### Util Fwk

#### Phenomenal introspection is reliable and proves that util’s true.

Sinhababu Neil (National University of Singapore) “The epistemic argument for hedonism” [http://philpapers.org/archive/SINTEA-3 accessed 2-4-16](http://philpapers.org/archive/SINTEA-3%20accessed%202-4-16) JW

The Odyssey's treatment of these events demonstrates how dramatically ancient Greek moral intuitions differ from ours. It doesn't dwell on the brutality of Telemachus, who killed twelve women for the trivial reasons he states, making them suffer as they die. While gods and men seek vengeance for other great and small offenses in the Odyssey, no one finds this mass murder worth avenging. It's a minor event in the denouement to a happy ending in which Odysseus (who first proposes killing the women) returns home and Telemachus becomes a man. That the[y] Greeks could so easily regard these murders as part of a happy ending for heroes shows how deeply we disagree with them. It's as if we gave them a trolley problem with the 12 women on the side track and no one on the main track, and they judged it permissible for Telemachus to turn the trolley and kill them all. And this isn't some esoteric text of a despised or short-lived sect, but a central literary work of a long-lived and influential culture. Human history offers similarly striking examples of disagreement on a variety of topics. These include sexual morality; the treatment of animals; the treatment of other ethnicities, families, and social classes; the consumption of intoxicating substances; whether and how one may take vengeance; slavery; whether public celebrations are acceptable; and gender roles.12 Moral obligations to commit genocide were accepted not only by some 20th century Germans, but by much of the ancient world, including the culture that gave us the Old Testament. One can only view the human past and much of the present with horror at the depth of human moral error and the harm that has resulted. One might think to explain away much of this disagreement as the result of differing nonmoral beliefs. Those who disagree about nonmoral issues may disagree on the moral rightness of a particular action despite agreeing on the fundamental moral issues. For example, they may agree that healing the sick is right, but disagree about whether a particular medicine will heal or harm. This disagreement about whether to prescribe the medicine won't be fundamentally about morality, and won't support the argument from disagreement. I don't think the moral disagreements listed above are explained by differences in nonmoral belief. This isn't because sexists, racists, and bigots share the nonmoral views of those enlightened by feminism and other egalitarian doctrines – they don't. Rather, their differing views on nonmoral topics often are rationalizations of moral beliefs that fundamentally disagree with ours.13 Those whose fundamental moral judgments include commitments to the authority of men over women, or of one race over another, will easily accept descriptive psychological views that attribute less intelligence or rationality to women or the subjugated race.14 Moral disagreement supposedly arising from moral views in religious texts is similar. Given how rich and many-stranded most religious texts are, interpretive claims about their moral teachings often tell us more about the antecedent moral beliefs of the interpreter than about the text itself. This is why the same texts are interpreted to support so many different moral views. Similar phenomena occur with most moral beliefs. Environmentalists who value a lovely patch of wilderness will easily believe that its destruction will cause disaster, those who feel justified in eating meat will easily believe that the animals they eat don't suffer greatly, and libertarians who feel that redistributing wealth is unjust will easily believe that it raises unemployment. We shouldn't assume that differing moral beliefs on practical questions are caused by fundamental moral agreement combined with differing nonmoral beliefs. Often the differing nonmoral beliefs are caused by fundamental moral disagreement. As we have no precise way of quantifying the breadth of disagreement or determining its epistemic consequences, it's unclear exactly how much disagreement the argument requires. While this makes the argument difficult to evaluate, it shouldn't stop us from proceeding, as we have to use the unclear notion of widespread disagreement in ordinary epistemic practice. If 99.9% of botanists agree on some issue about plants, non-botanists should defer to their authority and believe as most of them do. But if disagreement between botanists is suitably widespread, non-botanists should remain agnostic. A more precise and systematic account of when disagreement is widespread enough to generate particular epistemic consequences would be very helpful. Until we have one, we must employ the unclear notion of widespread disagreement, or some similar notion, throughout epistemic practice. Against the background of widespread moral disagreement, there may still be universal or near-universal agreement on some moral questions. For example, perhaps all cultures agree that one should provide for one’s elderly parents, even though they generally disagree elsewhere. How do these narrow areas of moral agreement affect the argument? This all depends on whether the narrow agreement is reliably or unreliably caused. If narrow agreement results from a reliable process of belief-formation, it lets us avoid error, defeating the argument from disagreement. But widely accepted moral beliefs may result from widely prevailing unreliable processes leading everyone to the same errors. There's no special pressure to explain agreement in terms of reliable processes when disagreement is widespread. Explaining agreement in terms of reliable processes is preferable when we have some reason to think that the processes involved are generally reliable. Then we would want to understand cases of agreement in line with the general reliability of processes producing moral belief. But if disagreement is widespread, error is too. Since moral beliefs are so often false, invoking unreliable processes to explain them is better than invoking reliable ones. The next two sections discuss this in more detail. We have many plausible explanations of narrow agreement on which moral beliefs are unreliably caused. Evolutionary and sociological explanations of why particular moral beliefs are widely accepted often invoke unreliable mechanisms.15 On these explanations, we agree because some moral beliefs were so important for reproductive fitness that natural selection made them innate in us, or so important to the interests controlling moral education in each culture that they were inculcated in everyone. For example, parents' influence over their children's moral education would explain agreement that one should provide for one's elderly parents. Plausible normative ethical theories won't systematically connect these evolutionary and sociological explanations with moral facts. If disagreement and error are widespread, they'll provide useful ways to reconcile unusual cases of widespread agreement with the general unreliability of the processes producing moral belief. 