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# A2 Consequentialism

1. The none-such problem: each type of pleasure—the pleasure of sleeping, the pleasure of eating ice cream—is qualitatively different, so we can’t quantify and compare pleasures under consequentialism.
2. We do not have a moral duty to maximize utility. Kymlicka[[1]](#footnote-1) writes:

For **it is** entirely **unclear why maximizing utility**, as our direct goal, **should be** considered **a moral duty. Whom is it a duty to? Morality,** in our everyday view at least, **is a matter of interpersonal obligations—**the obligations we owe each other**. But to whom do we owe the duty of maximizing utility? Surely not the impersonal ideal spectator who often figures into such theory, for he does not exist. Nor to the maximally valuable state of affairs itself, for states of affairs do not have moral claims.**

Aggregation is nonsensical since combining disparate experiences is impossible. Ten headaches don’t become one migraine as there is no actor capable of experiencing the collective pain of ten people. Assessments of moral harms must reference individuals, not collectives.

1. Desirability conceptions of morality are circular. Parfit[[2]](#footnote-2):

**According to desire-based theories,** such **reasons would have to be provided by facts about what would fulfill our present desires. If**, after informed deliberation, **we want** future **happiness** as an end, **this** fact **could give us instrumental reasons to have** certain **other desires**, since it would give us reasons to want whatever would make us happy**. But the fact that we had this desire could not** be truly claimed to **give us** a **reason to have it. Desires cannot be self-supporting. Our wanting happiness** as an end **could not give us a reason to want happiness** as an end**.**

1. An infinite world mathematically contains an infinite amount of pleasure and pain, so consequentialism fails to prescribe action. Bostrom[[3]](#footnote-3):

The infinite case is fundamentally different. Suppose the world contains an infinite number of people and a corresponding infinity of joys and sorrows, preference satisfactions and frustrations, instances of virtue and depravation, and other such local phenomena at least some of which have positive or negative value. More precisely, suppose that there is some finite value ε such that there exists an infinite number of local phenomena (this could be a subset of e.g. persons, experiences, characters, virtuous acts, lives, relationships, civilizations, or ecosystems) each of which has a value ≥ ε and also an infinite number of local phenomena each of which has a value ≤ (‒ ε). Call such a world canonically infinite. Ethical theories that hold that value is aggregative imply that **a[n]** canonically **infinite world contains** an **[both] infinite** quantity of **positive** value **and** an infinite quantity of **negative value.** This gives rise to a peculiar predicament. **We can do only a finite amount of good or bad. Yet** in cardinal arithmetic, **adding or subtracting a finite quantity does not change an infinite quantity. Every** possible **act** of ours **therefore has the same net effect on the total amount of good and bad** in a canonically infinite world**: none whatsoever.** Aggregative **consequentialist theories are threatened by infinitarian paralysis: they seem to imply that** if the world is canonically infinite then **it is always ethically indifferent what we do**. In particular, they would imply that it is ethically indifferent whether we cause another holocaust or prevent one from occurring. If any non‐contradictory normative implication is a reductio ad absurdum, this one is.

The universe is infinite. Bostrom[[4]](#footnote-4) 2:

In the standard Big Bang model, assuming the simplest topology (i.e., that space is singly connected), there are three basic possibilities: the universe can be open, flat, or closed. **Current data suggests a flat or open universe**, although the final verdict is pending. If the universe is either open or flat, then it **[that] is spatially infinite at every point in time and** the model entails that it **contains an infinite number of galaxies, stars, and planets.** There exists **a common misconception** which **confuses the universe with the (finite) ‘observable universe’. But the observable part**—the part that could causally affect us—**would be just an infinitesimal fraction of the whole.** Statements about the “mass of the universe” or the “number of protons in the universe” generally refer to the content of this observable part; see e.g. [1]. **Many cosmologists [also] believe that our universe is just one in an infinite** ensemble of universes (a **multiverse), and this adds to the probability that the world is** canonically **infinite**; for a popular review, see [2].

1. Consequentialism leads to nihilism because it fails to distinguish between acts and omissions—it holds agents accountable even for harms we allow. This makes our obligations infinite since we can always do more to prevent harm, precluding our ability to act morally and thus defeating the purpose of morality as a guide to action.
2. Utilitarianism places an impossible burden on actors. Utilitarianism demands that agents take actions that produce the greatest benefits. However, every action sets off a chain reaction of other events, and A) it’s nearly impossible to predict these events since there is a huge array of confounding variables influencing performance. Many effects of state policy arise years later, so there’s no way to know what policy caused what event, and B) there’s no mathematical point at which an agent stops being responsible for his action, so utilitarianism can’t guide action. Our evaluation of end-states never stops because there are an infinite number of consequences that might change the moral worth of an action.
3. There is no intrinsically valuable state of affairs, so utility halts action because states can never know what its citizens’ “interests” really are. Citizens have different pleasures based on their own experiences and unique psychological makeup. Even if populations can agree on values, they could never reach consensus on the relative worth of policy values, and if they could there would be no way of determining this in a timely manner. This would also require constant reconfirmation, else the system would fail when people’s values changed.
4. The Repugnant Conclusion—On the basis of aggregate comparison, population B with 200 people living at a standard of one util each is better than A with 10 people at 10 util each because it has 200 utils to A’s 100. This conclusion is unacceptable because it implies that the world would be better if there were a vastly greater number of people who all lived worthless lives, so there is no working account of the obligation to beneficence. The repugnant conclusion also defeats averaging accounts of welfare. Imagine three situations A, B and C. A and B both have 10 individuals with 10 util each, but B has an additional 100 individuals with 5 util each for an average of 5.5 utils; this means it is superior to A because it has at least as much as A. Next imagine C, where 200 individuals have 6 utils each, for an aggregate of 1200 and an average of 6. If B is at least as good as A, and C is preferable to B on both aggregate and average indexes, then C is the optimal situation. This implies that living in a densely populated country with a low standard of living is better than living in a developed country with a smaller population, so once again the obligation to beneficence is self-defeating.

## Deontology-specific answers

1. It is self-contradictory to say that something is valuable and then violate it for the sake of others. Applbaum[[5]](#footnote-5) summarizes Kamm:

Kamm believes that it would be confused to violate a specified right—a constraint that is not vague about the extent of protection it accords—to minimize violations of that right. For example, **suppose** (as Nagel allows) **there is some threshold beyond which the harms** of violation do **outweigh the value of inviolability, so that the correct specification** of the right not to be killed **is: “Do not kill one to prevent the killing of fewer than six others.” Further** **suppose that others will** violate this constraint five times, by **kill**ing **five** persons without justification, **unless you violate the constraint once, by killing one to save the five. To violate the constraint for its own sake** under such circumstances is confused, says Kamm, because it **denies that “Do not kill one to prevent the killing of fewer than six others” is the correct specification of the constraint against killing.** “Suppose people are covered by such **constraints** whose ground is the **express**ion of personal **inviolability** of a certain sort. Then **[so] it would be simply self-contradictory** for it to be morally permissible **to minimize violations of the constraint** itself **for the sake of showing concern for it.**”

1. Utilitarianism is self-defeating since it allow rights to be sacrificed conditionally with the justification that this creates greater benefits overall. Over the long term, however, the fact that rights are subject to whims of utility eliminates everyone’s ability to enjoy these rights, out of constant fear that their rights will be sacrificed.
2. Consequentialism fails to recognize the nature of personhood. Quinn[[6]](#footnote-6):

**A person is constituted by his body and mind. They are parts** or aspects **of him**. For that very reason, **[and] it is fitting that he have primary say over what may be done to them**—not because such an arrangement best promotes overall human welfare, but because any arrangement that denied him that say would be a grave indignity**.** **In giving him this authority, morality recognizes his existence as an** individual with ends of his own—**an independent being**. **Since that is what he is, he deserves this recognition. Were morality to** withhold it, were it to **allow us to kill** or injure **him whenever that would be collectively best, it would picture him not as a being in his own right but as a cell in the collective whole.**

## Kamm—Deontology K2 Value to Life

Following absolute side constraints is the only way life can have value. Kamm[[7]](#footnote-7) writes:

This point is connected to the question of whether, if we do not minimize rights violations by violating comparable rights, we tolerate a worse world than we could otherwise have. For example, **it may seem that a world in which someone kills one person to prevent others from being killed** in a way that **violates** the PI/PH is better than a world in which he does not kill and more **rights** are violated**.** **But,** I believe, the temptation to say this exists only when we also think that the person who kills is doing the wrong thing. **If we were to think that he did the right thing, we would be endorsing the permissibility of the act**, changing our moral system **and altering our concept of the person**, and this might very well make the world a worse place from our point of view**. The world would become worse for us because we would have to live believing in a less sublime and elevated conception of ourselves. We might save more people, but they would**, in a sense, **be less worth saving** in our eyes. This is **because individuals whose rights stand as a barrier to action are more potent** individuals than they would be otherwise**. This benefit of a** more sublime and **elevated self-conception accrues even to the** five (or **more**) **who will die because our system represents this truth** about persons**: They die as individuals who ought not to have been killed** in violation of the PI/PH even **to save** five (or **more**) other lives**.** If we understand these cases we have been discussing as cases in which the single person who will be protected by the PI/PH might have been one among the five who will die, then -- because if we killed the one to save the five and each person has a five times greater chance of being among the five than of being the one who is sacrificed, each has a greater likelihood of survival if we minimize violations -- both the one who survives and those who die will be exchanging the opportunity to increase the probability of physical survival for the dignity of retaining a more elevated conception of themselves which, they believe, represents the truth. 29

Therefore, absent side constraints against killing, people's lives lose all value since they would not be potent enough to prohibit death, making absolute moral standards a prerequisite to consequentialism. [Moreover, people’s lives will be happier in the world of side constraints since people will feel empowered, inviolable, and respected.]

### Kamm Extension:

**Extend Kamm—**respecting the fact that individuals are potent enough to constrain actions against them is a **prerequisite** to utilitarian values since it’s the only way we can view life as meaningful—it allows us to recognize individuals' inherent moral worth. Endorsing killing negates this potency since it causes us to view individuals' lives as less worth saving. This precedes the AC standard since saving lives only has meaning if individuals' lives are powerful enough to place a barrier on action. [This turns pleasure since people’s lives will be happier in the world of side constraints since people will feel empowered, inviolable, and respected.]

## A2 Universal Prescriptivism

1. **Ethics evaluates claims in terms of truth, not in terms of prescriptions.**
2. Reject a prescription-based ethical semantic since it is inconsistent with our understanding of ethical propositions. Geach[[8]](#footnote-8):

**The theory that to call** a kind of **[an] act "bad" is not to describe but to condemn it is open to** similar **objections.** Let us **consider this** piece of moral **reasoning:**

**If doing a thing is bad, getting your little brother to do it is bad. Tormenting the cat is bad. Ergo, getting your little brother to torment the cat is bad.** The whole nerve of the reasoning is that **"bad" should mean exactly the same at all four occurrences—**should **not**, for example, **shift from an evaluative to a descriptive** or conventional or inverted-commas **use. But in the major premise the speaker** (a father, let us suppose) **is** certainly **not uttering acts of condemnation**: one could hardly take him to be condemning just doing a thing**.**

1. The intricacies of moral language require cognitive morality. Russ Shafer-Landau[[9]](#footnote-9) explains:

**The** first **problem**, just discussed, **is** really a particular instance of a quite general difficulty, that of **accounting for the rich diversity of moral predicates.** If expressivism is true, the essence of any moral statement is the expression of a fundamentally non-representational attitude towards some natural state of affairs. **If, as it seems, we convey** and mean **something slightly different when we [call]** say of **an action** that it is **virtuous, right, mandatory, supererogatory, kind,** beneficent, **admirable, conscientious,** attractive, desirable, **laudable,** saintly, **or fine, then non-cognitivists must explain this** by citing a different attitude that receives expression in each case**. But our attitudes don’t seem nearly as diverse** or fine-grained **as the predicates we standardly deploy** in moral assessment**. Cognitivists straightforwardly account for these differences by referring to different meanings**, contents, **or properties that are exemplified when these different assessments are true.** Expressivists must either deny that these predicates signify different assessments, or identify a different attitude for each predicate. Neither route seems very promising.

