

**SOCIETY FOR APPLIED PHILOSOPHY**  
**Annual Conference 2019**

**Abstracts**

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**CONCURRENT AND PLENARY SESSION ABSTRACTS**

**Akova, Firat** (University of Warwick)

*The Permissiveness Objection Against Peter Singer's Weaker Principle of Sacrifice*

As individuals living in rich societies and benefiting from privileges, we have a moral obligation to alleviate extreme poverty. There are numerous arguments regarding the scope of it, and Peter Singer's argument is among the well-known. Singer has argued that we ought to sacrifice whatever we have except our necessities to alleviate extreme poverty. Known as Singer's stronger principle of sacrifice, it has been objected to on the basis of demandingness. Immune to the demandingness objection, he has his weaker principle of sacrifice which requires us to sacrifice things that are not morally significant to alleviate extreme poverty. Nonetheless, Singer's weaker principle of sacrifice is subject to the permissiveness objection. Submitting that Singer's weaker principle of sacrifice excludes lavish tastes from the domain of sacrifice if individuals deliberately cultivate lavish tastes which become morally significant, the permissiveness objection asserts that excluding lavish tastes on the basis of moral significance from the domain of sacrifice (1) reveals the extensive broadness of Singer's weaker principle of sacrifice which may result in asking too little from certain individuals to alleviate extreme poverty, and (2) unfairly burdens individuals who have not deliberately cultivated morally significant lavish tastes. In fact, the permissiveness objection is the opposite of the demandingness objection, as it shows that Singer's weaker principle of sacrifice can justify pursuing lavish tastes.

*Keywords:* Peter Singer, extreme poverty, individual obligations

**Albersmeier, Frauke** (Heinrich Heine University, Duesseldorf)

*The fetish objection to pursuing moral progress*

When the idea of moral progress is investigated philosophically, it is often attributed significant motivational relevance. For instance, Michele Moody-Adams declares "[t]he idea of moral progress [...] a necessary presupposition of action for beings like us" (Moody-Adams 2017, 153). Allen Buchanan and Russell Powell have recently made the somewhat more modest claim that "[i]f moral progress is possible, so far as one cares about morality, one needs to know how to achieve it" (2018, 20). However, it might be objected that 'morality' is not what good moral agents 'care about' to begin with. The objection – inspired by Michael Smith's famous 'fetish argument' against externalism about moral motivation (Smith 1994) – is that the moral agent who is concerned with moral progress as such – rather than with concrete moral issues – turns moral progress into a fetish. In this talk, I discuss the force of this fetish objection. I show that while it does not only arise against a backdrop of externalism about moral motivation, one can still draw on arguments that have been put forward in defense of externalism to counter it. However, the pursuit of moral progress might still appear to be misdirected, because it is aimed at too little (the amelioration rather than the eradication of moral problems) and something too specific. The force of the latter charge depends on whether our precise account of moral progress allows for it to be but one way to 'make the world a better place'. Regarding this case, I discuss under which circumstances pursuing moral progress could still be a worthy project for the moral agent – and not a fetishization of morality.

Buchanan, A., & Powell, R. (2018). *The evolution of moral progress*. Oxford, New York: Oxford University Press.  
Moody-Adams, M. M. (2017). Moral Progress and Human Agency. *Ethical Theory and Moral Practice*, 20(1), 153–168.

Smith, M. (1994). *The moral problem*. Oxford: Blackwell.

*Keywords:* moral progress; moral motivation; fetish argument; externalism

**Begon, Jessica** (Durham University)

*Neutral Impairment, Disadvantageous Disability*

Is it bad to be disabled? Are disabled individuals, *ceteris paribus*, worse off than non-disabled individuals? Is disability compatible with health? The answers to these questions might seem obvious, yet there is little agreement on what the 'obvious' answers are. Further, whilst the debate is often framed in terms of disability, the core dispute in fact concerns the relationship between well-being and impairment. Disability – a restriction in our ability to perform important tasks – is, on many views, definitionally disadvantageous. More controversial is the status of impairment – physical or cognitive features that cause deviation from normal species functioning. Non-disabled individuals considering the 'badness' of disability wonder what it would be like if their functioning capacity changed (and their conclusions are often pessimistic). When disabled individuals defend their condition they, too, often focus on functional difference, noting that experiencing the world as an autistic person, for example, need hardly be a bad thing.