1.3 If there is widespread error about a topic, we should retain only those beliefs about it formed through reliable processes Now I'll defend 3. First I'll show how the falsity of others' beliefs undermines one's own belief. Then I'll clarify the notion of a reliable process. I'll consider a modification to 3 that epistemic internalists might favor, and show that the argument accommodates it. I'll illustrate 3's plausibility by considering cases where it correctly guides our reasoning. Finally, I'll show how 3 is grounded in the intuitive response to grave moral error. First, a simple objection: “Why should I care whether other people have false beliefs? That's a fact about other people, and not about me. Even if most people are wrong about some topic, I may be one of the few right ones, even if there's no apparent reason to think that my way of forming beliefs is any more reliable.” While widespread error leaves open the possibility that one has true beliefs, it reduces the probability that my beliefs are true. Consider a parallel case. I have no direct evidence that I have an appendix, but I know that previous investigations have revealed appendixes in people. So induction suggests that I have an appendix. Similarly, I know on the basis of 1 and 2 that people's moral beliefs are, in general, rife with error. So even if I have no direct evidence of error in my moral beliefs, induction suggests that they are rife with error as well. 3 invokes the reliability of the processes that produce our beliefs. Assessing processes of belief-formation for reliability is an important part of our epistemic practices. If someone tells me that my belief is entirely produced by wishful thinking, I can't simply accept that and maintain the belief. Knowing that wishful thinking is unreliable, I must either deny that my belief is entirely caused by wishful thinking or abandon the belief. But if someone tells me that my belief is entirely the result of visual perception, I'll maintain it, assuming that it concerns sizable nearby objects or something else about which visual perception is reliable. While providing precise criteria for individuating processes of belief-formation is hard, as the literature on the generality problem for reliabilism attests, individuating them somehow is indispensable to our epistemic practices.16 Following Alvin Goldman's remark that “It is clear that our ordinary thought about process types slices them broadly” (346), I'll treat cognitive process types like wishful thinking and visual perception as appropriately broad.17 Trusting particular people and texts, meanwhile, are too narrow. Cognitive science may eventually help us better individuate cognitive process types for the purposes of reliability assessments and discover which processes produce which beliefs. Epistemic internalists might reject 3 as stated, claiming that it isn't widespread error that would justify giving up our beliefs, but our having reason to believe that there is widespread error. They might also claim that our justification for believing the outputs of some process depends not on its reliability, but on what we have reason to believe about its reliability. The argument will still go forward if 3 is modified to suit internalist tastes, changing its antecedent to “If we have reason to believe that there is widespread error about a topic” or changing its consequent to “we should retain only those beliefs about it that we have reason to believe were formed through reliable processes.” While 3's antecedent might itself seem unnecessary on the original formulation, it's required for 3 to remain plausible on the internalist modification. Requiring us to have reason to believe that any of our belief-formation processes are reliable before retaining their outputs might lead to skepticism. The antecedent limits the scope of the requirement to cases of widespread error, averting general skeptical conclusions. The argument will still attain its conclusion under these modifications. Successfully defending the premises of the argument and deriving widespread error (5) and unreliability (7) gives those of us who have heard the defense and derivation reason to believe 5 and 7. This allows us to derive 8. (Thus the pronoun 'we' in 3, 6, and 8.) 3 describes the right response to widespread error in many actual cases. Someone in the 12th century, especially upon hearing the disagreeing views of many cultures regarding the origins of the universe, would do well to recognize that error on this topic was widespread and retreat to agnosticism about it. Only when modern astrophysics extended reliable empirical methods to cosmology would it be rational to move forward from agnosticism and accept a particular account of how the universe began. Similarly, disagreement about which stocks will perform better than average is widespread among investors, suggesting that one's beliefs on the matter have a high likelihood of error. It's wise to remain agnostic about the stock market without an unusually reliable way of forming beliefs – for example, the sort of secret insider information that it's illegal to trade on. 3 permits us to hold onto our moral beliefs in individual cases of moral disagreement, suggesting skeptical conclusions only when moral disagreement is widespread. When we consider a single culture's abhorrent moral views, like the Greeks' acceptance of Telemachus and Odysseus' murders of the servant women, we don't think that maybe the Greeks were right to see nothing wrong and we should reconsider our outrage. Instead, we're horrified by their grave moral error. I think this is the right response. We're similarly horrified by the moral errors of Hindus who burned widows on their husbands' funeral pyres, American Southerners who supported slavery and segregation, our contemporaries who condemn homosexuality, and countless others. The sheer number of cases like this requires us to regard moral error as a pervasive feature of the human condition. Humans typically form moral beliefs through unreliable processes and have appendixes. We are humans, so this should reduce our confidence in our moral judgments. The prevalence of error in a world full of moral disagreement demonstrates how bad humans are at forming true moral beliefs, undermining our own moral beliefs. Knowing that unreliable processes so often lead humans to their moral beliefs, we'll require our moral beliefs to issue from reliable processes. 1.4 If there is widespread error about morality, there are no reliable processes for forming moral beliefs A reliable process for forming moral beliefs would avert skeptical conclusions. I'll consider several processes and argue that they don't help us escape moral skepticism. Ordinary moral intuition, whether it involves a special rational faculty or our emotional responses, is shown to be unreliable by the existence of widespread error. The argument from disagreement either prevents reflective equilibrium from generating moral conclusions or undermines it. Conceptual analysis is reliable, but delivers the wrong kind of knowledge to avert skepticism. If all our processes for forming moral beliefs are unreliable, moral skepticism looms. 