1. The fact that we can compare different prescriptions means morality is not prescription-based. C.S. Lewis[[10]](#footnote-10) explains:

There are two reasons for saying it belongs to the same class as mathematics. The first is, as I said in the first chapter, that though there are differences between the moral ideas of one time or country and those of another, the differences are not really very great — not nearly so great as most people imagine — and you can recognize the same lay running through them all: whereas mere conventions, like the rule of the road of the kinds or clothes people wear, may differ to any extent. The other reason is this. When you think about these differences between the morality of one people and another, do you think that the morality of one people is ever better or worse than that of another? Have any of the changes been improvements? If not, then of course there could never be any moral progress. Progress means not just changing, but changing for the better. **If no set of moral ideas were truer or better than any other, there would be no sense in preferring civilized morality to savage morality**, or Christian morality to Nazi morality**.** In fact, **of course,** we all do believe that **some moralities are better than others.** We do believe that some of the people who tried to change the moral ideas of their own age were what we would call reformers or pioneers – people who understood morality better than their neighbors did. Very well then. **The moment you say that one set of moral ideas can be better than another; you are**, in fact, **measuring them both by a standard**, saying that one of them conforms to that standard more nearly than the other**. But the standard that measures two things is something different from either. You are**, in fact, **comparing** the **both with some real morality**, admitting that there is such a thing as a real Right, independent of what people think, and that some people’s ideas get nearer to that real right than others**.** Or put it this way. If you’re moral ideas can be truer, and those of the Nazis less true, there must be something – some real morality – for them to be true about. The reason why your idea o New York can be truer or less true than mine is that New York is a real place, existing quite apart from what either of us thinks. If when each of us said “New York” each meant merely “the town I am imagining in my own head,” how could one of us have truer ideas than the other? There would be no question of truth or false hood at all. In the same way, if the Rule of decent Behavior meant simply “whatever each nation happens to approve,’ there would be no sense in saying that any one nation had ever been more correct in its approval than any other; no sense in saying that the world could ever grow morally better or morally worse.

Thus, unless there is a difference between prescriptions and morality, we cannot determine which prescriptions are good or bad, denying morality’s ability to guide action and rendering prescriptivism self-defeating. Lewis also denies the prescriptivist assumption that morality must dictate how we act in order to obligate us—cognitivism can obligate action without making commands because a sufficient explanation of how we ought to act also gives us reason to conform our action to that truth claim.

1. **Even if morality is prescription-based, it’s not based in universal prescriptivism.**
2. We can only guess at others’ judgments since we can’t know their risk assessments, personal preferences, or moral calculus. Thus, because there is always a nearly infinitely-higher probability of the assessments of one’s own prescriptions being true than our guesses of universal prescriptions, an individual should only evaluate his own prescriptions.
3. The premise of universal prescriptivism is inconsistent with the assumptions of prescriptivism. Others’ prescriptions cannot guide my action because I have no reason to recognize them as action-guiding absent some external standard by which I ought to constrain my action.
4. Universal prescription leads to contradictions: if the majority of people prescribe that you ought to prescribe in a particular way then that renders your prescription immoral. But that means that ethics allows us to base a decision on a basis that is immoral, reducing the theory to absurdity.
5. There is no way to objectively view the world in this way. Thomas Nagel[[11]](#footnote-11) explains:

In the pursuit of this goal, however, even at its most successful, something will inevitably be lost. If we try to understand experience from an objective viewpoint that is distinct from that of subject of the experience, then even if we continue to credit its perspectivial nature, we will not be able to grasp its most specific qualities unless we can imagine them subjectively. We will not know exactly how scrambled eggs taste to a cockroach even if we develop a detailed objective phenomenology of the cockroach sense of taste. When it comes to values, goals, and forms of life, the gulf may be even more profound. Since this is so, **no objective conception of the mental world can include it all.** But in that case it may be asked what the point is of looking for such a conception. The aim was to place perspective and their contents in a world seen from no particular point of view. It turns out that some aspects of those perspectives cannot be fully understood in terms of an objective concept of mind. But if some aspects of reality can’t be captured in an objective conception, why not forget the ambition of capturing as much of it as possible? The world just isn’t the world as it appears to one highly abstracted point of view that can be pursued by all rational beings. And if one can’t have complete objectivity, the goal of capturing as much of reality as one can in an objective net is pointless and unmotivated. I don’t think this follows. The pursuit of a conception of the world that doesn’t put us at the center is an expression of philosophical realism, all the more so if it does not assume that everything real can be reached by such a conception. **Reality is not just objective reality, and any objective conception of reality must include an acknowledgment of its own incompleteness.** (This is an important qualification to the claims of objectivity in other areas as well.) Even if **an objective general conception of mind** were developed and added to the physical conception of objectivity, it **would have to include the qualification that the exact character of each of the experimental and intentional perspectives with which it deals can be understood only from within or by subjective imagination.** A being with total imaginative power could understand it all from inside, but an ordinary being using an objective concept of mind will not. In saying this we have not given up the idea of the way the world really is, independently of how it appears to us or to any particular occupant of it. We have only given up the idea that this coincides with what can be objectively understood. **The way the world is includes appearances, and there is no single point of view from which they can all be fully grasped.** An objective conception of mind acknowledges that the features of our own minds that cannot be objectively grasped are examples of a more general subjectivity, of which other examples lie beyond our subjective grasp as well.

1. **Even if you accept universal prescriptivism, that does not derive consequentialism.**
2. The fundamental assumption is false; many people do not simply prescribe their own preference maximization—people often forgo their own desire fulfillment according to moral beliefs.
3. Prescriptivism assumes everyone would prescribe the impact story of my opponent, which means in order to access his framework, he must show not only that his impacts would occur but that the majority of people believe it will occur and thus prescribe actions to avoid those consequences.
4. He misunderstands preference satisfaction; a preference doesn’t have to be a consequence—some people, for example, prescribe that people follow external moral rules. Christine Korsgaard, for example, would probably prefer that all people will consistently with the categorical imperative. [Politicians often account for standards for moral personhood in policy-making, e.g. the Bill of Rights and norms of non-combatant immunity].

**Additional Example of the Frege-Geach Problem:**

From Wikipedia:

* It is wrong to tell lies.
* If it is wrong to tell lies, then it is wrong to get your little brother to tell lies.
* Therefore, It is wrong to get your little brother to tell lies.

In the second statement the expressivist account appears to fail, in that the speaker asserting the hypothetical premise is expressing no moral position towards lying, condemnatory or otherwise. The expressivist thus cannot account for the meaning of moral language in this kind of unasserted context.

## A2 Naturalism

### A2 Papineau—Moral theories are reducible to physical facts

1. From the statement that everything can be explained by physical facts, it does not follow that therefore all *moral theories* are reducible to those facts. We could simply be describing the moral theories on the wrong level; for instance, some might proclaim that physics can be explained by biology, but no one argues that physics reduces to biology.
2. If they are right that we should eliminate everything except physical states, you either
3. Could not have a moral theory since you cannot place an “ought” in a purely material claim, or
4. No moral theory could fail to meet the metaethical requirement. Barbara Montero[[12]](#footnote-12) writes:

But what does it mean to be physical?  It seems that those who take the central concern of the mind-body problem to be the relationship between mental properties and physical properties **[Physicalists]**—and if Kim is right, this is just about everyone—**should have at least a rough idea of what it means to be physical**, not necessarily a strict definition, but at least a notion of the physical that excludes some, if not actual, then at least possible, phenomena from being physical**.**  For if we cannot even conceive of something being nonphysical, it is difficult to grasp what physicalists could be arguing for—to say nothing of what that they could be arguing against **It is not at all clear, however, that physicalists can provide even this minimal condition.** Current physics, which posits such things as particles with no determinate location, curved space-time, and wave-particle duality, tells us that the world is indeed more ghostly than any ghost in the machine.  And if the existence of ghostly phenomena does not falsify physicalism it is difficult to say what would.  As Richard Healey puts it, “[the] expanding catalogue of elementary particle states of an increasingly recondite nature seems to have made it increasingly hard for the physicists to run across evidence that would cast doubt on a thesis of contemporary physicalism stated in terms of it.” In other words, if such things as one-dimensional strings and massless particles are physical, it is difficult to say what wouldn’t be.   Bertrand Russell made this basic point back in 1927: “matter,” he said, “has become as ghostly as anything in a spiritualist’s séance.” And over the past seventy years Russell’s point has, if anything, been reinforced.  Presumably things could change.  Philosophy, as we all know, is not noted for its rapid progress and perhaps in another seventy years or so we will have a clear idea of what it means to be physical.  However, it seems to me that until such clarification comes about, we ought to rethink the project of accommodating the mental in the physical world.  That is, we ought to rethink what Kim tells us is “the shared project of the majority of those who have been working on the mind-body problem over the past few decades.” Not surprisingly, most physicalists are of a somewhat different opinion.  While many physicalists admit that our understanding of what it means to be physical is rather tenuous, they usually think that the notion, and thus the crux of the debate, is clear enough.  The mind-body problem, according to most physicalists, is the problem of explaining how the mind can be physical, where what counts as physical is given to us by science.  In John Searle’s words, the mind-body problem is the problem of locating mentality “within our overall ‘scientific’ conception of the world.” And so, it does not matter what kinds of ghostly and bizarre phenomena science may posit, for it is science, itself, that serves as a reality test.  Searle thinks mentality passes the test because mentality, he argues, is “as much part of our biological natural history as digestion.” Others, however, are a bit harsher in their grading policy.  According to Patricia Churchland, for example, it is premature to say that every aspect of what we now think of as mentality can be accommodated in our scientific world-view (and for Churchland the relevant science here is neuroscience) since, for all we know, certain aspects of mentality might fail the test and go the way of phlogiston.  Yet as different as their views may be, both Searle and Churchland, as well as most other physicalists, abide by Wilfred Sellars’ well known dictum, “in the dimension of describing and explaining the world, science is the measure of all things, of what is that it is, and of what is not that it is not.”  Physicalists may disagree about just how far to take this claim: must we be “nothing butists,” or can we accept an ontology that goes beyond science as long as it is related to the posits of science “in the proper way”? However, when it comes to fundamental ontological matters, they are, for the most part, united: the ultimate authority is science. But what is meant here by “science”?  Physicalists usually shy away from expressing their views about which specific theories will account for the fundamental nature of, as it were, everything.  And this, of course, is the safest strategy.  For as David Lewis advises, physicalists should “side with physics, but not take sides within physics.”  Samuel Guttenplan advocates this strategy as well; in his words, “all we **[physicalists]** are **claim**ing is **that any phenomenon** that is a genuine happening in this world **is** in principle **explicable by a science albeit by a science that might be quite different from any we now have** at our disposal**.**” **But if this is all that physicalists** are **claim**ing**, it is difficult to see what prevents *anything* from being physical: if physics (correctly) tells us that some things have no mass or no determinate spatial location,** well then, **physicalists will say, those things will still count as physical.** Even if physics were to one day reveal that our current theory of space-time is mistaken and that space and time actually are distinct so that some phenomena have temporal, but not spatial properties, then physicalists, I assume, would say that those things too, if they actually exist, will be physical.  Even more, if, as some physicists have begun to speculate, there is some sort of nonspatial, nontemporal stuff out of which space-time, itself, emerges, physicalists will once again declare victory.  **But if this is so,** it seems that **the strategy of simply siding with science, whatever science may ultimately say, is so safe as to bestow physicalism with** what Popper thought was **the** very **unscientific virtue of being**, even in principle, **unfalsifiable.**  Perhaps the deep eternal truths that are the domain of philosophy as well as mathematics are not at all likely to be falsifiable.  Yet it seems that without any restrictions on how the science in question is to progress, or on what entities and properties it is to incorporate, physicalism, that is, the view that everything is physical, becomes not only unfalsifiable, but also trivial. That is, without any restrictions whatsoever, **the view that everything is physical ends up as the view that everything exists.** And this, it seems to me, is a position that most philosophers, save, of course, for Meinongians, are not interested in discussing.

Thus, physicalism is **not** the doctrine that only physical things according to the present physics count, only that everything can be explained via physical facts. This means a) it can't exclude arguments because even my metaethic is a "fact" b) depends on having a completed physics, but it's always changing and c) it's an unscientific theory because it's unfalsifiable. His argument confuses the order of explanation. Physicalism says that what is true determines what is physical, NOT the other way around.

### A2 Nagel—Consequentialism follows from naturalism

1. Nagel does not claim we must aggregate, simply that each individual views pleasure and pain as intrinsically good and bad
2. Nagel does not support Papineau—he claims that there must be something in pain independent of a brain state. Nagel[[13]](#footnote-13):

**Instead of identifying thoughts, sensations, afterimages, and so forth with brain processes, I propose to identify a person's having the sensation with his body's being in a physical state or undergoing a physical process**. Notice that both terms of this identity are of the same logical type, namely (to put it in neutral terminology) a subject's possessing a certain attribute. The subjects are the person and his body (not his brain), and the attributes are psychological conditions, happenings, and so forth, and physical ones. **The psychological term of the identity must be the person's having a pain in his shin rather than the pain itself,** because although **it is undeniable that pains exist and people have them, it is also clear that this describes a condition of one entity,** the person, **rather than a relation between two entities, a person and a pain. For pains to exist is for people to have them.** This seems to me perfectly obvious, despite the innocent suggestions of our language to the contrary.