The very language of 'impairment', and its usual definition as deficient or sub-optimal functioning, may seem to lend support to negative preconceptions about disabled life. Further, the negative conception of impairment is in danger of undermining both the coherence of disability pride (why be proud of deficiency?), and the possibility of solidarity (dividing the 'genuinely' deficient from those merely perceived as such). Moreover, it is notoriously difficult to consistently delineate which forms of functioning are sub-optimal. These worries have led some theorists to abandon the concept of impairment and so the disability/impairment distinction. I defend both the concept of impairment, and its distinction from disability. However, I argue for a neutral account of impairment, as atypicality rather than deficiency. Thus, disabilities are limitations resulting from different, not deficient, ways of functioning. This approach allows us to campaign against disability (as restriction) without suggesting that we should seek to normalise people (remove impairment).

*Keywords:* Disability; impairment; justice; disadvantage; difference

**Bennett, Christopher** (University of Sheffield)

*What Goes On When We Apologise?*

A distinctive feature of apology is that it can bring about a kind of closure after wrongdoing. I argue that, in order to explain how it can do so, we should think of apology as a normative power akin in some respects to promising, consenting and commanding. However, apology is also different in important respects from promising and so on, since, although a valid performance of the right actions is sufficient to exercise the power, it does not bring about all of its normative effects simply by communicating an intention to bring them about through the performance of those actions. I argue for this through the claim that the distinctive normative effect of apology is dissociation. Dissociation is a normative power through which the wrongdoer distances themselves from their wrongdoing, placing themselves back within the moral community; it both creates a new obligation on the wrongdoer to refrain from such actions in the future, and also alters obligations that others would have had to distance themselves from the wrongdoer. In order to understand dissociation, however, we have to see that apology is also an expressive action, where its being an expressive action, and being performed as an expression of genuine emotion, is necessary to the full exercise of its powers.

**Ben-Ze'ev, Aaron** (Department of Philosophy, University of Haifa)

*Is Compersion a New Emotion? Polyamory and being happy with your partner's affair*

"Compersion" is a recently coined term referring to the joy felt in your partner's romantic intimacy with someone else. I examine here the nature of this emotional experience, its relation to jealousy, and its impact on our everyday life. I begin by briefly discussing emotions toward the good fortunes of others, which compersion is part of; next, I outline some general features of polyamory, in which compersion is claimed to be more common; and finally, I examine the feasibility of compersion.

Does polyamory increase the quality of the romantic relation? Clearly, polyamory increases overall romantic intensity, which is highly dependent on change and novelty. The relationship between polyamory and romantic profundity is multifaceted, mainly because profound love requires a strong investment in quality time. Relationship quality can also be measured by overall length of time in the relation. Polyamorous relationships seem to be briefer than monogamous relationships. The experience of compersion, that is, being happy with your partner's romantic affair with someone else, is less natural and harder to achieve than the experience of loving two people at the same time, which underlies polyamory.

While there is no conceptual contradiction in compersion, there are various fundamental emotional obstacles in experiencing such happiness that generate jealousy rather than compersion. Compersion can be a significant step in helping partners cope with the basic difficulties of a dull relationship. One might say that, in this case, a person might permit - and even encourage - these experiences, if they are not harmful in other ways. Making our partner happy is, after all, what underlies profound love. However, in light of the many difficulties associated with polyamory and compersion, such experiences are not suitable for most people.

*Keywords:* Love, polyamory, compersion, jealousy, happiness

**Bones, Inga** (Karlsruhe Institute of Technology)

*Engineering "Hate Speech"*

Significant parts of the philosophical debate on hate speech focus on questions that relate to one or more of the following issues:

- (1) The political issue: Is there a case to be made for hate speech laws from a liberal democratic perspective?
- (2) The metaphysical issue: Is the relationship between hate speech and harm one of constituency or 'merely' one of causation?
- (3) The linguistic issue: Which linguistic mechanisms are at play in paradigm cases of hate speech?