4 is false only because of one process – phenomenal introspection, which lets us know of the goodness of pleasure, as the second half of this paper will discuss. Widespread error guarantees the unreliability of any process by which we form all or almost all of our moral beliefs. While widespread error allows some processes responsible for a small share of our moral beliefs to predominantly create true beliefs, it implies that any process generating a very large share of moral belief must be highly error-prone. Since the process produced so many of our moral beliefs, and so many of them are erroneous, it must be responsible for a large share of the error. If more of people's moral beliefs were true, things would be otherwise. Widespread truth would support the reliability of any process that produced most or all of our moral beliefs, since that process would be responsible for so much true belief. But given widespread error, ordinary moral intuition must be unreliable. This point provides a forceful response to Moorean opponents who insist that we can't give up the reliability of a process by which we form all or nearly all of our beliefs on an important topic, since this would permit counterintuitive skeptical conclusions. Even if this Moorean response helps against external world skeptics who employ counterfactual thought experiments involving brains in vats, it doesn't help against moral skeptics who use 1 and 2 to derive widespread actual error. Once we accept that widespread error actually obtains, a great deal of human moral knowledge has already vanished. Insisting on the reliability of the process then seems implausible and pointless. I'll briefly consider two conceptions of moral intuition – as a special rational faculty by which we grasp non-natural moral facts, and as a process by which our emotions lead us to form moral beliefs – and show how widespread error guarantees their unreliability. Some philosophers regard moral intuition as involving a special rational faculty that lets us know non-natural moral facts.18 They argue that knowledge on many topics including mathematics, logic, and modality involves this rational faculty, so moral knowledge might operate similarly. This suggests a way for them to defend the reliability of moral intuition in the face of widespread error: if intuition is reliable about these other things, its overall reliability across moral and nonmoral areas allows us to reliably form moral beliefs by using it. This defense won't work. When an epistemic process is manifestly unreliable on some topic, as widespread error shows any process responsible for most of our moral beliefs to be, the reliability of that process elsewhere won't save it on that topic. Even if testimony is reliable, this doesn't imply the reliability of compulsive gamblers' testimony about the next spin of the roulette wheel. Even if intuition remains reliable elsewhere, widespread disagreement still renders it unreliable in ethics. I see ordinary moral intuition as a process of emotional perception in which our feelings cause us to form moral beliefs.19 Just as visual experiences of color cause beliefs about the colors of surfaces, emotional experiences cause moral beliefs. Pleasant feelings like approval, admiration, or hope in considering actions, persons, or states of affairs lead us to believe they are right, virtuous or good. Unpleasant emotions like guilt, disgust, or horror in considering actions, persons, or states of affairs lead us to believe they are wrong, vicious, or bad. We might have regarded this as a reliable way to know about moral facts, just as visual perception is a reliable way to know about color, if not for widespread error. But because of widespread error, we can only see it as an unreliable process responsible for our dismal epistemic situation. Reflective equilibrium is the prevailing methodology in normative ethics today. It involves modifying our beliefs about particular cases and general principles to make them cohere. Whether or not nonmoral propositions like the premises of the argument from disagreement are admissible in reflective equilibrium, widespread error prevents reflective equilibrium from reliably generating a true moral theory, as I'll explain. If the premises of the argument from disagreement are admitted into reflective equilibrium, the argument can be reconstructed there, and reflective equilibrium will dictate that we give up all of our moral beliefs. To avoid this conclusion, the premises of the argument from disagreement would have to be revised away on moral grounds. These premises are a metaethical claim about the objectivity of morality which seems to be a conceptual truth, an anthropological claim about the existence of disagreement, a very general epistemic claim about when we should revise our beliefs, and a more empirically grounded epistemic claim about our processes of belief-formation and their reliability. While reflective equilibrium may move us to revise substantive moral beliefs in view of other substantive moral beliefs, claims of these other kinds are less amenable to such revision. Unless ambitious arguments for revising these nonmoral claims away succeed, we must follow the argument to its conclusion and accept that reflective equilibrium makes moral skeptics of us.20 If only moral principles and judgments are considered in reflective equilibrium, it won't make moral skeptics of us, but the argument from disagreement will undermine its conclusions. The argument forces us to give up the pre-existing moral beliefs against which we test various moral propositions in reflective equilibrium. While we may be justified in believing something because it coheres with our other beliefs, this justification goes away once we see that those beliefs should be abandoned. Coherence with beliefs that we know we should give up doesn't confer justification. Now I'll consider conceptual analysis. It can produce moral beliefs about conceptual truths – for example, that the moral supervenes on the nonmoral, and that morality is objective. It also may provide judgments about relations between different moral concepts – perhaps, that if the only moral difference between two actions is that one would produce morally better consequences than the other, doing what produces better consequences is right. I regard conceptual analysis as reliable, so that the argument from disagreement does not force us to give up the beliefs about morality it produces. Unfortunately, if analytic naturalism is false, as has been widely held in metaethics since G. E. Moore, conceptual analysis won't provide all the knowledge we need to build a normative ethical theory.21 Even when it relates moral concepts like goodness and rightness to each other, it doesn't tell us that anything is good or right to begin with. That's the knowledge we need to avoid moral skepticism. So far I've argued that our epistemic and anthropological situation, combined with plausible metaethical and epistemic principles, forces us to abandon our moral beliefs. But if a reliable process of moral belief-formation exists, 4 is false, and we can answer the moral skeptic. The rest of this paper discusses the only reliable process I know of. 2.1 Phenomenal introspection reveals pleasure's goodness Phenomenal introspection, a reliable way of forming true beliefs about our experiences, produces the belief that pleasure is good. Even as our other processes of moral belief-formation prove unreliable, it provides reliable access to pleasure's goodness, justifying the positive claims of hedonism. This section clarifies what phenomenal introspection and pleasure are and explains how phenomenal introspection provides reliable access to pleasure's value. Section 2.2 argues that pleasure's goodness is genuine moral value, rather than value of some other kind. In phenomenal introspection we consider our subjective experience, or phenomenology, and determine what it's like. Phenomenal introspection can be reliable while dreaming or hallucinating, as long as we can determine what the dreams or hallucinations are like. By itself, phenomenal introspection doesn't produce beliefs about things outside experience, or about relations between our experiences and non-experiential things. So it doesn't produce judgments about the rightness of actions or the goodness of non-experiential things. It can only tell us about the intrinsic properties of experience itself. Phenomenal introspection is generally reliable, even if mistakes about immediate experience are possible. Experience is rich in detail, so one could get some of the details wrong in belief. Under adverse conditions involving false expectations, misleading evidence about what one's experiences will be, or extreme emotional states that disrupt belief-formation, larger errors are possible. Paradigmatically