Thus, he instead argues that for every mental state, including those associated with deontology such as guilt and moral principle, has a corresponding physical state, but it **is not** simply that physical state.

1. They misstate Nagel’s conclusion—he points out that their interpretation lacks the ability to really explain persons and **does not accurately categorize sensations**. Nagel[[14]](#footnote-14):

But **there seems to remain one thing which I cannot say in this fashion-namely, which of the various persons in the world I am.** Even when everything that can be said in the specified manner has been said, and the world has in a sense been completely described, **there seems to remain one fact which has not been expressed, and that is the fact that I am Thomas Nagel.** This is not, of course, the fact ordinarily conveyed by those words, when they are used to inform someone else who the speaker is-for that could easily be expressed otherwise. **It is** rather **the fact that I am the subject of these experiences**; this body is my body; the subject or center of my world is this person, Thomas Nagel**.** Now **it follows from this not only that a sensation's being mine cannot consist simply in its being an attribute of a particular body**; it follows also that it cannot consist in the sensation's being an attribute of a particular soul which is joined to that body; for nothing in the specification of that soul will determine that it is mine, that I am that person**. So long as we construe psychological states as attributes of a substance, no matter what substance we pick, it can be thrown, along with the body, into the "objective" world; its states and its relation to a particular body can be described completely without touching upon the fact that I am that person.'**

# A2 Deontology

## Generic

1. An action may be in accordance with duty but with an intention that is morally objectionable. Sidgwick[[15]](#footnote-15):

In the first place the distinction between “motive” and “intention” in ordinary language is not very precise: since **we apply the term “motive” to foreseen consequences of an act, so far as they are conceived to be objects of desire to the agent,** or to the desire of such consequences: **and when we speak of the intention of an act we** usually, **no doubt, have desired consequences in view.** I think, however, that for purposes of exact moral and jural discussion, **it is best to include under the term “intention” all of the consequences of an act that are foreseen as certain or probable;** since it will be admitted that we cannot evade responsibility for any foreseen bad consequences of our acts by the plea that we felt no desire for them, either for their own sake or as means to ulterior ends: such **undesired accompaniments** of the desired results of our volitions **are clearly** chosen or **willed by us.** Hence the intention of an act may be judged to be wrong, while the motive is recognized as good ; as when a man commits perjury to save a parent’s or a benefactor’s life. Such judgments are, in fact, continually passed in common moral discourse.It may, however, be said that **an act cannot be right, even when the intention is such as duty would prescribe, if it be done from a bad motive:** that—to take a case suggested by Bentham—**a man who prosecutes from malice a person whom he believes to be guilty, does not really act rightly; for, though it may be his duty to prosecute, he ought not to do it from malice.**

This means **A.** Deontology collapses into consequentialism since all expected consequences for an act formulate the world willed by an agent. **B.** Deontology is inapplicable to the resolution because there is no specification of the motive. **C.** Deontology can’t detach itself from a commitment to consequential analysis. We have moral reasons to abstain from firing a gun towards innocent people only because we understand the causal mechanics of firing a gun. **D.** The act-omission distinction is artificial because human decision-making evaluates both the choice to do something and the choice to abstain from it. Since all policy-makers must regulate third party action, both action and inaction are calculated choices that affect populations—when nations make choices, their choices are simply comparisons between expected worlds of doing and forgoing the action. The will of the rational agent manifests in both positive and negative choices, so the distinction between doing and allowing is arbitrary.

1. Even respect for the end-status of persons mandates consequentialism. Rakowski[[16]](#footnote-16):

On one side, it presses toward the consequentialist view that **individuals' status as moral equals requires that** the number of people kept alive **[life] be maximized.** Only in this way, the thought runs, can we give due weight to the fundamental equality of persons; **to allow more deaths** when we can ensure fewer is to **treat[s] some** people **as less valuable than others.** Further, **killing some to save others**, or letting some die for that purpose, **does not entail that those who are killed** or left to their fate **are** being **used merely as means** to the well-being of others, as would be true if they were slain or left to drown merely to please people who would live anyway**.** They do, of course, in some cases serve as means. But they do not act merely as means. Those who die are no less ends than those who live. **It is because they are** also **no more ends than others** whose lives are in the balance **that [one]** an impartial decision-maker **must** choose to **save the more numerous group**, even if she must kill to do so**.**

OR

Even respect for the rationality of persons mandates consequentialism. Cummiskey[[17]](#footnote-17):

**If I sacrifice some for the sake of others,** I do not use them arbitrarily, and **I do not deny the unconditional value of rational beings. Persons may have “**dignity, that is, an **unconditional** and incomparable **worth”** that transcends any market value (GMM 436), **but persons also have a fundamental equality that dictates that some must sometimes give way for the sake of others** (chapters 5 and 7)**. The concept of the end-in-itself thus** does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration **dictates that one** may **sacrifice some to save many.**

1. Policy-making must be consequentialist since absolute constraints make it impossible to weigh the tradeoffs inherent to decisions involving opportunity costs, as some constraint will always be violated, so even if consequentialism is flawed, still prefer it to deontology since absolute constraints paralyze state action.
2. Inviolable deontological rules are inconsistent with universality. Pettit[[18]](#footnote-18):

The upshot is that **if as a non-consequentialist** theorist **I** straightforwardly **universalize the prescription that** in a certain situation **I should instantiate a** favored **pattern**, P, **then the prescription** to which I thereby commit myself **— that** in that situation **any** **[person]** X **ought to instantiate [the same] pattern,** P — **may force me to revise my** original **self-**prescription **[because]**. **I have equal reason to prefer both that I** instantiateP **and** that **any agent [act.]** instantiate P — **this** reason **is expressed by** the use of **the word ‘right’ or ‘ought’ in each case** — and the spirit of **[Since] universalisability blocks me from treating myself as** in any way **special.** Thus, if the preferences are inconsistent in a certain situation — if the choice is between my instantiating P alone, for example, or my acting so that many others instantiate P instead — then I will have reason not to instantiate P myself. As a would-be non-consequentialist thinker, **[although] my initial claim must have been** that the point is **to instantiate [the pattern]** P **in my own life,** not promote it generally. But **I countenance the general claims of the** P-**pattern when I** universalize in the straightforward way: I **prescribe general conformity** to that pattern**, not just conformity in my own case. Thus** it now seems that what I must think is that this **general conformity is to be promoted, even if that means not** myself **instantiating the pattern in my own behavior** or psychology or relationships**.** It seems that **[so]** what **I must embrace**, in effect, is a **consequentialism** in which conformity to pattern P is the ultimate value to be promoted**.**

1. People would autonomously choose utilitarian principles to maximize the chance that their own interests would be protected. Therefore, utility accounts for individual autonomy.
2. Deontology hinges on a distinction between positive and negative rights (negative right not to have property taken is violated while there is a positive right to welfare). Such a distinction is illusory because negative rights protection requires positive action and obligation. For instance, the rule that one shouldn’t kill makes no sense if one didn’t value a positive entitlement to life, since A. the right would not be actionable and B. the right would become analytically meaningless.
3. Brain studies prove that consequentialism is the product of rational thought and deontological beliefs are due to emotional responses. Greene et al.[[19]](#footnote-19):

In our more recent work **we have collected brain imaging data suggesting that** "cognitive" factors are important as well and that **emotional and "cognitive" processes compete for control of behavior.** (Click here to download the paper.) For example, consider the following moral dilemma: It’s war time, and you are hiding in a basement with several other people. The enemy soldiers are outside. Your baby starts to cry loudly, and if nothing is done the soldiers will find you and kill you, your baby, and everyone else in the basement. The only way to prevent this from happening is to cover your baby’s mouth, but if you do this the baby will smother to death. Is it morally permissible to do this? According to our theory, this dilemma is difficult and uncomfortable because it creates a conflict between a strong emotional response (“Don’t kill the baby!”) and a strong "cognitive" response that points in the opposite direction ("But if you don’t kill the baby, you gain nothing and have much to lose.") Two findings from our most recent neuroimaging study support this interpretation. First, we have found that in response to difficult moral dilemmas such as this a brain region associated with response conflict (the anterior cingulate cortex, or ACC) exhibits increased activity, suggesting that the difficulty associated with dilemmas such as this results from response conflict and not just a need for extended computation. Second, **we have found that in response to dilemmas** such as this **brain regions associated with cognitive control** (dorsolateral prefrontal cortex, or DLPFC, and inferior parietal cortex) **exhibit greater activity when people favor the promotion of the best overall consequences.** In other words, when people say, "Yes, it’s okay to smother the baby," **they exhibit increased activity in parts of the brain associated with high-level cognitive function.**

## A2 Rodl - Unity of Action

1. The fact that I may change my mind mid-way through an action does not deny the action’s unity. Rodl describes a property of actions, regardless of whether the action is completed or not. For instance, if I make scrambled eggs, there are multiple steps to making scrambled eggs; the fact that I may change my mind about whether or not I want to make scrambled eggs halfway through the process does not deny that there are multiple, unified steps to making scrambled eggs.
2. Everything occurs in a broader context, so a view of action as a unity is infinitely regressive. Herman[[20]](#footnote-20):

**Because the object of moral assessment is a volition** (as expressed in a maxim)**, fault assignment may not always be where or when a morally untoward event takes place.** (Such events may be viewed as signs or symptoms of possible wrong willing.) **The structure and extended temporal domain of volitions taken under moral requirement** (and the different maxims through which what is willed are expressed as an agent acts to realize an end) **allow for a different model of action assessment. “There the harm, there the fault” will not always be true. The kind of end required by obligations generates a continuing moral context of assessment. And if there is no fault in what the agent wills (in this wider context of assessment), it is not clear that there is anything that could count as a moral fault in what she does.**

1. Deontology also fails to motivate action—acting in accordance to the categorical imperative is no more a form of law-like behavior than acting in accordance to individual, disconnected choices.. Nagel[[21]](#footnote-21):

But why is the second sentence of this argument true? **If the will is self-determining, why can’t it determine itself in individual, disconnected choices as well as according to some consistent law** or system of reasons**?**  A neo-Humean regularity theory of causation seems an inappropriate model for free self-determination. If the idea makes sense at all, **the free choice of actions which conform to a law is no more nor less a form of *causality* than the free choice of actions which do not.**  (And the same could be said of the free adoption of beliefs.) So far as I can see, **choosing freely in a law-like pattern is merely a way of mimicking causality; if I always put on my left sock before my right, that does nothing to establish the causality of my will, so why does the categorical imperative do any better?** There has to be something more compelling about the demand for universality than this.

## 

## A2 Practical Reason

1. He conflates two meaning of the word reason. When I ask “Why should I be rational,” I don’t make an appeal to my *practical* reason. Practical reason is merely a form of self-consciousness that allows us to distant ourselves from our desires and choose between them. When I ask “why” in the case of “why should I be rational,” I am asking for a reason in the sense that I am asking for a justification, but I am not conceding the normative force of my *practical* reason.
2. I can recognize the value of my own practical reason without forcing me to respect your practical reason.
3. Consistency only forces me to recognize that **you** also value your own practical reason, but doesn’t warrant the claim that **I** must value your practical reason.
4. We don’t need to act on universal laws because reasons exist independently of our will—we don’t need to make reasons. Cohon[[22]](#footnote-22) writes:

In this respect I think Korsgaard cannot really be a voluntarist. **The normativity of my reason**, its status as a reason, **does not stem from my will. My will does not make my reason a reason, because the reason was already there. To say we give ourselves a law is** at best **a figure of speech, like saying we make broccoli for dinner. "What are you doing in the kitchen?" I ask, and you answer, "Making broccoli." But what are you making it out of?** Well, broccoli. **The broccoli is already there. You are doing something with it, but to say you are making it is just a figure of speech.**

1. Acting in accordance to practical reason is no more a form of law-like behavior than acting in accordance to individual, disconnected choices. Nagel[[23]](#footnote-23):

But why is the second sentence of this argument true? **If the will is self-determining, why can’t it determine itself in individual, disconnected choices as well as according to some consistent law** or system of reasons**?**  A neo-Humean regularity theory of causation seems an inappropriate model for free self-determination. If the idea makes sense at all, **the free choice of actions which conform to a law is no more nor less a form of *causality* than the free choice of actions which do not.**  (And the same could be said of the free adoption of beliefs.) So far as I can see, **choosing freely in a law-like pattern is merely a way of mimicking causality; if I always put on my left sock before my right, that does nothing to establish the causality of my will, so why does the categorical imperative do any better?** There has to be something more compelling about the demand for universality than this.

