands) to push him or her and because the victim is close by. These features are normatively irrelevant, therefore our moral judgment that it is inadequate to push a person off the bridge, even when we could have saved five lives, lacks a normative justification.

Not all the arguments used in experimental ethics fit into the classification I followed above. Regina Rini believes that experiments have an indirect impact on the philosophical normative debate by informing philosophers about what factors should be accounted for in the process of normative abstraction (Rini 2013). For example, if, in similar moral contexts, we tend to discount differently the well-being of our family members and that of strangers, then we should keep an eye on this particular empirical evidence when we make our normative abstractions, and put this information in contrast with other ideas. Rini considers that normative abstraction is the central aspect of moral thinking and that it is highly important to look "simultaneously inward and outward, toward experimentation and toward reflection, and from these parallel perspectives to fashion an informed study both of how we are and of how we ought to be" (Rini 2013, 272). Although this seems more like an alethic argument rather than an epistemic one, it is neither.

Other authors, *e.g.* Selim Berker, believe that experiments are normatively insignificant (Berker 2009). He specifically argues that neurosciences, Joshua Greene's studies in particular, are normatively insignificant. Guy Kahane also raises a number of important challenges in his paper (Kahane 2016) to some particular types of normative arguments used in experimental ethics. Settling the debate on this matter is beyond the scope of this article. The role of this section was merely to sketch the theoretical background for the study I want to propose and to identify and clarify a few issues regarding normative arguments in experimental ethics. My empirical study proposal from the last part will focus on epistemic arguments (both from unreliability and from what our intuitions track).

In the next section, I will summarize a few experimental studies on same-sex couples and their rights. Some of the data can be used as it is presented in the normative arguments I talked about, but its main

purpose is to identify variables, for which we already have evidence, that could be tested in Romania by using empirical methods.

3. Empirical Data on Sexual Minorities' Couple Rights

The World Value Survey[19] data gives some insights on why homosexuality is not uniformly accepted in the world, highlighting at the same time cross-cultural variations.[20] According to Inglehart and Welzel, values changed over time, including homosexual tolerance (Inglehart and Welzel 2005). From 1990 to 2000, younger generations have shown an improvement regarding homosexual tolerance. During these 10 years, there has also been a significant increase in homosexual tolerance, since answers which implied that homosexuality is never acceptable dropped. Culture, common history, ex-communist political regimes might be very strong predictors and they could have an important explanatory force.

Now, let us move on to a few specific studies with more applied purposes. Many people seem to express their concern in this manner: if same-sex couples have the same marital rights as heterosexual couples, then the percentage of heterosexual marriages will suffer a decline[21]. Furthermore, in time, the heterosexual marriage might be undermined by gay or lesbian marriages. The main idea is that equal partnership rights for same-sex couples have an incentive for people's sexual preferences. This argument is fallacious not just from a logical point of view, but also from an empirical one: Badgett shows that in Denmark, Norway, Sweden, Iceland, and Netherlands, no significant changes have been observed regarding heterosexual marriages and divorce rates after the rights of sexual minorities were recognized (Badgett 2004).

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[19] http://www.worldvaluessurvey.org/wvs.jsp (accessed 29 October, 2017).

[20] I am grateful to an anonymous reviewer for suggesting me this useful sociological database.

[21] This statement was made during the debates mentioned in the introduction.

An important set of empirical data shows that offering certain rights to LGBTQI+[22] communities regarding marriage or partnership is correlated with a quality of life improvement and a better relationship between partners. Data gathered by Herdt and Kertzner in USA suggest that same-sex couples' denial of marital rights affects both their mental health and well-being (Herdt and Kertzner 2006). In another study, the health of same-sex couples was correlated with the legal recognition level of their status (Kail *et al.* 2015). One might object that this data is irrelevant because it lacks a standard of comparison. But there are several studies which take heterosexual couples as a means of comparison. A qualitative study shows that in countries which give some marital rights to sexual minorities, same-sex couples' mental health is not significantly distinguishable from that of the heterosexual couples (Wight *et al.* 2013).