My paper does not deal with any one of these important questions, but rather is concerned with the preliminary (but no less important) question of how the expression 'hate speech' should be understood. It has frequently been noted that the term 'hate speech' is problematic in several respects. To begin with, the term is potentially misleading: what many authors take to be paradigm examples of hate speech are neither obvious instances of speech nor do they require the presence of hateful attitudes on the part of the agent. Second, there is no agreed definition of 'hate speech,' but some uncontested examples at best, and a plethora of borderline cases. Worse still, some proposed definitions exclude even some of the aforementioned widely uncontested examples of hate speech. Ultimately, I shall propose a distinction between hate speech and hateful speech. The analysis of the former concept takes its cues from Manne's (2017) ameliorative analysis of the concept of misogyny. I argue that in order for an utterance to count as an instance of hate speech, there needs to be a social environment with certain oppressive and discriminatory practices in place, which the respective utterance helps to maintain. Hateful speech, by contrast, does not require—or, for that matter, serve—a system of oppression in the background. The proposed distinction is then discussed in relation to potential restrictions on speech. While hate speech, as defined in this paper, might call for legal intervention, hateful speech does not.

*Keywords:* hate speech; hateful speech; conceptual engineering; ameliorative analysis

**Calder, Gideon** (Swansea University)

*What has social mobility got to do with equality?*

We have grown used to media anxiety about the lack of social mobility in contemporary societies such as the UK and USA. These anxieties are freighted with normative concerns about fairness, and the stubbornness of class inequalities. If lack of social mobility is a problem, then something to do with equality of opportunity is widely presumed (especially since Rawls) to be a necessary part of the answer. This paper argues against this view. I seek to show how equality of opportunity cannot apply in non-ideal societies in a way which addresses the particular and pressing questions of injustice posed by the lack of social mobility. I suggest that Joseph Fishkin's conception of 'opportunity pluralism' better encapsulates both what is problematic about the lack, and what would count as circumventing it. And I close by arguing that – in ways not broached by Fishkin and which travel some way beyond his own case – the necessary corollary of opportunity pluralism is increased equality of condition, rather than of opportunity. Thus the egalitarian case for promoting social mobility is the reverse of what many mainstream treatments of the issue have tended to assume. The case is developed through examples gleaned from recent analyses of the structures of class inequality in the UK, and research from the sociology of education on the nature and impacts of class inflections.

*Keywords:* social mobility; class inequality; equality; opportunity; pluralism

**Covaci, Adina** (University of Leeds)

*The Asymmetry of Deference*

In this paper I aim to expand the debate on the non-epistemic status of deference. I do so by focusing on what the literature has called 'the asymmetry thesis'. The idea behind the thesis is that some forms of deference are problematic and others aren't. So far, this distinction has been conceptualised as domain-based, i.e. moral or normative deference is problematic, while non-moral or non-normative deference isn't. By analysing various cases, I argue that the asymmetry thesis in this form gives the wrong predictions. I propose instead a new criterion for the asymmetry that better accounts for our intuitions: deference is problematic insofar as and because it interferes with our capacity for practical deliberation. This view gives us a principled way of distinguishing between problematic and unproblematic cases of deference and proves itself as the most comprehensive view on the problematic character of deference that is on the market presently.

*Keywords:* moral testimony; moral deference; practical deliberation; asymmetry of deference

**Cullity, Garrett** (The University of Adelaide)

*Offsetting and Risk-Aggregation*

Suppose you accept that the expectation of harm associated with a well-off individual's greenhouse gas emissions is large enough to make her action *prima facie* wrong. If so, can you then make your emissions activity morally permissible by buying carbon offsets, reasoning (as John Broome does) that this is a way of ensuring that the net expected value of your overall course of activity is neutral?

This paper evaluates a forceful-looking objection to that view. The objection is that it relies on a dubious inference, from the permissibility of an aggregate action to the permissibility of its components: the neutral expected value of the aggregate action of emitting-and-offsetting makes it permissible, so the component action of emitting is permissible. However, in analogous-looking cases, we should apparently reason in the opposite direction. If my neighbours are dumping toxic waste in a river, harming others who live downstream, I cannot justify doing so too by paying one of

my neighbours to desist, reasoning that my overall action of dumping-and-forestalling has a neutral net expected value. Here, the right way to reason is apparently: the expectation of harm associated with the action of dumping makes it impermissible, therefore the aggregate action, dumping-and-forestalling, which contains this impermissible component is impermissible.