1. Practical reason isn’t normative because we can have reasons to act without reflection, and we can act without a good reason despite reflection. Silverstein[[24]](#footnote-24) writes:

Despite this misunderstanding, though, Parfit’s objection still stands. Even if Korsgaard’s notion of normative force is not reducible to motivating force, it remains unsatisfyingly subjective. Consider her claim that the term reason refers to a sort of “reflective success.” Reflective success may be required for us to act for a reason, but—Parfit argues—**we can have a reason to act without successfully reflecting (or even reflecting at all). If my friend is in pain, then I have a reason to run to his aid, even if his need never enters my mind.** For Parfit, **a good reason has normative force whether we confront that force during deliberation or not. Moreover, we can successfully reflect on a set of considerations and then act accordingly without having a good reason to do so. Thus, reflective success seems to be neither a necessary nor a sufficient condition for a consideration to count as a reason for action**. According to Parfit, full-blooded normativity or justification involves more than justification from the agent’s own, first-person perspective; and if Korsgaard’s theory reduces the former to the latter, she has lost the normativity in her attempt to discover its source.

1. Reflection doesn’t establish morality; we have to think about the world rather than our own identity as rational agents. Nagel[[25]](#footnote-25):

**In deciding, for example, whether to accept a perceptual appearance or to substitute for it some other belief, the only thing to do**, once one has adopted the reflective view**, is to think about what the world probably has to be like, in order to explain why it appears as it does.** In other words, **you have to think about the world, of which you are a part, rather than about yourself** and who you feel yourself to be**.** Formally, it is the same with morality and other practical issues. **To decide from the reflective standpoint what to do you have eventually to stop thinking about yourself and think instead about the question at issue – not in this case about what entities the world contains, but about whether what has made you want to do something is really a reason to do it.** The answers to such questions may partly determine your identity, but they don’t derive from it.

### A2 Korsgaard – “Free will must act according to laws 🡪 CI”

1. Acting in accordance to practical reason is no more a form of law-like behavior than acting in accordance to individual, disconnected choices. Nagel[[26]](#footnote-26):

But why is the second sentence of this argument true? **If the will is self-determining, why can’t it determine itself in individual, disconnected choices as well as according to some consistent law** or system of reasons**?**  A neo-Humean regularity theory of causation seems an inappropriate model for free self-determination. If the idea makes sense at all, **the free choice of actions which conform to a law is no more nor less a form of *causality* than the free choice of actions which do not.**  (And the same could be said of the free adoption of beliefs.) So far as I can see, **choosing freely in a law-like pattern is merely a way of mimicking causality; if I always put on my left sock before my right, that does nothing to establish the causality of my will, so why does the categorical imperative do any better?** There has to be something more compelling about the demand for universality than this.

1. Universalizability conditions are pointless because any well-formed act-description can be prescribed as a universal principle.

### A2 Korsgaard – Reasons are public, so we must universalize

We need not accept the reasons that others give us—no need to universalize. Gibbard writes[[27]](#footnote-27)

**You can obligate me, Korsgaard argues, because you can “get under my skin” and “intrude on my reflections”** (p. 136)**. The egoist retorts that, as Korsgaard puts it, “I am merely describing a** deep **psychological fact—that human[s]** beings **are** very **susceptible to one another’s pressures…** But nothing I have said so far shows that we have to treat the demands of others as reasons**”** (p. 141)**.** **Bullies,** as Williams observes, **don’t give me reason to obey, even if I can’t help myself** (p. 217)**. In response, Korsgaard depicts how we can reason jointly on what we’re to do**—say, on arranging an appointment. ‘‘Why shouldn’t language force us to reason practically together, in just the same way that it forces us to think together?’’ (p. 142)**. Again, though, we need proof that it does. We can reason together, and often** we **do, but does anything force us that precludes egoism?**

## A2 USchool Prefer Deont To Util Spike

1. Deontology and utility function as cancelling conditions on each other: once one moral theory is proven true, the other becomes morally irrelevant, so this can’t be a reason to prefer deont to util.

## A2 Quinn—Person has control over own body, cannot be sacrificed for greater good

1. Respect for autonomy does not require deference to him on questions of his dignity. Velleman[[28]](#footnote-28) writes:

**The dignity of a person** is a value that differs in kind from his interest. Unlike his interest, for example, his dignity **is a value on which his opinion carries no more weight than anyone else's. Because this value does not accrue to him, he is in no better position to judge it than others.** Similarly, **respect for a person's autonomy does not require deference to him on questions of his dignity**, as it does on questions of his good**.** On the contrary, **respect for a person's autonomy just is an appreciation of a value in him that amounts to a dignity**, in Kant's sense of the term, precisely because it commands respect. If a person denies embodying such a value, he can hardly claim that we should defer to him out of an appreciation for a value such as he denies. He cannot claim, in other words, that out of respect for his autonomy we should defer to his judgment that he possesses nothing worthy of our respect. Nor is it paternalistic to challenge a person's judgment about his dignity, as it is in the case of his good. Challenging a person's judgment about his good is objectionable because it undermines his role as the agent of his own affairs; but **his value as a person is not just his affair**. Although his good is a value that accrues to him alone, in the first instance, his value as a person **[but] inheres in him among other persons. It's a value that he possesses by virtue of being one of us, and the value of being one of us is not his alone to assess or defend. The value of being a person is** therefore something **larger than any particular person who embodies it.**

## A2 Korsgaard—Generic Author Indict

Moral philosophy and political philosophy address different normative problems with different normative solutions. Korsgaard[[29]](#footnote-29):

I do agree with Kant’s partition between The Doctrine of Virtue and The Doctrine of Right. To explain why I’d like to go back to the ideas we were discussing at first about seeing philosophy as solving problems. You could see The Doctrine of Virtue, or **ethics**, **and** The Doctrine of Right, or **politics**, as being **address**ed to **two different problems. The problem of ethics is how we are to act given that we have free wills and therefore must choose our own principles of action; the problem of politics is how we can be free in a world in which we interact with others.** Kant sees these two problems as arising from two different domains of freedom: inner freedom of the will and outer freedom or liberty of action. The need to find principles that express your inner freedom is the problem addressed in the doctrine of virtue; the need to coordinate everybody’s outer freedom in a way that maintains that freedom is the problem addressed in the doctrine of right. **These two problems** exist side by side, and **have** related but **different solutions.** Although the two domains need to be systematically related, neither of them has to be dependent on or be a branch of the other. I think there is one way in which The Doctrine of Right **[Ethics] does not cover everything we want to say about political life. We want to say something not only about the laws that formally govern our relations but about the kind of community that a political unit forms.** But I think there is room for this in a Kantian account. I see Kant as deeply indebted to Rousseau in his political philosophy and also in his account of personal relationships. And I see this indebtedness to Rousseau as related to what I said a moment ago about the possible role of the idea of the plural subject in Kant’s philosophy. **A state is a** kind of **plural subject:** the idea of the general will, which Kant borrows from Rousseau, is the idea of **a shared will among a number of people.** In Kant’s account of personal relations we also find an emphasis on the idea of forming a shared will with someone, of having a bond of love or friendship. One way to look at it is this **morality involves the will we share with anyone just in virtue of our common human nature; politics involves the will we share with those with whom we live together on a shared territory**; and personal relations involve the wills we share with those to whom we have particular connections**.** All of those things exist side by side and **[They] are separate domains of normative problems, and solutions, and resulting obligations.**

Korsgaard’s work is in individual morality, not politics. Korsgaard 2[[30]](#footnote-30):

As far as relations and differences between my work and Rawls’s work: I suppose the main difference is that **I have** been inclined to **focus[ed] on questions of individual morality and personal relationships rather than on questions of political philosophy.** This is partly for the very natural reason that when you are someone’s student and your teacher’s achievement in political philosophy has been so massive, you are not inclined to do political philosophy yourself. You tend to think, “That has already been done.” You want to take the same sort of insights and methods into another area. So there is a difference of emphasis, but it is not a matter of disagreement.

## A2 Thomas Hill Jr.—Generic Author Indict

Hill concedes that individuals can sometimes be used as a means to an end to prevent the violation of other rights. Hill[[31]](#footnote-31) writes:

**The right of autonomy** of individuals **is** also commonly understood to be **qualified by a proviso that interference is not required to** avert a major disaster or to **prevent the violation of other, more stringent rights. If, for example, the only way to persuade someone to make a decision that will prevent a riot** or a series of murders **were to make an otherwise impermissible threat** or a nonrational appeal to his weaknesses, **then surely most would grant that such interference would be justified. Though important, autonomy need not be considered an absolute right.**

## A2 Nozick—Generic Author Indict

Nozick does not warrant absolute side constraints. He[[32]](#footnote-32) writes:

**The question of whether** these **side constraints are absolute, or whether they may be violated in order to avoid catastroph[e]**ic moral horror, and if the latter, what the resulting structure might look like, **is one I hope** largely **to avoid.**

# Benatar File

## Benatar

Double bind: a) consequentialism generates absurd conclusions, that nonexistence would be preferable to existence, so you should prefer the [AC framework] or b) impact turns the case – extinction would be preferable. Benatar[[33]](#footnote-33) 1 writes:

There is a common assumption in the literature about future possible people that, all things being equal, one does no wrong by bringing into existence people whose lives will be good on balance. This assumption rests on another, namely that being brought into existence (with decent life prospects) is a benefit (even though not being born is not a harm). All this is assumed without argument. I wish to argue that the underlying assumption is erroneous. **Being brought into existence is not a benefit but always a harm.** Many people will find this deeply unsettling claim to be counter-intuitive and will wish to dismiss it. For this reason, I propose not only to defend the claim, but also to suggest why people might be resistant to it. As a matter of empirical fact, bad things happen to all of us. No life is without hardship. It is easy to think of the millions who live a life of poverty or of those who live much of their lives with some disability. Some of us are lucky enough to be spared these fates, but most of us who do nonetheless suffer ill-health at some stage during our lives. Often the suffering is excruciating, even if it is only in our final days. Some are condemned by nature to years of frailty. **We all face** death. We infrequently contemplate the harms that await any new-born child: **pain,** disappointment, anxiety, **grief and death.** For any given child we cannot predict what form these harms will take or how severe they will be, but we can be sure that at least some of them will occur. (Only the prematurely deceased are spared some but not the last.) **None of this befalls the nonexistent.** Only existers suffer harm. Of course I have not told the whole story. Not only bad things but also good things happen only to those who exist. Pleasures, joys, and satisfaction can be had only by existers. Thus, **the cheerful will say**, we must weigh up the pleasures of life against the evils. **As long as the [pleasures]** former **outweigh the [pain]** latter**, the life is worth living.** Coming into being with such a life is, on this view, a benefit. However, **this conclusion does not follow**. This is **because** there is a crucial difference between harms and benefits which makes the advantages of existence over non-existence hollow but the disadvantages real. Consider pains and pleasures as exemplars of harms and benefits. It is uncontroversial to say that: 1) the presence of pain is bad and that 2) the presence of pleasure is good. However, such a symmetrical evaluation does not apply to the absence of pain and pleasure, for: 3) **the absence of pain is good, even if that good is not enjoyed by anyone, whereas** 4) **the absence of pleasure is not bad unless there is somebody for whom this absence is a deprivation.** My view about the asymmetry between 3) and 4) is widely shared. A number of reasons can be advanced to support this. **First, this** view is the **best [explains]** explanation for **the commonly held view that while there is a duty to avoid bringing suffering people into existence, there is no duty to bring happy people into being.** In other words, the reason why we think that **there is a duty not to bring suffering people into existence** is that **[because] the presence of this suffering would be bad (for the sufferers) and the absence of the suffering** is **good** (even though there is nobody to enjoy the absence of suffering)**. In contrast** to this, we think that **there is no duty to bring happy people into existence because**, while **the**ir pleasure would be good, its **absence [of pleasure] would not be bad (given that there would be nobody who would be deprived of it).** It might be objected that there is an alternative explanation for the view about our procreational duties, one that does not appeal to my claim about the asymmetry between 3) and 4). It might be suggested that the reason why we have a duty to avoid bringing suffering people into being, but not a duty to bring happy people into existence, is that we have negative duties to avoid harm, but no corresponding positive duties to bring about happiness. Judgments about our procreational duties are thus like judgments about all other duties. Now for those who deny that we have any positive duties, this would indeed be an alternative explanation to the one I have provided. However, even of those who do think that we have positive duties only a few also think that amongst these is a duty to bring happy people into existence. For this reason, my explanation is preferable to the alternative. A **second** support for my claim about the asymmetry between 3) and 4) is that**,** whereas it seems strange to give as a reason for having a child that the child one has will thereby be benefited, sometimes we do avoid bringing a child into existence because of the potential child's interests. If having children were done for the purpose of thereby benefiting those children, then there would be greater moral reason for at least many people to have more children. In contrast to this, our concern for the welfare of potential children who would suffer is taken to be a sound basis for deciding not to have the child. If absent pleasures were bad irrespective of whether they were bad for anybody, then having children for their own sakes would not seem odd. And if it were not the case that absent pains are good even where they are not good for anybody, then we could not say that it would be good to avoid bringing suffering children into existence. Finally, **support** for my claim **can be drawn from** a related asymmetry, this time in **our retrospective judgments.** Bringing people into existence as well as failing to bring people into existence can be regretted. However, **only bringing people into existence can be regretted for the sake of the person whose existence was contingent on our decision. One might grieve about not having had children, but** not because the children which one could have had have been deprived of existence. Remorse about not having children **[that] is remorse for ourselves**, sorrow about having missed child-bearing and child-rearing experiences**.** However, we do regret having brought into existence a child with an unhappy life, and we regret it for the child's sake, even if also for our own sakes. The reason why **we do not lament our failure to bring somebody into existence** is **because absent pleasures are not bad.** **[…]** We can ascertain the relative advantages and disadvantages of existence and non existence in another way, still in my original matrix, but by comparing (2) with (3) and (4) with (1). There are benefits both to existing and non-existing. **It is good that existers enjoy their pleasures. It is also good that pains are avoided through non existence. However,** that is only part of the picture. **Because there is nothing bad about** never coming into **[non-]existence, but there is** something bad **about** coming into **existence,** all things considered **non-existence is preferable.**