In the light of the data presented above, it could be validly argued that marital rights significantly improve sexual minorities' quality of life. If this is interpreted as improving the life of a minority group, then why should we be against legally recognising same-sex couples? One might argue against my claim by saying that in some societies, same-sex marriages simply do not fit with people's world-views, mind-sets and intuitions. Hence, this lack of compatibility could potentially harm both heterosexual and same-sex couples. For example, same-sex couples could be stigmatized in their society, although it would be legal for them to establish a family or a partnership. Also, people with heterosexual orientations could be vexed by seeing gay or lesbian couples on the street, or irritated when they have to interact with them. This argument lacks proper evidence and did not take into account that there is a chance discriminatory attitude might be discouraged because a society is legally recognizing same sex couples rights.

Furthermore, it should not be ignored that legal recognition can shape mentalities. It might be even seen as the first step in changing the mind-set of a society, and not the other way around. When women received the right to vote it was not because society was ready for the

[22] The acronyms 'LGBTQI+' and 'LGBT' stand for the Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex+ Community.

change. When slavery was abolished in the US it was not because the South was ready to accept that change. Surprisingly, the argument on mentalities, in a different form, was put forward in the media by a Romanian LGBT community member, claiming that the reason why they do not initiate any program to ask for recognition of their rights is because they believe that Romanians, as a society, are not prepared yet for such a major change.

Pistell shows that sexism and negative attitudes towards same-sex parenting are correlated (Pistell 2017). Religious factors are also very strong predictors of negative attitudes towards the adoption right of same-sex couples (Whitehead & Perry 2016). Again, children in school can be taught to be more open and permissive about other religious beliefs. Age is another relevant predictor regarding the attitude towards the parenting right of the sexual minorities couples. Older generations express more consistent negative attitudes (Baiocco *et al.* 2013).

In yet another study it is shown that the media directly influence people's beliefs regarding same-sex marriages (Engel 2013). Even more, if in the media a certain topic is considered taboo, it could also affect people's intuitions regarding it. This way, people will not be *surprised* when they actually see gay or lesbian couples around them.

A matter which immediately pops up when debating about same-sex marital rights is the parenting right. The main concern is this: are children raised by same-sex spouses being harmed in any way? According to a meta-analysis, there is a consensus between scientists that there are no differences, concerning the outcomes, between children with same-sex parents and children raised by heterosexual couples (Light 2015).

In general, people are reluctant to the idea of adoption. But why do they intuitively tend to disagree with adoption in the cases of same-sex (married) couples? One possible answer might be provided by a survey conducted in Portugal, according to which attitudes towards same-sex parenting are correlated with the level of interpersonal contact with same-sex families (Costa *et al.* 2015). It seems plausible that, when one does not interact with gays or lesbians, one is also reluctant to the idea of adoption.

Unfortunately, it is impossible to obtain *ultimate* data about the way children raised by gay or lesbian couples would develop compared with those raised by heterosexual couples. Instead of filling this

evidential gap with misconceptions and false beliefs, we should emphasize the need for what kind of empirical research we can do, and gather more relevant data in order to hold a rational debate on this subject matter.

It is essential to be aware of the fact that a country could recognise civil unions without necessarily giving couples equal marital rights, like adopting children (*e.g.* Italy). People can indeed separate these two debates, and even have mixed intuitions about these two cases. For example, in a survey held in Norway (Hollekim *et al.* 2012), researchers noticed that although people are generally supportive of the idea of same-sex partnerships or unions they are less supportive when it comes to adoption or parenting in general, because they are concerned about the welfare and the development of children.

Sensitivity to disgust can be another predictor. Yoel Inbar and his team used the disgust sensitivity scale (Haidt *et al.* 1994) to see if it can predict explicit negative intuitions regarding gays in one study, and in a second study they added an implicit association test (a simple task where participants are asked to pair two words) in order to see if the expectations are confirmed (Inbar *et al.* 2009).[23]

All of these studies, briefly presented, offer a significant amount of data, variables and methods we can choose from.