reliable processes like vision share these failings. Vision sometimes produces false beliefs under adverse conditions, or when we're looking at complex things. Still, it's so reliable as to be indispensible in ordinary life. Regarding phenomenal introspection as unreliable is about as radical as skepticism about the reliability of vision. While contemporary psychologists reject introspection into one's motivations and other psychological causal processes as unreliable, phenomenal introspection fares better. Daniel Kahneman, for example, writes that “experienced utility is best measured by moment-based methods that assess the experience of the present.”22 Even those most skeptical about the reliability of phenomenal introspection, like Eric Schwitzgebel, concede that we can reliably introspect whether we are in serious pain.23 Then we should be able to introspectively determine what pain is like. So I'll assume the reliability of phenomenal introspection. One can form a variety of beliefs using phenomenal introspection. For example, one can believe that one is having sound experiences of particular noises and visual experiences of different shades of color. When looking at a lemon and considering the phenomenal states that are yellow experiences, one can form some beliefs about their intrinsic features – for example, that they're bright experiences. And when considering experiences of pleasure, one can make some judgments about their intrinsic features – for example, that they're good experiences. Just as one can look inward at one's experience of lemon yellow and recognize its brightness, one can look inward at one's experience of pleasure and recognize its goodness.24 When I consider a situation of increasing pleasure, I can form the belief that things are better than they were before, just as I form the belief that there's more brightness in my visual field as lemon yellow replaces black. And when I suddenly experience pain, I can form the belief that things are worse in my experience than they were before. Having pleasure consists in one's experience having a positive hedonic tone. Without descending into metaphor, it's hard to give a further account of what pleasure is like than to say that when one has it, one feels good. As Aaron Smuts writes in defending the view of pleasure as hedonic tone, “to 'feel good' is about as close to an experiential primitive as we get.” 25 Fred Feldman sees pleasure as fundamentally an attitude rather than a hedonic tone.26 But as long as hedonic tones are real components of experience, phenomenal introspection will reveal pleasure's goodness. Opponents of the hedonic tone account of pleasure usually concede that hedonic tones exist, as Feldman seems to in discussing “sensory pleasures,” which he thinks his view helps us understand. Even on his view of pleasure, phenomenal introspection can produce the belief that some hedonic tones are good while others are bad. There are many different kinds of pleasant experiences. There are sensory pleasures, like the pleasure of tasting delicious food, receiving a massage, or resting your tired limbs in a soft bed after a hard day. There are the pleasures of seeing that our desires are satisfied, like the pleasure of winning a game, getting a promotion, or seeing a friend succeed. These experiences differ in many ways, just as the experiences of looking at lemons and the sky on a sunny day differ. It's easy to see the appeal of Feldman's view that pleasures “have just about nothing in common phenomenologically” (79). But just as our experiences in looking at lemons and the sky on a sunny day have brightness in common, pleasant experiences all have “a certain common quality – feeling good,” as Roger Crisp argues (109).27 As the analogy with brightness suggests, hedonic tone is phenomenologically very thin, and usually mixed with a variety of other experiences.28 Pleasure of any kind feels good, and displeasure of any kind feels bad. These feelings may or may not have bodily location or be combined with other sensory states like warmth or pressure. “Pleasure” and “displeasure” mean these thin phenomenal states of feeling good and feeling bad. As Joseph Mendola writes, “the pleasantness of physical pleasure is a kind of hedonic value, a single homogenous sensory property, differing merely in intensity as well as in extent and duration, which is yet a kind of goodness” (442).29 What if Feldman is right and hedonic states feel good in fundamentally different ways? Then phenomenal introspection suggests a pluralist variety of hedonism. Each fundamental flavor of pleasure will have a fundamentally different kind of goodness, as phenomenal introspection more accurate than mine will reveal. This isn't my view, but I suggest it to those convinced that hedonic tones are fundamentally heterogenous. If phenomenal introspection reliably informs us that pleasure is good, how can anyone believe that their pleasures are bad? Other processes of moral belief-formation are responsible for these beliefs. Someone who feels disgust or guilt about sex may not only regard sex as immoral, but the pleasure it produces as bad. Even if phenomenal introspection on sexual pleasure disposes one to believe that it's good, stronger negative emotional responses to it may more strongly dispose one to believe that it's bad, following the emotional perception model suggested in section 1.4. Explaining disagreement about pleasure's value in terms of other processes lets hedonists maintain that phenomenal introspection univocally supports pleasure's goodness. As long as negative judgments of pleasure come from unreliable processes instead of phenomenal introspection, the argument from disagreement eliminates them. The parallel between yellow’s brightness and pleasure’s goodness demonstrates the objectivity of the value detected in phenomenal introspection. Just as anyone's yellow experiences objectively are bright experiences, anyone's pleasure objectively is a good experience.30 While one's phenomenology is often called one's “subjective experience”, facts about it are still objective. “Subjective” in “subjective experience” means “internal to the mind”, not “ontologically dependent on attitudes towards it.” My yellow-experiences objectively have brightness. Anyone who thought my yellow-experiences lacked brightness would be mistaken. Pleasure similarly is objectively good. It's true that anyone's pleasure is good. Anyone who denies this is mistaken. As Mendola writes, the value detected in phenomenal introspection is “a plausible candidate for objective value” (712). Even though phenomenal introspection only tells me about my own phenomenal states, I can know that others' pleasure is good. Of course, I can't phenomenally introspect their pleasures, just as I can't phenomenally introspect pleasures that I'll experience next year. But if I consider my experiences of lemon yellow and ask what it would be like if others had the same experiences, I must think that they would be having bright experiences. Similarly, if in a pleasant moment I consider what it's like for others to have exactly the experience I'm having, I must think that they're having good experiences. If they have exactly the same experiences I'm having, their experiences will have exactly the same intrinsic properties as mine. This is also how I know that if I have the same experience in the future, it'll have the same intrinsic properties. Even though the only pleasure I can introspect is mine now, I should believe that others' pleasures and my pleasures at other times are good, just as I should believe that yellow experienced by others and myself at other times is bright. My argument thus favors the kind of universal hedonism that supports utilitarianism, not egoistic hedonism.