[Although the existence of pleasure is good, nonexistence is still preferable. Benatar 2 clarifies:

Having rejected alternative evaluations, I return to my original diagram. To determine the relative advantages and disadvantages of coming into existence and never coming to be, we need to compare 1) with 3), and 2) with 4). In the first comparison we see that non-existence is preferable to existence. The advantage is a real one. In the second comparison, however, **the pleasures of the existent**, although good, **are not a[n]** real **advantage over nonexistence, because the absence of pleasures is not bad. For the good to be a real advantage over non-existence, [the absence of pleasure]** it **would have to be** the case that its absence were **bad.** To illustrate this, **consider an analogy** which, because it involves the comparison of two existent people is unlike the comparison between existence and non-existence in this way, but which nonetheless may be instructive**. S is prone to** regular bouts of **illness.** Fortunately for him, **he** is **also** so constituted that he **recovers quickly. H lacks the capacity for quick recovery, but he never gets sick. It is bad for S that he gets sick and it is good** for him **that he recovers quickly. It is good that H never gets sick, but it is not bad that he [doesn’t]** lacks the capacity to **heal speedily. The capacity for quick recovery, although a good for S, is not a[n]** real **advantage over H**. This is **because the absence of that capacity is not bad for H** (and H is not worse off than he would have been had he had the recuperative powers of S). S is not better off than H in any way, even though S is better off than he himself would have been had he lacked the capacity for rapid recovery.]

## Benatar Frontlines

### A2 Existence is better if people live good lives

(\_\_) Extend Benatar 1.

(\_\_) This makes the wrong comparison. Benatar:

One of the realizations which emerges from some of the reflections so far is that **the cost-benefit analysis** of the cheerful whereby one weighs **[weighing] up** (1) **the pleasures of life against** (2) **the evils is unconvincing as a comparison between the desirability of existence and never existing**. The analysis of the cheerful is mistaken **because it** involves making **[makes] the wrong comparison.** If we want to determine whether non-existence is preferable to existence, or vice versa, then we must compare the left- and the right-hand sides of the diagram, which represent the alternative scenarios in which X exists and in which X does not exist. **Comparing [this]** the upper and the lower quadrants on the left, **tells us something** quite different; namely, **how good or bad a life X's is.** Understanding this difference makes it clear that, **although existence holds no advantages over non-existence, some lives have advantages over others.** Not all cases of coming into existence are equally disadvantageous. **The more the positive features of a life outweigh the negative ones, the better the life, and so the less disadvantageous existence is. But so long as there are some negative aspects, the life is not preferable to never having come into existence.**

### A2 Can’t compare b/w nonexistence and existence b/c nonexistent can’t benefit

(\_\_) We can compare. Benatar:

One important objection to the comparison I have made between X's coming into existence and X's not coming into existence is that it is not possible to compare existence and non-existence. It is said that non-existence is not any state in which somebody can be and so it is not possible for it to be better or worse than existence. Others have already responded to this objection. For example, Joel Feinberg has noted4 that **comparing the existence of X with the non-existence of X is not to compare two possible conditions or states of X. Rather it is to compare the existence of X with an alternative state of affairs** (scenario B, in my schema) **in which X does not exist.** Such a comparison is possible. Note that when I say that non-existence is "better than," "preferable to" or "has an advantage over" existence, I am not committed to saying that it is better, preferable, or advantageous for the non-existent. The non-existent are not, and so things cannot literally be better for them or to their advantage. **When I say that non-existence is preferable, that judgment is made in terms of the interests of the person who would or has otherwise come to exist.** The claim is that **for any person (whether possible or actual), the alternative scenario of never existing is better.**5 It is because the evaluation is always made in terms of the person that would (or does) exist (that is, the person in scenario A) that my view is not what has been called "impersonalist,"6 even though the comparison is with a state of affairs (scenario B) and not with the state of a person.7

### A2 [X debater] / most people are happy to have been born

(\_\_) Saying that one is happy to have come into existence is not equivalent with the statement that existence is better than nonexistence. Benatar:

Now it may be objected that one cannot possibly be mistaken about whether one's existence is preferable to non-existence. It might be said that just as one cannot be mistaken about whether one is in pain, one cannot be mistaken about whether one is glad to have been born. Thus if "I am glad to have been born," a proposition to which many people would assent, is equivalent to "It is better that I came into existence," then one cannot be mistaken about whether existence is better than non-existence. The problem with this line of reasoning is that **these two propositions are not equivalent. Even if** one cannot be mistaken about whether **one currently is glad to have been born, it does not follow that one cannot be mistaken about whether it is better that one came into existence. We can imagine somebody being glad, at one stage in his life, that he came to be, and then** (or earlier), perhaps **in the midst of extreme agony, regret his having come into existence.** Now **it cannot be the case that** (all things considered) **it is both better to have come into existence and better never to have come into existence. But that is** exactly **what we would have to say in such a case, if** it were true that **being glad or unhappy about having come into existence were equivalent to its actually being better or worse that one came into being. This is true even [when]** in those cases in which **people do not change their minds about whether they are happy to** be **have been born.**

(\_\_) Preferring to exist is always relative, so people often deceive themselves that they are living a better life than they actually are. Benatar:

However, other similar concerns remain. Coming to endorse the views one is indoctrinated to hold is one form of adaptive preference, where a paternalistic interference comes to be endorsed. However, there are other kinds of adaptive preference of which we are also suspicious. Desired goods which prove unattainable can cease to be desired ("sour grapes"). The reverse is also true. It is not uncommon for people to find themselves in unfortunate circumstances (being forced to feed on lemons) and adapt their preferences to suit their predicament ("sweet lemons").8 If coming into existence is as great a harm as I have suggested, and if that is a heavy psychological burden to bear, then it is quite possible that we could be engaged in a mass self-deception about how wonderful things are for us. Some may find this suggestion implausible. They should consider a few matters. First, there is the phenomenon of how **people's quality-of-life evaluations differ and change. Amongst people without any serious disease or disability it is often thought that such conditions are sufficiently serious harms to make never coming to exist preferable to existence with such harms.** Sometimes the claim is even stronger, that ceasing to exist is preferable to continued existence with such diseases or disabilities. Very often, **however, people who have** or acquire **these** same appalling **conditions adapt to them and prefer existence with these conditions to never existing** (or ceasing to exist)**. This might suggest**, as some disabilities rights advocates have argued, **that the threshold** in judgments **about what constitutes a minimally decent quality-of-life is set too high. However,** the phenomenon is equally compatible with the claim that the ordinary threshold is set too low (so that at least some of us should pass it). The latter is exactly the judgment which we can imagine would be made by **an extra-terrestrial with a charmed life, devoid of any suffering** or hardship. It **would look with pity on our species and see the disappointment, anguish, grief, pain, and suffering that marks every human life and judge our existence, as we** (relatively healthy and able-bodied humans) **judge the existence of bedridden quadriplegics**, to be worse than the alternative of non-existence**. Our judgments of what constitutes acceptable limits of suffering are deeply rooted in the state of our well-being.** How can we be so confident that we are not guilty of self-deception? But why should such self-deception be so pervasive? One explanation is the strong evolutionary reasons why we might be disposed to view our lives as a benefit. Such a view facilitates survival, of the individual and the species. These issues merit more substantial treatment than I am able to offer here. I am unsure, therefore, whether the suggested argument for the permissibility of (sometimes) having children is sound. However, the worry that adaptive preferences may be operative does provide one response to an objection some critics raise, that the fact that most people do not regret having come into existence provides compelling reason to think that their lives are a benefit to them and therefore that my conclusion to the contrary must be false. What the adaptive preference concern shows is that **the mere belief that one has been benefited is not sufficient to show that one has been benefited or that one's appraisal is rational. We would not take a slave's endorsement of his slavery as conclusive evidence that slavery is in his interests.** In the face of an argument why he was not benefited by his enslavement, we would view with suspicion his enthusiasm for his own enslavement. **We should do the same about people's enthusiasm for their having come into existence.**

## A2 Benatar

(\_\_) Benatar concludes the opposite: he only says nonexistence is good, but death is bad. Thus, extinction via [nuclear war / other extinction scenario] would be a devastating harm; only dying out naturally by not procreating is beneficial. He writes:

Take death for example, because it is something that we all face. We consider a death at forty as tragic, but tend to be pretty casual about a death at ninety. Clearly, the latter person's life is far preferable to the former's (all other things being equal), but that does not detract from the intrinsic harm of a death at ninety. Imagine how different our evaluation would be of a death at ninety if people commonly lived to one hundred and twenty years. By contrast, there was a time when people rarely lived until their fifties. I take it that at that time living until forty was not regarded as such a tragedy.3 It becomes clear how flexible our common evaluations are about which deaths are serious harms. **My view is that all deaths are serious harms**, ceteris paribus**. How great the harm is relative to others or to the current norm** (which itself is determined by the life-span of others) **can vary, but there is a serious intrinsic tragedy in any death. That we are born destined to die is a serious harm.**

(\_\_) The asymmetry is false. Kaposy[[34]](#footnote-34):

In the intuitions he says are explained by the asymmetry (discussed in the previous section), **Benatar presents examples of**

1. **suffering people who do not yet exist** (p. 32),
2. **children who do not yet exist whose welfare will be compromised if they are created** (p. 34),
3. **parents who regret, for their child’s own sake, bringing their suffering child into existence** (p. 34), **and**
4. **the suffering of inhabitants of a foreign land** (p. 35).

**The last two are** clearly **examples of actual suffering**—so instead of making the most appropriate comparison between the absent suffering of non-existent people and the absent pleasures of non-existent people, examples 3 and 4 involve the real suffering of real people. Of course, that suffering is bad, but **examples 3 and 4** (the suffering child whose existence is regretted, and the suffering foreigners) **are not examples of the positive value of the absent suffering of those who never exist [and so]**. As such, examples 3 and 4 **fail to support the asymmetry. In the first two examples** (unhappy potential people, and severely ill potential infants), even though the suffering individuals do not yet exist, **what is objectionable** in their stories **is that if these individuals do come into existence, they will suffer profoundly.** Of course, when faced with real suffering, the absence of suffering appears to be a good thing. But **what is operative in Benatar’s examples is not** so much **the positive value of absent suffering, but instead the positive value of avoiding being the cause of suffering. Consider the example of the severely ill child.** The duty to refrain from bringing such a child into this world is a duty to avoid being the cause of suffering. Benatar might also characterize the example as evidence that the absent suffering of a neverexistent child is a good thing. This characterization seems plausible because it does seem like a good thing if a child does not suffer in this way. But **what is compelling about the example is that it is part of a narrative** in which a couple could conceive a child, the couple knows **that** the child will be afflicted because, perhaps, they are carriers of a terrible genetic disease, and that to avoid the child’s suffering they could simply refrain from procreation. In short, the couple could be the cause of great suffering if they engage in a determinate set of actions. The narrative **could come true, and this** fact **makes the absent child’s comparative lack of pain seem like a good thing. Compare [this]** Benatar’s example **with a narrative that features non-existent people whose suffering will not likely be actualized.** Benatar gives an example of an unpopulated island whose non-inhabitants are deprived of pleasures by their failure to exist (p. 35). **In keeping with [Benatar’s example of an unpopulated island]** this example**, consider the value** (good, bad or indifferent) **of the non-suffering of non-existent people on an uninhabited undiscovered island.** Is it good that these non-existent people are not suffering? I would venture that there are enough features of this example to suggest that **this non-suffering is an indifferent matter. Their potential suffering is a remote counterfactual that we do not even think about.** Depending on the narrative you choose, absent suffering can seem just as indifferent as the absent pleasures of the nonexisting. The difference between the suffering baby example and the island example is that the absent suffering of the potential baby seems like a good thing because this is suffering that could be actualized and thus must be avoided—it is part of a vivid story that we are aware could come true if the parents procreate—whereas the island example is part of a barely meaningful narrative that could not result in real suffering. **The uninhabited undiscovered island is not a setting in which actual suffering needs to be avoided** (because it is not part of a story in which the suffering could become actualized), and **so** this instance of **the absent pain of non-existent people is just as indifferent as the absent pleasures of non-existent people.** Benatar’s claim of asymmetry between absent pleasures and absent pains does not hold in all cases. Furthermore, the duties and reactions that Benatar thinks are explained by the asymmetry (for example the duty to refrain from bringing a profoundly suffering child into the world) have more to do with the importance of avoiding being the cause of suffering, rather than with the goodness of absent suffering.