4. A Proposal for an Empirical Study

In the introduction I argued that the topic of same-sex couple unions (marriages, partnerships, or any other kinds) is important for the Romanian society since in the near future the matter might be submitted to a referendum which will decide whether or not to raise constitutional barriers regarding same-sex marriages. In the second section I suggested the recent development of experimental ethics as an empirical and conceptual framework which

[23] It would be also interesting to use other implicit (automatic) evaluations methods and not just the methodologies which use explicit (controlled) evaluation. Cameron and his team used an associative task in order to predict how people from North Carolina will vote at a constitutional amendment (Cameron *et al.* 2017).

allows us to rationally take into account people's moral intuitions within epistemic normative arguments. In the third section I surveyed a few empirical studies and data gathered from other countries for a better understanding of what effects and variables should be tested in the Romanian context.

My empirical study proposal contains three tasks (an experimental task and two correlational tasks). The first task tests two things. First, if people's moral intuitions are influenced by the way in which the unions of same sex couples are called ("marriages" or "partnerships"). Second, if Romanians vary their responses depending on whether parenting rights are recognized or not. I created a 2x2 design with four vignettes (as shown in the *table 1*).

Table 1

		Name of the union	
		Marriage	**Partnership**
Parenting right	Yes	The state recognises the **marriage** of same-sex couples and **gives them the right to be parents**.	The state recognises the **partnership** of same-sex couples and **gives them the right to be parents**.
	No	The state recognises the **marriage** of same-sex couples **without being allowed to be parents**.	The state recognises the **partnership** of same-sex couples **without being allowed to be parents**.

In the first vignette I presented a counterfactual situation where the Romanian state offers marital rights to sexual minorities, including parenting rights. In the second, the state grants marriage rights to sexual minorities but not parenting rights. In the third and the fourth cases, the state recognises a form of partnership between same-sex partners, but in one case the state gives them the right to be parents, while in the other vignette same-sex partnerships are deprived from this right.

The participants are organized in four representative groups. Each group is assigned to one of the four vignettes. Every participant must assess if the case from the given vignette is moral. Second, they have to evaluate on a scale from 1 to 7 how morally good or bad the case is (1 – profoundly bad … 7 – is very good and morally necessary to adopt that).[24]

[24] This scale is common in the specialized literature.

The second task is correlational. The idea is to see if disgust to sensitivity can be a predictor for the way in which people answered in the first task. The disgust sensitivity scale (Haidt *et al.* 1997) can be used here. As in Haidt *et al.* (1997), the participants rate, on a scale from 0 to 100 (0 – not disgusting, 50 – slightly disgusting, 100 – very disgusting), a number of examples from different categories (food, death, envelope violation etc.). Just to give a few exact examples from Haidt *et al.* (1997): "It would be bothered me tremendously to touch a dead body"; "You discover that a friend of your changes underwear only once a week"; "You are walking barefoot on concrete, and you step on an earthworm"; "You are about to drink a glass of milk when you smell that it is spoiled". Every participant receives a score, on the disgust sensitivity scale, at the end of this task.

The third correlational task's objective is to measure the level in which people trust same-sex couples. Trust can be measured by using a simple game named the "trust game" (Berg, Dickhaut & McCabe 1995). This game is played by two agents, say A and B. A receives a sum of money and she can then send a certain amount of it, or nothing, to B. The catch is that, if A decides to send B some money, the amount sent would be tripled by the experimenter. After B receives the amount A sent, times three, he can choose to send some of it back to A. In the original study, A and B are well informed about the rules of the game, but they are placed in two separate rooms, without knowing anything about each other. Each player can maximize their amount only if they trust the other player. Hypothetically, A can send to B the entire amount, hoping that B will appreciate her gesture and will send her back half from the initial amount times three.

This game can be transformed into a task played only by one participant the same way Jim Everett modified it for his study in order to measure if deontological judgments inspire trust (Everett *et al.* 2016). After the rules are introduced to the participants they can be asked to choose between two couples (heterosexual and same-sex) the one with which they would rather play the game. The next step is to ask them how much they would send to either couple, and third, how much they expect to receive back from either couple.

Concerning the methods of analysis, the between groups variance analysis[25] can be used for the first experimental task, and for the other two the tasks' specific methods. The disgust sensitivity level will be analysed the way Haidt *et al.* (1997) suggested, and in trust game it will be used the method developed by Everett.