The paper argues that, although this is indeed the correct way to reason in the case of dumping-and-forestalling, there are other cases in which we can legitimately test an aggregate action for permissibility and infer that its components are permissible. It offers an explanation of the difference between the two kinds of case, defending a Risk-Aggregation Principle that distinguishes them. Then it shows that emitting-and-offsetting belongs to the first kind, not the second. The conclusion is that, while there may be other objections to offsetting, this one fails.

*Keywords:* offsetting, risk, expected harm, climate change

**Forst, Rainer** (Goethe-Universität, Frankfurt)

*A Critical Theory of Transnational (In-) Justice: Realistic in the Right Way*

This talk develops a critical theory of transnational justice. Its normative basis is a democratic conception of justice as justification grounded in a constructivist conception of reason which is at the same time “realistic” when it comes to assessing the current world order as one of multiple forms of domination. In its critical parts, the paper discusses a number of conceptions of justice that are parochial or positivistic in insufficiently questioning certain normative and empirical premises and thus miss the nature of forms of injustice beyond the state. In the constructive parts, I present a reflexive argument for a discursive conception of justice. This theory is then situated in transnational contexts of rule and domination, arguing for principles and institutions of fundamental transnational justice.

*Keywords:* critical theory, justice as justification, practice positivism, transnational justice

**Fox, Carl** (University of Leeds), and **Saunders, Joe** (Durham University)

*Codes of Ethics and Freedom of the Press*

Freedom of the press is a fundamental tenet of a democratic society. It helps underpin a healthy public sphere and is our best guarantee that the powerful will be held to account. However, it is not an unalloyed good. The press can, and often do, get things badly wrong, and the enduring question of how to regulate the press has taken on a new urgency in an era of fake news, hyper-partisanship, and general political turmoil. This paper applies the results from an ongoing major interdisciplinary study of codes of ethics for journalists in ten European countries to, first, show how codes can be used to nurture and support ethical behaviour, and, second, to argue that if a code of ethics is to be more than an institutional fig leaf for the press, it should fulfil four distinct, but interrelated, functions. It should be action guiding, provide the basis for the profession’s disciplinary procedures, communicate minimum standards against which the public can evaluate performance, and establish the basis for a thick professional identity around which practitioners can cohere. In the context provided by our in-depth interviews with practicing journalists, editors, interest groups and other stakeholders, we will also address several objections to codes of ethics, not least the worry that they can be abused to give the impression of a deep concern for ethics and improving behaviour, while actually masking the continuation of business as usual.

*Keywords:* Journalism; Freedom of the Press; Codes of Ethics; Professional Identity

**Frowe, Helen** (Stockholm University)

*The Moral Irrelevance of Moral Coercion*

An agent A morally coerces another agent, B, when A manipulates B’s moral commitments such that B causes, or fails to prevent, some end that B does not share, as in Evil Trolley:

Evil Trolley: Villain wants to kill Victim. He sends a trolley towards five innocent people, who are trapped in its path. Villain correctly predicts that Bystander will divert the trolley down a side-track in order to save the five. The trolley will then hit and kill Victim.

Here, Enemy manipulates Bystander into killing Victim by making the alternative – letting the trolley run its course – morally impermissible.

I use coercion to describe cases in which a choice is intentionally forced by an agent, as in Evil Trolley. I use duress to describe cases in which a choice is forced by non-coercive wrongdoing, as in Thwarted Trolley:

Thwarted Trolley: Villain sets a trolley in motion towards the five, intending to kill them. Villain doesn't realise that Bystander can divert the trolley towards to Victim, which Bystander does. Victim is killed; the five are saved.

Finally, I'll use happenstance to describe cases in which there is no wrongdoing (which includes natural accidents and innocent misadventure), as in Trolley:

Trolley: A trolley is blown by the wind to where it will kill five innocent people. Bystander can save the five only by diverting the trolley down a side-track, where it will kill Victim.

Again, Bystander is motivated by her moral commitments, rather than any threat to her person. I defend Moral Irrelevance:

Moral Irrelevance: Whether a person faces a choice between harms as a result of moral coercion, duress or happenstance has no bearing on what she ought to do, or her responsibility for her actions.