Thus, we have no unique reason to prefer nonexistence over existence, and can procreate in situations where the benefits would outweigh the harms for the child.

(\_\_) Avoiding pain and absent pain are distinct; Benatar himself concedes this in his book. Kaposy:

**A meaningful distinction can be made between the value of absent pain and** the value of **avoiding pain.** Even though one might be obligated to refrain from causing pain, the absence of pain is not necessarily a good thing—it might be an indifferent thing. Consider the possibility of someone causing you pain. One would expect that **others have a duty to avoid causing you gratuitous pain. However, the absence of such pain is** more of **a neutral** or indifferent **state**, rather than a good state**. For example, imagine being forced to undergo hunger pains by being held in captivity and denied food.** Since it is wrong to put someone in that kind of situation, we can see that **it is a duty to avoid being the cause of such pain. However, the absence of hunger pains is more of a neutral state than a good state.** If one is fed enough to stave off hunger pain, one avoids an evil, but **in order to attain a** positive, **good** or pleasurable **state, more [is]** seems to be **required than just keeping evil at bay. In one place** in *Better Never to Have Been****,* Benatar seems to agree, saying that ‘‘Neutral states include the absence of pain’’ (p. 71)**, in contrast to positive states like joy and love, and to negative states like pain and distress**.** Benatar does not appear to be aware that **this admission of the neutrality of the absence of pain (p. 71) contradicts his claim that absent pain is always a good thing (p. 30).**

(\_\_) As human beings, we must reject Benatar’s views. Pihlstrom[[35]](#footnote-35):

In contrast to Benatar’s views, we might attempt the following kind of relatively straightforward transcendental argumentation. First, **in order to be able to make distinctions between certain experiences of life** (or entire lives) **being good or bad,** or beneficial or harmful, to the one who lives, or to others, **we must live a human life.** Second, **it is possible to live a human life with a capability for normative distinctions like [good or bad]** the ones invoked in the first premise **only within a (social, cultural) form of life in which certain assumptions about valuing the lives of others (and oneself) are cherished. Therefore, a philosophical argument seeking to establish that there should be no human life at all cannot invoke** the kind of **conceptual distinctions [such as good or bad]** invoked in the first premise. **Therefore, Benatar’s** ‘‘pro-death’’ **views are conceptually (and ethically) confused, not just false. Maintaining such views is** ultimately **impossible**, at least **for a human being**, and it is unclear whether even Benatar can genuinely maintain them**. Moreover,** and more important, **maintaining such views is morally wrong, as they violate fundamental moral structures of our common humanity**, including the humanity of those individuals who do suffer from their existence (and about whom Benatar thus is, in a sense, correct)**.**

(\_\_) As human beings, we must reject Benatar’s views. Pihlstrom:

Moreover, it remains unclear what would constitute **Benatar’s** ‘‘being wrong’’ within his own system. If he is serious, as I believe he is (and as he reminds us himself), then his **book is** simply **too far removed from any recognizably human ethical discussion to be regarded as a candidate for being right or wrong. The question of his being right or wrong does not even arise, because his position cannot be evaluated by any normal human standards *we* could recognize as *ours*. The very possibility of drawing** and maintaining (however contextually and revisably) **our** ordinary **distinction between what is good and bad** for us—or for people we care about—**presupposes a common human world from which we cannot rationally hope everybody to disappear.**

We should not tolerate arguments like Benatar’s. Pihlstrom:

**It is not clear**, I have suggested, **that we should** even **tolerate an argument like Benatar’s**—although I must admit that I do not know what exactly it would mean not to tolerate it. I am not saying that Benatar’s book, or similar ones, ought to be burned; I am not at all requiring that, politically, the freedom of speech and opinion should be restricted. After all, as Heinrich Heine famously remarked, if one starts burning books, one will eventually burn human beings. What I am suggesting is that **moral philosophers should be extremely cautious** even **in starting** to follow—**to read and think about—arguments like Benatar’s. What may initially seem a more or less plausible premise will** turn out to **lead to dangerous, ethically monstrous conclusions.** Yet, again paradoxically, we must be able to think what we ultimately realize is unthinkable, and we are deeply responsible for maintaining and developing our capacities for such thought. **We must be able to argue against arguing about**—either for or against—**certain unthinkable, unthinkably monstrous, views.** There is no easy way out of this tension. The philosophical task of using reason, come what may, is neither ethically neutral nor easy. Perhaps it is not even possible for beings like us.

# Deontology Frontlines

## A2 Cummiskey

1. A view of freedom as an end to be maximized is incoherent; since all actions are temporally limited, any free action can by definition be subdivided into an infinite number of free actions.
2. I don’t warrant positive duties, so Cummiskey’s argument is premised on an unwarranted assumption.
3. Even if deontology does require both positive and negative duties, we don’t just weigh duties. Deontology only holds us responsible for our actions, but not the end states produced by those actions. Claiming that moral equality forces us to kill one to save many already presumes equality is something to be maximized. A view of equality as treating all as equally, infinitely inviolable is preferable since it gives individuals a higher moral status.
4. Positive duties do not require maximization. Engstrom[[36]](#footnote-36):

Second, **the duty of beneficence is not to be conceived as directing us to increase** so far as possible **others’ pleasure or enjoyment**, their happiness conceived merely as an ideal of the imagination**. The happiness in question is happiness as an object of wish, which includes self-sufficiency as a component of its very form. Hence the duty of beneficence, even though founded on the idea that each person’s happiness**, generically conceived, **is equal in goodness to every other’s, cannot require any positive action furthering others’ ends beyond that of assisting others where they are in need.** And for the same

## A2 Pettit

1. Pettit assumes a different conception of universalizability. Pettit[[37]](#footnote-37) concedes:

A second account of non-consequentialism that might seem to offer a way out of the universalizability problem is presented in a series of papers by David McNaughton and Piers Rawling. What they do is suggest that **non-consequentialists assign a** canonical **form to judgements of rightness such that under this** canonical **form universalization** proves no problem: it **does not generate a slide into consequentialism.**17 **The** canonical **form that they recommend** for relatively simple judgements bearing on what an agent is obliged to do **is** this**: I should ensure** (for short, IS**) that I do O in C**, or, schematically, IS(I do O in C). They claim that **non-consequentialists will universalize that judgement** in the spirit of a corresponding formulation: **for any X, X ought to ensure that X does O in C**, or, again schematically, (ÝX)[XS(X does O in C)]. And, crucially, they read that universal prescription in turn in such a way that **I, the universalizing subject** – I, the agent who is given normative reason by the original judgement to want that I ensure that I do O in C – **am not given the same reason, in the act of universalization, to want that arbitrary X ensures that X does O in C.** What McNaughton and Rawling do in imposing their canonical formulations and interpretations is regiment language in such a way that the problem I posed for non-consequentialism cannot be raised. That problem arises only if we are allowed access to a deontic operator or predicate – ‘right’ or ‘ought’ or ‘should’, or whatever – that can serve to articulate what there is normative reason for me to want, even when the matter in questioninvolves the actions of others rather than my own.

Thus, my act of universalization doesn’t prescribe a normative reason to care about what another X does while. His Pettit card assumes that “the pattern” is a *good*, as opposed to my conception of it as a *condition* under which we choose actions.

## A2 People Would Choose Consequentialism

1. A view of equality as treating all as equally, infinitely inviolable is preferable since it gives individuals a higher moral status. This means people would actually choose a status of inviolability.
2. This misunderstands the autonomy argument – it’s about the right to choose, not what people would actually choose.
3. People might want utility because utility maximizes what people want, which begs the question why these desires are moral in the first place. We need an ethical theory to decide that.
4. This assumes a veil of ignorance or some kind of unwarranted contractual theory.

## A2 Brain Studies

1. The form of moral reasons is self-conscious, so the reasons provided by a brain scan is in the wrong form; knowledge that my brain works in a certain way doesn’t help me answer the question of what I ought to do because I still have to make a decision from my first person point of view.
2. Non-responsive: Greene’s definition of rational differs from Kant’s--for a Kantian, what you have reason to do arises from the structure of a free will, but a brain study’s conception of rational has to do with the anatomy of the brain. The anatomy of the brain is unwarranted as a basis for moral judgments; only I warrant my conception of rationality.
3. Even if I use the rational part of my brain, I don’t necessarily get the right conclusion. I could rationally solve a math problem and get the wrong answer.
4. The study is misrepresentative; conducting MRIs on 100 random people could have a different conclusion than conducting MRIs on 100 Kantian scholars.

## A2 State-Specific Warrants

### A2 Citizens create state to mitigate rights conflict

1. Is-ought fallacy: even if states were created this way, it doesn’t mean they should act this way; the purpose itself is subject to moral constraints, for example, the Nazi party was formed to kill Jews.
2. Claiming that states must protect rights begs the question what rights people are due, and only my standard provides that.

### A2 States must use util calculus / rights conflict/ deont paralyzes action

1. This argument is just false—not all policies reflect immoral intentions. Deontology tests whether a particular policy is willed with the immoral intention of treating individuals as a means to an end; it doesn’t compare possible trade-offs or consider *the world* in which the policy is implemented. Those trade-offs are the result of unforeseen consequences, not a direct intention to inflict harm.
2. **Is-ought fallacy**—even if states do act according to util, this isn’t how they *ought* to act. **Also, empirically denied**; states use deontological side constraints, e.g. a duty to punishment the guilty instead of the innocent and norms of noncombatant immunity.
3. Utilitarianism also paralyzes state action:
4. Utilitarianism places an impossible burden on actors. Every action sets off a chain reaction of other events, and it’s nearly impossible to predict these events since there is a huge array of confounding variables influencing performance. Many effects of state policy arise years later, so there’s no way to know what policy caused what event**. Also,** there’s no mathematical point at which an agent stops being responsible for his action; our evaluation of end-states never stops because there are an infinite number of consequences that might change the moral worth of an action.
5. States can never know what its citizens’ “interests” really are. Citizens have different pleasures based on their own experiences and unique psychological makeup. Even if populations can agree on values, they could never reach consensus on the relative worth of policy values, and if they could there would be no way of determining this in a timely manner. This would also require constant reconfirmation, else the system would fail when people’s values changed.
6. Utilitarianism can’t resolve between conflicting forms of happiness, since there’s no way to quantify happiness, and no way to resolve between conflicting *types* of happiness, such as the happiness of eating versus the happiness of sleeping.

### A2 Sunstein and Vermeule / No act-omission distinction

1. Is/ought fallacy – Sunstein says governments *currently* calculate all choices based on utility, but it does not follow that this is how they ought to act. If I win that governments must instead make decisions in accordance with the categorical imperative, and thus *test* actions as permissible or impermissible, rather than calculate them, then Sunstein is irrelevant.
2. Moral theories that fail to distinguish between acts and omissions lead to nihilism because they hold agents accountable even for harms they allow. This makes our obligations infinite since we can always do more to prevent harm, precluding our ability to act morally and thus defeating the purpose of morality as a guide to action.
3. Sunstein just asserts that governments calculate all options, but governments cannot possibly calculate **all** actions since they have finite resource constraints; thus, governments cannot be held accountable for every omission. For example, it would be absurd to hold the U.S. accountable for not helping **every** country in the world.
4. States are composed of individuals and since individuals are not accountable for all the side effects of every omission, transitively, states cannot be held accountable.

# Consequentialism Frontlines

## A2 Parfit—Desirability is circular

1. My framework does not rely on a desirability warrant; rather, consequentialism is true because of concerns like [respecting rationality, equality, etc.].

## A2 Taurek—Aggregation Impossible

1. We can add up the suffering of individuals without the idea of someone experiencing an aggregate suffering. What is significant about many individuals suffering is not that there’s more suffering but that there are more people in pain.
2. Even if things like pleasure cannot be aggregated, impacts like lives saved can.