#### This outweighs the aff framework.

Sinhababu 2 Neil (National University of Singapore) “The epistemic argument for hedonism” [http://philpapers.org/archive/SINTEA-3 accessed 2-4-16](http://philpapers.org/archive/SINTEA-3%20accessed%202-4-16) JW

A full moral theory including accounts of rightness and virtue can be built from the deliverances of phenomenal introspection combined with conceptual analysis. Shaver, Kagan, and I suggest that phenomenal introspection reveals pleasure to have a kind of goodness that makes states of affairs better in consequentialist moral theories. A state of affairs thus is pro tanto better as there is more pleasure and pro tanto worse as there is more displeasure. More pleasure makes states of affairs better. Conceptual analysis here connects the concept of goodness with the concept of a better state of affairs, and with other moral concepts like rightness and virtue. Even if conceptual analysis cannot connect the moral and the nonmoral as a full normative ethical theory requires, it reveals connections between our moral concepts. For example, the following propositions or something like them seem to be conceptual truths: states of affairs are pro tanto better insofar as they include more goodness, an action is pro tanto better insofar as it causally contributes to better states of affairs, and agents are pro tanto more virtuous insofar as they desire that better states of affairs obtain. These putative conceptual truths about pro tanto relations do not contradict strong forms of deontology, as they allow that obligations may trump good consequences in determining right action. Utilitarians who build their theories along these lines can treat deontology as a conceptually coherent position whose substantive claims are in fact not favored by evidence from any reliable processes. So they need not treat utilitarianism itself as a conceptual truth and run afoul of Moore's open question argument. If the argument from disagreement forces us to abandon belief in all other moral facts, introspecting pleasure's goodness and following these conceptual pro tanto connections to conclusions involving other moral concepts may be the only way to develop a full moral theory through reliable processes.

#### Thus, the standard is maximizing happiness. Prefer the standard:

#### 1 Only consequences are morally relevant: A. They determine the degrees of rightness and wrongness for an action. Deontology holds all lies are wrong but certain lies are worse than others because they harm more people. My lie that your shirt looks nice is less wrong than my lie that I’ll pick you up from the airport. B. Intuitions—strong deontology holds we couldn’t save the entire human race if it violated one persons rights which is an absurd conclusion. Prefer intuitions: 1. Reasons can’t override intuitions- that’s a false premise. The basis of logic isn’t justified by more logic; logic is just intuitive. You can’t ever abandon intuitions.

### Tobacco PIC

#### Counterplan: Public colleges and universities in the United States ought not restrict freedom of speech, except for prohibiting the tobacco industry from sponsoring social events held by any organization that receives university funding.

Rigotti et al 05 Nancy A. Rigotti, MD, Susan E. Moran, MD, MSCE, and Henry Wechsler, PhD “US College Students’ Exposure to Tobacco Promotions: Prevalence and Association With Tobacco Use” American Journal of Public Health 2005 January; 95(1): 138–144 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449866/

Our findings have implications for universities, states, and communities. Colleges and universities should be alert to tobacco industry sponsorship of events on their campuses. As the American College Health Association and American Cancer Society recommend, colleges should ban the free distribution of tobacco products on campus, including distribution to fraternities and sororities, and prohibit tobacco industry sponsorship of social events held by any organization that receives college funds.10,24 States and communities already have a good reason for adopting smoking bans in bars and nightclubs: eliminating exposure to secondhand smoke.25,26 Our findings provide an additional rationale for adopting these policies: tobacco promotions are likely to be less successful in a smoke-free bar or nightclub, because smoking would not be modeled as an integral part of this social activity. Decoupling smoking and drinking will likely be an effective way to counteract the tobacco industry’s marketing strategies.

#### It competes—advertisement of commercial products is protected by the constitution.

US Courts “What Does Free Speech Mean?” <http://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does> JW

The First Amendment states, in relevant part, that: “Congress shall make no law...abridging freedom of speech.” Freedom of speech includes the right: Not to speak (specifically, the right not to salute the flag). West Virginia Board of Education v. Barnette, 319 U.S. 624 (1943). Of students to wear black armbands to school to protest a war (“Students do not shed their constitutional rights at the schoolhouse gate.”). Tinker v. Des Moines, 393 U.S. 503 (1969). To use certain offensive words and phrases to convey political messages. Cohen v. California, 403 U.S. 15 (1971). To contribute money (under certain circumstances) to political campaigns. Buckley v. Valeo, 424 U.S. 1 (1976). To advertise commercial products and professional services (with some restrictions). Virginia Board of Pharmacy v. Virginia Consumer Council, 425 U.S. 748 (1976); Bates v. State Bar of Arizona, 433 U.S. 350 (1977). To engage in symbolic speech, (e.g., burning the flag in protest). Texas v. Johnson, 491 U.S. 397 (1989); United States v. Eichman, 496 U.S. 310 (1990).

#### Tobacco companies use social events at universities to promote smoking—causes more regular tobacco use.

Rigotti et al 05 Nancy A. Rigotti, MD, Susan E. Moran, MD, MSCE, and Henry Wechsler, PhD “US College Students’ Exposure to Tobacco Promotions: Prevalence and Association With Tobacco Use” American Journal of Public Health 2005 January; 95(1): 138–144 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449866/