Romanian participants are the target group. Additional data about participants will be gathered, like: age, gender, sexual orientation (heterosexual, non-heterosexual), political views (left, moderate left, centre left, centre, centre right, moderate right, right), religiosity (What is your religion? How frequently you pray or go to church?), income (minimum wage, medium wage, above medium), the level of education, their parents' level of education, how many hours dedicated to reading (including academic reading) in a week, how many foreign languages they speak, if they know anyone that has non-heterosexual orientations, or if they are friends with someone that has non-heterosexual orientations. All these features can be used in order to check if there is any significant correlation between these factors and how people answer to the tasks.

Regarding the first task, I expect to find that participants' moral intuition is negatively influenced if the same-sex couples' unions are called "marriages", and if same-sex partners have the right to be parents. The comparison between the four groups will show a significant decrease in the case of partnerships without giving same-sex couples the right to be parents. I also expect that, given a morality scale, the participants will rate lower the cases where the couples do not have the right to be parents. This discovery would be relevant since it can be used as an epistemic argument. From a moral point of view, it is irrelevant if these unions are called "marriages" or "partnerships" as long as it is explicitly said that they have the same rights. The sensitivity to the word "marriage" might trigger a moral intuition that cannot be trusted.

The second correlational task should allow us, first, to assess whether the participants with high sensitivity scores on the disgust sensitivity scale are negatively influenced by the fact that the union is called "marriage" no matter if it grants or not the right to become a parent. Second, another hypothesis is that participants might be more

[25] ANOVA is just one example.

influenced by the fact that same-sex couples have the right to become parents, regardless how we choose to define the union between same-sex partners. In either case, disgust sensitiveness correlates with participants' moral intuitions and the data can be used within an epistemic argument. We know that the fact that one is more sensitive to disgust is morally irrelevant. Therefore, the moral intuitions driven by disgust sensitivity are questionable from a moral point of view.[26] This data can be interpreted in the same way same-sex marriage has been approached in moral foundational theory.[27]

The expectation from the third tasks is to reveal that, by corroborating the data from the first and the second tasks, participants with high disgust sensitivity, significantly influenced by the word 'marriage' will prefer to collaborate mainly with heterosexual couples and transfer significantly less money to same-sex couples in the first stage of the game, and expect to receive less in the second stage. On the other hand, people who are less sensitive and less influenced by the way in which the union is named trust non-heterosexual couples more. A form of epistemic argument might be that less sensitivity to disgust and a low influence of the unions' name endorse a trustfully, non-discriminatory attitude towards same-sex couples.

This proposed study can be further developed in several ways. First, we can check if there are any cross-cultural differences. Second, the experimental design of the first task can be modified in such a way that it can also test if there is any variance between how sexual minorities can become parents. For example, gay couples can either adopt, or use surrogate mothers. Which one is more unacceptable? One might say that a high level of sensitivity to disgust is not the only variable that drives people's moral intuitions. There are many other salient features which are ignored by the study, like the fact that participants' religion considers non-heterosexual activities as sinful. A specific study can be developed to investigate this matter.

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[26] I am aware that this interpretation raises methodological issues and that is in contradiction with what Haidt claims. These are very important observations which should be approached in the study.

[27] In *Tracing the threads: How five moral concerns (especially Purity) help explain culture war attitudes* (Koleva *et al.* 2012).

It is highly important to also state a few limitations for my proposal. First, the analysis depends on how people perceive and interpret the questions and the tasks. The way participants interpret the questions is a common challenge for methodologically similar studies. The probability of misinterpreting the vignettes and the questions by the participants can be minimized by operating some modifications to the study based on the feedback gathered from several pilots. Even so, there is still a chance that the participants will interpret differently the questions and the tasks. Second, the representativeness of the study groups for Romanian society is a high and ideal standard which would not be achieved in this study.

A third limitation is that there are a lot of possible interpretations that could go along with the data. I believe that these ambiguities can be solved by backing up the interpretation with additional empirical data.

5. Concluding Remarks

Given the Romanian current social context and the risk a possible referendum poses for sexual minorities' future generations, a careful empirical consideration of people's moral intuitions is of great need. As I mentioned in all four sections, there are a number of theoretical, conceptual and empirical limitations which cannot be adequately dealt with, at least not without forgetting the scope of this article. My proposal simply advances one way, among many possible others, Romanians' intuitions regarding same-sex couple rights can be rationally taken into account, by focusing on the kinds of epistemic arguments that are developed in experimental ethics.

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