## A2 Nozick—no social organism

1. Util **doesn’t** assume that there is a social organism; it merely resolves the multitude of opinions inherent in a group of individuals. This is actually a reason to prefer util since there’s no other way to resolve disagreement.
2. His argument justifies absurd conclusions—it would say that we can’t vote just because not everyone agrees and there’s no single blob that feels the same way.

## A2 Util assumes future knowledge

1. Utilitarianism is just cost-benefit analysis—it requires making an educated guess based on empirical data and past experience. We shouldn’t reject utilitarianism simply because we can’t 100% predict the future.
2. Deontology is worse—we can only *guess* at an individual’s intention because we cannot read minds, while we can at least rely on empirical data to make future predictions under consequentialism.

## A2: Kymlicka—no obligation to societal welfare

1. Human dignity is not an individual’s right, but reflective of all humanity. Velleman[[38]](#footnote-38) writes:

**The dignity of a person** is a value that differs in kind from his interest. Unlike his interest, for example, his dignity **is a value on which his opinion carries no more weight than anyone else's. Because this value does not accrue to him, he is in no better position to judge it than others.** Similarly, respect for a person's autonomy does not require deference to him on questions of his dignity, as it does on questions of his good**.** On the contrary, **respect for a person's autonomy just is an appreciation of a value in him that amounts to a dignity**, in Kant's sense of the term, precisely because it commands respect. If a person denies embodying such a value, he can hardly claim that we should defer to him out of an appreciation for a value such as he denies. He cannot claim, in other words, that out of respect for his autonomy we should defer to his judgment that he possesses nothing worthy of our respect. Nor is it paternalistic to challenge a person's judgment about his dignity, as it is in the case of his good. Challenging a person's judgment about his good is objectionable because it undermines his role as the agent of his own affairs; but **his value as a person is not just his affair**. Although his good is a value that accrues to him alone, in the first instance, his value as a person **[but] inheres in him among other persons.** It's a value that he possesses by virtue of being one of us, and the value of being one of us is not his alone to assess or defend. **The value of being a person is** therefore something **larger than any particular person who embodies it.**

This means either A. consequentialism can still generate obligations to individuals because individual worth is only reflective of a community, or B. we can have consequentialist duties to promote societal welfare for a community, not just individual welfare. [At worst, there’s no warrant for why the conception of justice needs to be founded in an obligation rather than just being “a good thing,” so the argument is irrelevant.]

# A2 (Actual) Contracts

1. Contracts are voluntary agreements formed on reciprocal grounds, but neither autonomy nor reciprocity can generate sufficient moral obligations. Sandel[[39]](#footnote-39) writes:

In its account of obligation, **each ideal** can be seen to **highlight[s] the moral incompleteness of the other. From the standpoint of autonomy, my obligations are limited to those I voluntarily incur, but these may include provisions onerous and harsh. From the standpoint of reciprocity,** hard deals bind less, but on the other hand, **the need for consent fades, and I may be obligated in virtue of benefits I do not want** or dependencies beyond my control**. In the first I may be bound to terms that are unfair; in the second I may be bound in ways I did not choose.**

1. (\_\_) [Short version] Contracts aren’t sufficient to generate moral obligations, because they presuppose a background obligation that says that one ought to follow the agreement to which one has agreed.

(\_\_) [Long version] Contracts have no intrinsic moral value. Sandel[[40]](#footnote-40) 2 writes:

Unlike obligations voluntarily incurred, **obligations arising under the ideal of reciprocity** must **presuppose some criterion of fairness independent of contract**, some way in which the objective fairness of an exchange may be assessed**.** Such obligations are thus not contractual in the strict sense that the contract creates the obligation, but rather in the limited epistemic or heuristic sense that **the contract helps to identify** or clarify **an obligation that is already there.** One consequence of this feature of benefit-based obligations is that carrying out of a contract is not essential to the existence of the obligation. In principle at least, there may be ways of identifying such obligations with recourse to contract. Those **[With] obligations arising on the ideal of autonomy**, however, presume no quality of justice intrinsic to certain results which could, even in principle, be identified apart from or antecedent to the process that produced them. With obligations of this sort, **no result can be identified as just without reference to a procedure actually having been carried out. What is just cannot be known directly because** it is, by definition, the product of a process of a certain kind; it cannot be known directly because **it must be created, and until it is created, it cannot be known.**  The answer, then, to our preliminary question how actual contracts justify seems “incompletely.” As the non-trivial coherence of the ‘further question’ attests (but is it fair, what they have agreed to?) actual **contracts are not self-sufficient moral instruments but presuppose a background morality in the light of which the obligations arising from may be** qualified and **assessed.** While it may be just, under certain circumstances, to hold a person to the terms of his prior agreement, it does not follow from his agreement that the terms themselves are just. Common sense suggests various reasons why, in practice, actual contracts may turn out unfairly; one or both of the parties may be coerced or otherwise mistaken about the value of the things being exchanged, or unclear about their own needs and interests. But **even where an agreement turns out fairly** (as when the effects of such factors are countervailing, for example), and where the fairness of the agreement provides a reason for its enforcement**, it cannot be assumed that what makes it just is the fact that it was agreed to.**

1. Contracts presuppose that the agents in the contract can make rational decisions, but this devalues dependents—e.g. children and the mentally retarded—who cannot make decisions on their own.
2. Agreement does not make an action just; for instance, just because a mercenary signs a contract to kill a person does not mean that killing is just.
3. Implementation problems:
4. Contracts presuppose that both agents are well-informed about possible outcomes since this forms the basis of agreement, but people may not be fully aware of the terms of agreement and may later wish to revoke the contract that they decide is unjust.
5. Contracts are subject to outside interference. One party may commit to the contract under coercion, dejustifying the contract.

# A2 Scanlon—Contractualism

1. Contractualism is redundant and circular. Ashford and Mulgan[[41]](#footnote-41) \_\_write:

The appeal to reasons beyond well-being brings out a common objection to contractualism — that **the** whole **apparatus of reasonable rejection is redundant.** The objection is as follows. Contractualism says x is wrong if and only if x is forbidden by principles no one can reasonably reject. **Anyone can reasonably reject a principle on the grounds that it permits actions that are wrong. So a principle that no one can reasonably reject is a principle that permits no actions that are wrong. If we don't already know which actions are wrong, then we cannot use the contractualist apparatus. But if we** do **already know which actions are wrong, then we don't need** to use **it.**

1. There is no principle that could not be reasonably objected by anyone. Ashford and Mulgan[[42]](#footnote-42) \_\_ write:

A similar problem for Contractualism is presented by Thomas Nagel, who argues that, in the present state of the world, **it may be impossible to construct any set of principles which no-one can reasonably reject. Any possible principle of aid will either make unreasonable demands on the affluent (from their point of view), or pay inadequate attention to** the basic needs of **the destitute (from their point of view).** If the notion of reasonable rejection is at least partly determined by the agent's own perspective, then **any principle will be reasonably rejected by someone.** (Nagel 1991 and 1999)

## Consequentialism-specific response:

1. Contractualism cannot resolve rights conflicts. Ashford and Mulgan[[43]](#footnote-43) \_\_ write:

We saw earlier that, unlike utilitarianism, contractualism rejects aggregation. However, there are some cases where **contractualism's aversion to aggregation** seems to **lead[s] to undesirable results. Consider the following situation**, drawn from a famous article by John Taurek (Taurek 1977)**.**  The Rocks. **Six** innocent **swimmers have become trapped on two rocks by the incoming tide. Five** of the swimmers **are on one rock, [one]** while the last swimmer is **on the second** rock**. Each swimmer will drown unless they are rescued.** You are **the** sole **life-guard** on duty. You have time to get to one rock in your patrol-boat and save everyone on it. Because of the distance between the rocks, and the speed of the tide, you **cannot get to both rocks in time.** What should you do? Suppose you decide to save the lone swimmer on the second rock. Intuitively, this seems wrong. Surely you should have saved five people instead of one. The challenge for contractualism is to explain why what you did is wrong. **Utilitarians have a straightforward answer, based on aggregation.** You should save the five people instead of the one simply because five deaths is a worse result than one death. This case is tricky **for contractualism** because it rejects aggregation. **The five** people **will each** want to **reject the principle that allows you to save the one, by appealing to the fact that such a principle leaves them to die. But the lone person** on the second rock **will** want to **reject a**ny **principle that allows you to save the five. And the** reason for objecting **[objection]** to the principle **is** exactly **the same in each case** — this principle leaves that person to die**. The five** people **cannot appeal to the fact that there are more of them — because this is not an individual reason** (Suppose you are one of the five**.** The fact that four other people will die is not something you can object to, as it is not something that happens to you.) It **therefore** looks as if **we have reached a stalemate — and** perhaps the best solution (the principle that no-one can reasonably reject) is to **[must] toss a coin.** That way, **each of the six** people **gets a fifty-fifty chance of survival. No-one can reasonably reject this principle** on the grounds that it only gives them a fifty-fifty chance of survival, **because any alternative gives someone even less chance [of survival].** Tossing a coin is the only principle that guarantees everyone at least a fifty-fifty chance. **So it is the only principle that no-one can reasonably reject.**

Any moral theory that allows individuals to make decisions based on pure chance fails because it no longer functions as a guide to action; moreover, acting based on the arbitrary decision of a coin flip denies contractualism own theory of morality, which is based on reasons.

# 

# A2 Gauthier—Contractarianism

1. Contractarianism fails because contracts do not solve the initial problems of the state of nature. Cudd[[44]](#footnote-44) \_\_:

Many critiques have been leveled against particular contractarian theories and against contractarianism as a framework for normative thought about justice or morality. (See the entry on contemporary approaches to the social contract.) Jean Hampton criticized Hobbes in her book Hobbes and the Social Contract Tradition, in a way that has direct relevance to contemporary contractarianism. Hampton argues that the characterization of individuals in the state of nature leads to a dilemma. **Hobbes' state of nature as a** potential **war of all against all can be generated either as a result of passions (greed and fear**, in particular**) or rationality (prisoner's dilemma reasoning**, in which the rational players each choose to renege on agreements made with each other**). But if the passions account is correct,** then Hampton argues, **the contractors will still be motivated by these passions after the** social **contract is drawn up**, and so will fail to comply with it**.** And **if the rationality account is correct, then rational actors will not comply with the** social **contract any more than they will cooperate with each other before it is made.** This critique has an analog for Gauthier's theory, in that **Gauthier must** also **claim that without the contract individuals will be stuck in some** socially sub-optimal **situation** that is **bad enough to motivate** them to make **concessions** to each other for some agreement**, yet the reason for their inability to cooperate** without the contract **cannot continue to operate after the contract is made**. Gauthier's proposed solution to this problem is to argue that individuals will choose to dispose themselves to be constrained (self-interest) maximizers rather than straightforward (self-interest) maximizers, that is, to retrain themselves not to think first of their self-interest, but rather to dispose themselves to keep their agreements, provided that they find themselves in an environment of like-minded individuals. But this solution has been found dubitable by many commentators. (See Vallentyne, 1991)

1. The assumption that social interaction is merely instrumentally valuable is false. Cudd \_\_:

Hampton also objects to the contemporary contractarian assumption that interaction is merely instrumentally valuable. She argues that **if interaction were only valuable for the fruits of cooperation that it bears for self-interested cooperators, then it would be unlikely that those cooperators could successfully solve the compliance problem.** In short, **they are likely not to be able to motivate morality in themselves without some natural inclination to morality.** Interestingly, Hampton agrees with Gauthier that contractarianism is right to require any moral or political norms to appeal to individuals self-interest as a limitation on self-sacrifice or exploitation of any individual.