Tobacco use among young adults in the United States is a growing public health concern. Cigarette smoking rates declined between 1993 and 2000 among all US adults except those aged 18 to 24 years.1 Among US college students, the prevalence of smoking rose dramatically during the 1990s before it declined slightly between 1999 and 2001.2–4 Smoking rates among young adults who do not attend college are higher than smoking rates among college students.4 Several factors account for young adults’ increased tobacco use. One factor is the aging of the cohort of adolescents whose smoking rates increased after 1991, but it does not explain all of the change.2–5 Another factor may be that young adults are initiating regular tobacco use in larger numbers.5 Young adults (aged 18–24 years) are the youngest legal targets of tobacco industry marketing. Internal tobacco industry documents show that tobacco marketing targets young adults.6–9 The industry envisions the uptake of smoking as a process that extends into young adulthood, during which time adolescents’ experimental or occasional smoking becomes solidified into a regular smoking habit.9 The tobacco industry has developed novel marketing strategies to promote this transition. A well-documented strategy is to sponsor social events at bars and nightclubs where free cigarettes and promotional items are distributed.6,7,9 Similar promotions take place at college social events sponsored by organizations such as fraternities and sororities.10 Bars and nightclubs have assumed greater importance for tobacco marketing since the 1998 Master Settlement Agreement between the tobacco industry and 46 states’ attorneys general, because the agreement limits the distribution of free cigarette samples to facilities that do not admit minors.6,9,11 Bars and nightclubs also are smoker-friendly environments for the tobacco industry, because they are among the few places where smoking is not generally restricted by clean-air laws.7 Promotional events at bars, nightclubs, and college social events aim to link alcohol with tobacco use and to make tobacco products a visible part of young adults’ social lives.6,7 The events reinforce brand visibility, allow the industry to reach specific target groups, and generate names for future marketing efforts.6,7,9 Promotions at social events have the potential to increase tobacco use by encouraging nonsmokers to try cigarettes, by encouraging experimental smokers to develop regular use, and by discouraging current smokers from quitting. There is no information about the extent of young adults’ exposure to these new tobacco promotions or about the impact of these promotions on young adults’ tobacco use. The potential impact could be substantial, because young adults are more susceptible to tobacco marketing than adults in older age groups.12 Colleges and universities provide a key channel for reaching young adults, because approximately one third of young adults attend college.13 Our study used data from a large nationally representative random sample of US college and university students to assess the prevalence of students’ exposure to tobacco promotions at bars, nightclubs, and campus social events and to explore the association between that exposure and smoking behavior. We hypothesized that students’ tobacco use before entering college might modify this association, because students who did not smoke regularly before college would be more susceptible to bar/nightclub promotions than students who entered college as regular smokers.

#### Empirics prove—college tobacco marketing increases the chance of tobacco use.

Rigotti et al 05 Nancy A. Rigotti, MD, Susan E. Moran, MD, MSCE, and Henry Wechsler, PhD “US College Students’ Exposure to Tobacco Promotions: Prevalence and Association With Tobacco Use” American Journal of Public Health 2005 January; 95(1): 138–144 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1449866/

To our knowledge, this is the first study that measured young adults’ exposure to a tobacco industry marketing strategy that has assumed greater prominence since the 1998 Master Settlement Agreement. During the first 6 months of the 2000–2001 school year, 8.5% of US college students attended a tobacco industry–sponsored social event where free cigarettes were distributed. Students at all but one of the 119 colleges surveyed reported attending these events. Bars and nightclubs were the most common settings, but students also reported attending events on college campuses, a site that has received less attention and that provides direct access to students. Our study shows that there is an association between attendance at these promotional events and tobacco use. It has been hypothesized that the tobacco industry’s new promotional strategies have contributed to the observed increase in young-adult tobacco use. To date, however, the evidence is only indirect; the introduction of these strategies corresponds temporally with the increase in smoking among young adults.5–7,9 We add to the evidence by showing an association between exposure to the new tobacco promotional events and current smoking. The association remained strong after we adjusted for potential confounding factors, such as the fact that smokers drink more alcohol and are more likely to go to bars. Furthermore, the effect of tobacco promotions on smoking behavior was modified by a student’s history of tobacco use before entering college. Nearly 80% of the students had not smoked regularly before 19 years of age. Among this group, students exposed to a tobacco promotional event had higher odds of being a current smoker at the time of our study. In contrast, students who were already smoking regularly when they entered college continued to smoke at high rates, and attending a tobacco promotional event had no effect on their smoking prevalence. This finding suggests that the tobacco industry sponsorship of social events may be encouraging the initiation or the progression of smoking among young adults.

#### Tobacco use causes massive negative health effects.

Saha et al 07 Sibu P Saha, MD MBA FICA, Deepak K Bhalla, PhD, Thomas F Whayne, Jr, MD PhD FICA, and CG Gairola, PhD “Cigarette smoke and adverse health effects: An overview of research trends and future needs” Int J Angiol. 2007 Autumn; 16(3): 77–83 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2733016/> JW

As part of the Global Burden of Disease Study carried out by the Harvard University School of Public Health in 1997 (4), it was projected that mortality and morbidity from tobacco use will increase by almost threefold worldwide in 20 to 25 years. Similar predictions have been made by the Oxford University Center headed by Sir Richard Doll, who was one of the first researchers to link cigarette smoking with lung cancer in the 1950s (5,6). Cancer, cardiovascular diseases and chronic obstructive pulmonary disease continue to be the main health problems associated with cigarette smoking. An extensive database has accumulated, which has consistently documented a relationship between smoking and these specific diseases. The strength of the association is further demonstrated by measuring the RR and the presence of a dose-response relationship (ie, direct relationship between the intensity of exposure to cigarette smoke and the risk of disease). According to a 2004 Centers for Disease Control and Prevention report (3), approximately 2600 people die of cardiovascular disease in the United States every day, which translates into one death every 33 s. Furthermore, the likelihood of dying from heart disease increases fourfold as a result of smoking. The cost of heart disease and stroke in terms of health care expenses and lost productivity was estimated at US$351 billion in the United States alone in 2003. An analysis by European health experts (7) determined that in developed countries as a whole, tobacco is responsible for 24% of all male deaths and 7% of all female deaths; these figures rise to over 40% in men in some countries of central and eastern Europe and to 17% in women in the United States. The average decreased life span of smokers is approximately eight years. Among United Kingdom doctors followed for 40 years, overall death rates in middle age were approximately three times higher among physicians who smoked cigarettes than in nonsmokers. In those United Kingdom physicians who stopped smoking, even in middle age, a substantial improvement in life expectancy was noticed. These same experts found that worldwide, smoking kills three million people each year and this figure is increasing. They predict that in most countries, the worst is yet to come, because by the time the young smokers of today reach middle or old age, there will be approximately 10 million deaths per year from tobacco use. Approximately 500 million individuals alive today can expect to be killed by tobacco and 250 million of these deaths will occur in the middle age group. Tobacco is already the biggest cause of adult death in developed countries. Over the next few decades tobacco is expected to become the biggest cause of adult death in the world. For men in developed countries, the full effects of smoking can already be seen. Tobacco causes one-third of all male deaths in the middle age group (plus one-fifth in the old age group) and is the cause of approximately one-half of all male cancer deaths in the middle age group (plus one-third in the old age group). Of those who start smoking in their teenage years and continue smoking, approximately one-half will be killed by tobacco. One-half of these deaths will be in middle-aged individuals (35 to 69 years of age) and each will lose an average of 20 to 25 years of nonsmoker life expectancy. In contrast, the total mortality is decreasing rapidly and cancer mortality is decreasing slowly in nonsmokers in many countries. Throughout Europe in the 1990s, tobacco smoking caused three-quarters of a million deaths in the middle age group. In the Member States of the European Union in the 1990s, there were over one-quarter of a million deaths in the middle age group directly caused by tobacco smoking, which included 219,700 deat