1. Contractarianism is an insufficient account of morality since it arbitrarily excludes whole classes of people. Cudd \_\_:

In an important article, "On Being the Object of Property," African-American law professor Patricia Williams offers a critique of the contract metaphor itself. **Contracts require independent agents who are able to make and carry out promises without the aid of others. Historically, while white men have been treated as these pure wills of contract theory, Blacks and women have been treated as** anti-will: **dependent and irrational. Both ideals are false; whole people**, she says, **are dependent on other whole people. But by defining some as contractors and others as incapable of contract, whole classes of people can be excluded from the realm of justice.** This point has been taken up by other critics of contractarianism, such as Eva Kittay (1999) who points out that not only are **dependents such as children and disabled people [are] left out of consideration by contractarian theories**, but their caretakers' needs and interests will tend to be underestimated in the contract, as well**.**

# A2 States aren’t moral agents

1. The state is a moral agent that is capable of intending actions. Erskine[[45]](#footnote-45) writes:

Referring back to the criteria outlined above, **[T]he state** does appear to qualify as an institutional **[is a] moral agent.** First, it can be argued to have an identity that is distinct from its constitutive components: Descriptions of the actions of the state are not reducible to descriptions of the actions of its individual members. (By this I do not mean that all actions involving the state must be described in a way that is neither divisible nor reducible to other actors, but that some actions can only be described at the collective level of the state.) Moreover, the membership of the state—in the form of its citizens—is not determinate. Indeed, citizens are born, die, immigrate, and emigrate without necessarily affecting the identity of the state. This understanding of the state as an institutional moral agent entails that the state is also irreducible to the current government. Quentin Skinner supports the fulfillment of this criterion when he describes the modern state as “an apparatus of power whose existence remains independent of those who may happen to have control of it at any given time.”18 This conception of the state as an entity whose identity can be described as irreducible to the identities of its constitutive parts is also put forth by an important figure in the history of political thought who has had a profound influence on international relations theory. Thomas Hobbes portrays the commonwealth, his “Artificiall Man,” as having a single personality that is independent of the respective identities of the sovereign and his subjects.19 Moreover, this notion of the state’s possessing a distinct identity is reflected in the legal understanding of the state as a “corporation,” a label that denotes “that form of human association which is not constituted by its component parts—by its members, its officers, its property, its rules—but is separate from all these.”20While these examples from political and legal theory corroborate the assertion that the state meets the first criterion—that it enjoy an identity greater than the sum of identities of its constitutive parts—it would be a mistake to invoke them to support the overall model of institutional moral agency that I am offering. For Hobbes, the agency of the state is a useful “fiction.”21 Conversely, my aim is to establish the institution as a moral agent in a way that is not simply metaphorical. Furthermore, there are important distinctions between notions of legal and moral responsibility that it would be unwise to conflate. In fulfillment of the second criterion, **the state can deliberate and arrive at a unified course of action. Indeed, the state has a capacity for reasoning and decision making that is akin to that of the** human **individual.** This is not to accept the conceit that states are perfectly rational, unitary actors. Rather, it is to acknowledge that **the state is capable of purposive action despite the fact that politics necessarily involves compromise and often imperfect reasoning in much the same way that the individual human being is capable of purposive action regardless of incomplete knowledge and internal tensions among conflicting values**, desires, and interests**. Moreover, the state has an identity over time. It has “a past accessible to experience-memory and a future accessible to intention.” It has continuity.** Finally, the state has a conception of itself as a unit. This feature is distinct from the juridical identity that it is granted by international society and is perhaps most evident in the constitutional framework by which it defines itself. In short, it is possible to say that states are institutional moral agents.

1. States are composed of individuals; the group has moral qualities just like the individuals do. Much like putting a lot of green Lego blocks together doesn’t make the larger block less green, composing a legal entity of moral individuals does not preclude the entity from having moral qualities.

# A2 Narrow/Specific Standards

## Theory

1. Interpretation – standards must be warranted metaethically, as opposed to depending on impacts to justify them. The standard should only be a metric to determine which arguments are relevant, not to generate impacts.
2. Violation – He uses impacts to warrant his standard, like <…>.
3. Standards:
   * 1. Narrow criteria skew ground by excluding relevant impacts. He can use his narrow standard of <…> to kick out of topic specific disads that are about anything other than <…>. This is unfair because I am denied access to a substantial amount of topic lit, and I cannot make many of the reasonable objections to the <adult/juvenile court> that are grounded in the real world. Ground is key to fairness because an unequal distribution of ground makes it easier for one side to win.
4. Fairness…

## Generic Answers to Narrow Standards

* + 1. Standards justified by impacts lead to illogical conclusions because they are used to generate impacts as opposed to delineate relevant impacts. The AC fabricates impacts because any minimal link back to [the standard] generates horrible things like [the impacts they warrant the standard with], even if the case argument is not strong enough for such an impact. For instance, a standard that claims that undermining liberty leads to slavery justifies the conclusion that a minor infringement of liberty, like walking through a metal detector, leads to slavery.
    2. Impacts as warrants don’t justify a standard, but link to another unwarranted standard. For instance, they claim not having their standard leads to <…>, but this begs the question of why preventing <…> is important in the first place. Arguments that appeal to a broader philosophical value (like saving lives) cannot be used to exclude arguments because winning the X is good does not warrant the claim that everything besides X is irrelevant.
    3. [if running consequentialism] Standards that judge state policy must be broad because state policy is never reduceable to a single metric, i.e. [maximizing some very specific end], because states are responsible for all of the end results of their actions, and they must take into account all relevant concerns when adopting policies.

## A2 Equality (Treating everyone the same)

* + - 1. Equality means having absolutely identical token-token relationships, which is impossible to achieve. This means either (a), the aff necessarily fails, or (b), the criterion ought to be rejected. At worst, there’s no brightline for when something is equal to something else. For instance, if I give you dinner and you give me lunch in return, is that equal treatment?
      2. Equality isn’t sufficient for morality because one can still be discriminated against in other immoral ways, e.g. people could all be equally slaves.

## A2 Equality (Ends-based; equality in outcomes)

1. There is no way to establish when people are in fact equal since a) not every societal good can be assessed numerically, and b) some people attach subjective value to certain goods. Not everyone necessarily deserves the same benefits due to unique traits like disabilities; others sacrifice their rights by committing crimes.
2. The standard does not account for merit-based considerations: his standard makes the hardworking the slaves of those who don’t work hard, since the fruits of their labor will simply be redistributed to help others attain a similar standard of living.
3. The standard is too specific; it justifies oppression and stealing from the affluent and overriding others’ autonomy. There are no checks on his standard, which destroys the value of human worth.
4. Equality isn’t sufficient for morality because one can still be discriminated against in other immoral ways, e.g. people could all be equally slaves.

## A2 Agency

1. There is no way to resolve conflicting claims to autonomy; if two people disagree then it’s necessary to violate someone’s autonomy. Agency always conflicts because the externalities of our actions implicate the ability of others to exercise their agency. For example, my ability to play loud music conflicts with your desire to have peace and quiet. Thus, reject the standard.
2. All state policy limits agency because it imposes constraints on the individual like forcing her to pay taxes. The standard thus dejustifies the state because it will destroy agency. This renders the standard incoherent because the resolution presupposes the existence of a state.
3. People are always influenced by external factors such as social and political environments, so there’s no measure for when someone is actually exercising their agency. At best, this means violations of agency are non-verifiable, and at worst, agency doesn’t exist because the social order configures the entirety of individual life. Further, there’s no brightline because we always limit agency to some extent and there’s no measure for when we’ve sufficiently protected agency to meet the standard.

## A2 Life

1. Life is only necessary but not sufficient. I can be alive and but live a terrible life—the right to life doesn’t ensure any sort of standard of living. Treating the right to life as the primary obligation allows us to ignore other important areas of life and justifies rights violations in order to ensure life.
2. A2 Utilitarianism

## A2 Natural rights/Rights

1. Rights only matter within certain social contexts; they express societal norms, not moral truths. MacIntyre[[46]](#footnote-46):

One reason why **claims about** goods necessary for **rational agency** are so **differ**ent **from claims to the possession of rights [because]** is that **the latter** in fact **presuppose, as the former do not, the existence of a socially established set of rules. Such** sets of **rules only** come into **exist**ence **at particular historical periods under particular social circumstances. They are in no way universal features of the human condition.**

1. Rights don’t exist. Utilitarianism doesn’t deduce rights because all “rights” are violable any time it produces a net benefit, so the right would never constrain. Deontology doesn’t either because the categorical imperative tests maxims of action for internal consistency, and the results of that procedure are not rights attached to any particular person, but rules by which all must abide.

## A2 Reciprocity/Proportionality

* + - 1. [if the standard is a threshold standard] Reciprocity/proportionality is impossible—no two actions are ever exactly the same because (a) it is impossible to replicate context of the original action, (b) subjective value affects every transaction, as individuals weigh the impact of different outcomes in distinct ways (c) practically impossible—if I kill five people I can’t be killed five times, and (d) it is impossible to call one action proportional/reciprocal to another because every action has effects that cannot be predicted before the fact. At worst, the standard is hopelessly vague; there’s no brightline for when something is sufficiently proportional or reciprocal to meet the standard.
      2. Justifies a vicious cycle. If I murder someone, then my executioner must, in turn, murder me. Another person would then have to execute my executioner, and so on.
      3. The standard requires that one unjust action requires a correspondingly unjust response, but that doesn’t change the fact that the action itself is unjust.

## A2 International Law

1. Laws derive from community norms, which don’t necessarily dictate ethical behavior, i.e. the legality of slavery has no impact on its “justness.”
2. Law and morality are not one and the same. Scott Schapiro[[47]](#footnote-47) writes:

It is sometimes thought that Wolff’s challenge to authority is merely a special case of a more general paradox, one that purports to show the incompatibility of authority and rationality. The general argument is familiar: **Consider any directive issued by an authority** and any action required by that directive. Either the balance of reasons supports that action or it does not**. If the balance of reasons supports the action, an agent should conform to the directive, but not because conformity is required by the directive, rather because agents should always act according to the balance of reasons.** On the other hand, **if the balance of reasons does not support the action, then an agent should not conform to the directive because agents should never act against the balance of reasons.** It would seem, **therefore**, that **authoritative directives can never be reasons for action** – if a directive gave the right result, the directive would be irrelevant; if the directive gave the wrong result, then the obedience to the directive would be unreasonable. Since authoritative directives can never be reasons for action, it follows that rational agents can never obey authority. The proof: Rational agents always aim to act on undefeated reasons and act in accordance with that aim. If an agent were to obey an authority, they would either have to believe that they had an undefeated reason to obey or believed that they didn’t have an undefeated reason but would have obeyed anyway. If the former were true, then the agent would have irrational beliefs, given that according to the first argument, authoritative directives can never be reasons for action. If the latter were true, then the agent would not be acting in accordance with the aim of acting on undefeated reasons.

For example, if a law says do not cross the street in the face of oncoming traffic and I stop and wait for cars to cross in order to prevent my death, I have not obeyed the law, but merely done the same thing as someone obeying the law would have done.

1. <AC standard> precedes international law because international law is only instrumentally valuable for respecting human rights, as opposed to intrinsically valuable; international law is meaningless if it fails to protect rights.
2. International law cannot guide action because it is constantly changing; it lacks the consistency needed for its claims to gain normative force.
3. His standard can’t reconcile between conflicting legal documents. There’s no one ultimate overriding conception of international law; multiple independent and contradictory documents and governing bodies always exist in the international arena.
4. International law lacks enforcement, so a) states are not contractually obligated to follow it since there is no repercussion for violating the contract – the contract is not binding and b) international law is meaningless as a guide for real world policy; strong nations empirically abuse the claims of international law in self-interest since they are immune to punishment.

# Property Rights

## A2 Property Rights Exist

1. Property rights are founded on unjust coercion. First, property could be acquired through coercion, just as we took our land unjustly from Native Americans. Second, property rights can’t be enforced without a coercive authority capable of protecting them and punishing rights violators. The implication is that all property rights are founded on coercion and are thus unjust themselves.
2. Mixing one’s labor with property is not a valid method of claiming property. First, there’s no bright line for how much labor one needs to claim it. If I pour my tomato soup into the ocean, do I come to own it? Second, if the property is already owned, there’s no way to resolve the question ownership when multiple people labor into an object. If I mow my friend’s lawn, do I own it?

## Frontlines—Property Rights Exist

### A2 Initial coercion

1. This isn’t a reason property rights are unjust, it’s a reason property is acquired in an unjust manner—no warrant for why coercion is a reason to reject all property rights.
2. *Reductio ad absurdum*: the fact that coercion was used initially is not a reason to punish people years later. This argument implies that I am accountable for my great-great-great-great-great-great grandfather taking a Native American’s land, which is absurd since I had no say in what he did.

### A2 Coercion required to keep property

1. Coercion is only required if someone else is attempting to take the property, which is an initial violation of property rights. Coercion is justified in this instance because it’s only a response to injustice, not an arbitrary assertion of power.

### A2 Tomato soup; labor is not sufficient

1. Nozick’s tomato soup argument is absurd; nobody would attempt to claim the ocean by pouring tomato soup into it. Property still has to be backed by the ability to defend it, so if one can labor into an object and defend it then it is a reasonable right; since someone can’t defend a right to the ocean, it’s an absurd argument.
2. Labor generally is sufficient to claim a right to property. In absurd situations like Nozick’s tomato soup scenario, checks would reverse such claims to property. In Nozick’s example, countries would globally deny the person’s right to the ocean.
3. Situations in which labor is not sufficient to claim property are rare in a realistic setting. Moreover, it’s not sufficient to reject property rights overall, only enough to question certain examples. In real life, an enforcement agency like the government can resolve conflicts about absurd claims to property.

### A2 Mixed ownership

1. This argument is ridiculous; nobody claims that property rights are based solely on laboring into any object. If the object is unclaimed then it can be taken; otherwise the ownership doesn’t change. His argument misunderstands property rights and isn’t responsive.

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