#### The tobacco industry is one of the most oppressive institutions in the world—they directly target disadvantage groups to enhance addiction. There has been no greater mass killing of disadvantaged persons in human history. Ames ‘15

"The poor, the young, the black and the stupid": Inside Big Tobacco's plans to kill a billion people.By Mark Ames , written on June 30, 2015. https://pando.com/2015/06/30/tobacco-industry-will-kill-billion-people-century-read-how-they-plan-do-it/

“The world’s most widespread, serious infection is purposely spread by its vector: the tobacco industry. Rather than a tiny insect, this vector has economic resources rivaling those of many of the world’s largest governments. Its spread is mapped out in mahogany-lined boardrooms; it breeds its resistance to countermeasures in political backrooms; and it seizes its victims in adolescent bedrooms.” —Eric LeGresley, World Health Organization. The Legacy Tobacco Documents Library (LTDL) at the University of California, San Francisco is a digital House of Corporate Horrors; an open black box offering the public access to nearly 15 million searchable documents -- over [88 million pages](https://industrydocuments.library.ucsf.edu/tobacco/about/data/" \t "_blank) in total -- direct from the private vaults of the Big Tobacco companies. These documents offer an unvarnished view into the deadliest and most outrageous business conspiracy in history. Tens of millions of people dead, for tens of billions in Big Tobacco profits. Most of those deaths were easily preventable and might actually have been prevented but for this conspiracy. It’d be hard to believe if it weren’t all there in black and white: Secret programs to spike and freebase cigarettes in order to hook smokers for life, massive marketing campaigns aimed at hooking underage smokers and at confusing and tricking the public, and untold billions more spent bribing the media, science, academics, and politicians in order to keep the tobacco profits rolling on. You also find the names of all sorts of respectable journalists, political figures and nonprofit charities who cut secret deals with Big Tobacco to help them continue profiting off mass-death. The newest [3.0 version](https://industrydocuments.library.ucsf.edu/tobacco/" \t "_blank) of the digital Tobacco Library has just gone live, the most advanced version yet of its online collection—and the most important collection of leaked secrets anywhere in the world. There are a lot of things I like about the Tobacco Library story—it’s one of those rare stories in which good really does triumph over evil, in which the work of heroes will save the lives of literally tens of millions of people, and for me it’s a rare story in which I get to talk up the good that tech can do. It’s thanks to technology that tens of millions of these company documents are open to researchers and journalists—a raw look into the bowels of corruption. These documents have helped shaped anti-smoking laws around the world and saved countless people from a painful, drawn-out death in the process. Before getting into the tech side of this story, it’s important to understand the stakes in the tobacco conspiracy: Every year, cigarettes still kill roughly 480,000 Americans. Worldwide, tobacco kills six million people per year. In all, tobacco killed over 100 million people in the 20th century, and cigarettes are expected to kill 1 billion people worldwide this century. There is nothing to compare to that death toll in all of human history, not even guns or nukes or the deadliest wars. Whereas tobacco brings nothing but misery for profit, at least you can say that some wars have achieved a greater good—defeating fascism, liberating oppressed groups. The one persistent argument made in tobacco’s defense -- an argument heavily funded and promoted by Big Tobacco -- is the false idea that those millions killed by smoking did so by their own “choice.” Leaving aside the billions spent by Big Tobacco over the years to distort and conceal the medical science on tobacco, there are a few problems with that rationale, many of them helpfully revealed by the LTDL documents. Murder, They Wrote In America, 50,000 people die a year from second-hand smoke; worldwide over 500,000 people die a year from second-hand smoke, which obviously wasn’t their choice. Many of those who develop second-hand smoke diseases were exposed as infants or children, or in their workplaces; Tobacco documents reveal that the companies focused their efforts on getting “presmokers” under the age of 18 addicted, because “presmokers” are far more likely to become addicted for life to nicotine than people who start smoking later in life. Tobacco documents reveal that this target demographic is called “learners,” “replacement smokers,” “starters,” and “tomorrow’s cigarette business”; American Tobacco’s undercover operative proposed publishing articles to discredit an anti-tobacco scientist in a newspaper that no one would trace to the tobacco industry. Up to 90 percent of smokers are addicted, meaning they have no choice. By comparison, only 3 percent of those who drink alcohol are addicted. 81 percent of smokers say they regret having started smoking and cannot quit. Most addicted smokers started smoking between the ages of 13 and 15. Philip Morris conducted secret pharmacological studies about children and smoking in reports titled “Aggressive Monkeys” and “Hyperkinetic Child as Prospective Smoker”; Tobacco companies spike cigarettes with ammonia to create “crack nicotine” in order to maximize addiction; Tobacco companies also targeted disadvantaged communities, including African-Americans and other minorities, and the mentally ill, because they too were more vulnerable to becoming lifelong cigarette addicts. RJR Reynolds once ran a marketing campaign for Camel cigarettes in San Francisco code-named “Project Scum” targeting the homeless, alcoholics, and drug addicts; By the 1970s, tobacco companies started heavily targeting lower-income groups. A 1978 Philip Morris marketing memo argued for pouring more money into sponsoring NASCAR races over sponsoring the arts: “The most important problem I see with sponsorship of the arts is that it reaches the wrong target group. In the main the arts are more of interest to the A/B class than to the lower social classes C and D. Smoking is becoming more and more a C/D class habit... sport sponsorship fits the class and mass exposure criteria much better, and therefore sells more cigarettes per $ spent”; A Lorillard Tobacco Company memo from 1978 reads, "we must continually keep in mind that Newport is being heavily supported by blacks and the under 18 smokers". In the late 50s, Lorillard pushed menthols on African-Americans by driving trucks full of Newports into urban housing projects and distributing them to blacks for free “like ice-cream trucks.” Other code words for targeting minority communities with tobacco included “BHM” (Black + Hispanic market); A 1970 Lorillard memo titled “Why Menthols?” explains how menthol cigarettes were marketed to exploit racist myths for profit: Negroes, as the story goes, are said to be possessed by an almost genetic body odor. Now whether or not this is real is irrelevant. More importantly, Negroes recognize the existence of this “myth.” And they realize that “Whitey” does too. Now what does this have to do with menthol cigarettes? Here’s the theory: Negroes Americans smoke menthols to make their breath feel fresh. To mask this real/mythical odor. Let’s examine this theory a little... Jews, according to an RJR memo, “tend to gravitate towards lower tar brands”; while a 1973 Lorillard memo divided female smokers into eight segments on a sliding scale, from “Emotional Bra-Burning Extremists” and “Blatant Lesbians” to “traditional Women” and “Anti-Libbers.” A 1978 Lorillard memo to the company president about its best-selling brand, Newport, reads: The success of NEWPORT has been fantastic during the past few years. Our profile taken locally shows this brand being purchased by black people (all ages), young adults (usually college age), but the base of our business is the high school student. Lorillard’s biggest worry was the possibility that these fickle youngsters might quit, despite being the most prone to becoming addicts until death: “I think we must continually keep in mind that Newport is being heavily supported by blacks and the under 18 smokers. We are on somewhat thin ice should either of these two groups decide to shift their smoking habits.” Reynolds, maker of Marlboros and Camel, made explicit in their memos the need to hook young teens. A 1975 Reynolds memo, stamped “SECRET,” concluded, To ensure increased and longerterm growth for Camel Filter, the brand must increase its share penetration among the 14-24 age group which have a new set of more liberal values which represent tomorrow’s cigarette business. These are not accidents, as the tobacco library reveals, but rather carefully plotted designs by some of the most profitable corporations in history. It is a profit model that is like a dream come true for the most bloodless capitalists. Warren Buffett, the second richest man in the world and darling to some of the more gullible liberals, [explained why](http://articles.baltimoresun.com/1994-05-30/business/1994150090_1_tobacco-rjr-nabisco-cigarette" \t "_blank) he purchased a large 5 percent stake in RJR Reynolds and took a board seat at the tobacco giant: I’ll tell you why I like the cigarette business. It costs a penny to make. Sell it for a dollar. It’s addictive. New York Times columnist Bob Herbert in 1993 thrashed some of the leading African-American charities that took Philip Morris’ blood money to help launder the tobacco giant’s reputation—NAACP, the Urban League, and the United Negro College Fund were among those he named. (More recently, the United Negro College Fund sparked controversy when it took [$25 million](http://www.salon.com/2014/07/25/koch_brothers_new_racial_gambit_whats_really_behind_a_quiet_battle_with_afscme/" \t "_blank) from the [Koch brothers](http://www.salon.com/2014/09/04/exclusive_new_secret_koch_tape_reveals_united_negro_college_fund_plot/" \t "_blank), longtime allies of Big Tobacco and leading funders of climate change deniers). Herbert quoted the once-ubiquitous Winston Man from the magazine ads, David Goerlitz, who recounted what a Reynolds executive told him during a photo shoot: Goerlitz asked the executive during a break if he or his Reynolds colleagues smoked, to which the Reynolds exec shook his head, and [replied](http://www.nytimes.com/1993/11/28/opinion/in-america-tobacco-dollars.html" \t "_blank), Are you kidding? We reserve that right for the poor, the young, the black and the stupid.

#### This turns the aff:

#### A. Opression turns the aff and outweighs—prevents dialogue and discussion

#### B. Advertising isn’t a form of productive dialogue—it contributes nothing to agonism because the goal isn’t to arrive at good conclusions or engage in conversation, its just to convince people to buy things. Specifically, the CP prevents it from happening at social events.

#### C. There is an intrinsic connection between smoking and lack of dialogue

### TJFs Bad

A. Interpretation: debaters may not read theoretical justifications for their framework.

B. Violation:

C. Standards:

1. Philosophical education

2. Resolvability

D. Voters. Fairness is a voter- debate’s a competitive activity so you can’t assess the better debater if the round is skewed. Education’s a voter- it’s why schools fund debate and provides portable skills for the real world.

Drop the debater: 1. Substance is permanently skewed- I’ve had to invest time and alter 1N strategy to check abuse, 2. Deterrence-a loss discourages future unfair practices for fear of losing the round.

Use competing interps: 1. Race to the bottom- people will be incentivized to barely meet the brightline while still being abusive. 2. Collapses to competing interps- you use offense/defense to determine whether reasonability is good which concedes the authority of competing interps. Saying reasonability is reasonable is circular.

No RVIs: 1. Topical clash- RVIs force the entire round into theory debates which moots substantive education about the topic. 2. Chilling effect- RVIs discourage debaters from reading theory for fear of losing the round, allowing abusive practices. That outweighs- a world with some theory is better than a world with no theory which has infinite abuse. 3. Resolvability- RVIs justify voting a debater up just for being fair which logically results in both debaters winning, which is irresolvable.