*Keywords:* Coercion; responsibility; duress

**Giavazzi, Michele** (University of Warwick)

#### *A Civic Argument for Epistocratic Constraints on Voting*

The purpose of this paper is to argue that it can be justifiable to apply epistocratic constraints on the exercise of the right to vote during elections and referenda. With epistocratic constraint, I mean whatever mechanism serves the purpose of filtering out the input of voters who fall below a certain threshold of knowledge or competence about politics.

The argument that I propose is however different from the standard instrumental theories that are often behind similar conclusions. I argue, instead, that being epistemically responsible in the use of voting power is a duty and that preventing a breach of such duty is what justifies voting procedures that employ epistocratic constraints.

I shall call this the civic argument which, if plausible, provides an innovative critique of the main strands of contemporary democratic theory. Its structure is the following.

First (1), I argue that participation in political practices grounds an obligation to conform to the norms that are relevant to such practices. Call this having a civic duty. I then (2) explain how the notion of civic duty applies to voting. First, I present an interpretation of voting as making an advocative statement about what political course of action ought to be implemented. I then move on to argue that, in light of this interpretation, the civic duty of voters is epistemic responsibility.

In section (3), I explain how epistocratic constraints on voting can be justified as a mean to ensure compliance with the obligations that we owe to each other as joint participants to political decision-making. I conclude (4) by targeting the controversial problem of implementing epistocratic constraints given widespread political and epistemic background injustices, suggesting some modest proposals to dispel such concerns.

*Keywords:* Democracy; Epistocracy; Voting Ethics; Civic Duties

**Harnacke, Caroline** (Tilburg University)

*The meaning of 'Nothing about us without us'*

“Nothing about us without us” is a well-known claim in the disability rights movement. Disability rights activists demand that no political decision that affects disabled people should be taken without the participation of disabled people. It remains unclear in the philosophical discussion what exactly the role of disabled people should be. Disabled people demand a seat at the table, but what exactly does their epistemic authority amount to?

In this paper, I aim at fleshing out the meaning of “Nothing about us without us” by investigating the knowledge of disabled people. I will characterize the kind of knowledge that disabled people have of their own situation as a special asset.

I will distinguish two forms of knowledge of disabled people specific to their situation as disabled people: first, phenomenological knowledge and second, propositional knowledge. First, propositional knowledge provides factual information about living with an atypical body or functioning. Its power lies in the information it gives, but what we do with this information is a matter of contested norms and values. The second kind of information is phenomenological knowledge. Here, I am referring to knowledge of what it is like to be in a certain kind of situation: what it is like to experience stigma and discrimination, but also knowing how to adjust to a life with a different kind of body or mind and how to overcome barriers.

Phenomenological knowledge is special in another kind of sense: I analyze that phenomenological knowledge is the kind of knowledge that puts disabled people in a situation of epistemic privilege. Phenomenological knowledge provides disabled people with a standpoint. Here, I will employ insights from feminist epistemology. By way of testimony, disabled people can provide their propositional knowledge. Testimonies of disabled people have therefore a value that cannot be replaced.

*Keywords:* disability; knowledge

**Healey, Richard** (University of Glasgow)

*Breaking Up*

This paper concerns one way in which we end special relationships: by breaking up with someone. In particular, it examines the process through which one person comes to end a special relationship with another person through the declaration that they are hereby ending the relationship. The paper argues for three main theses. First, breaking up is an interesting though neglected example of a normative power (akin to promising or consenting). Second, the nature of the normative change brought about by breaking up with someone is that it places both parties under a new obligation. Specifically, I argue that by breaking up with someone we acquire a duty to take the steps that will eventually dissolve the relationship-based duties that (partly) constitute that relationship. Finally, I argue that the reason why by breaking up we cannot simply opt-out of all the special duties implicated within special relationships is because those relationships would lack an important source of their non-instrumental value if we were able to simply opt-out of them at will. That is, these relationships acquire a significant part of their value through their being constituted by a web of commitments. This final thesis, I suggest, supports a more general view concerning the grounds of the duties constitutive of our special relationships. On this view, we acquire these special duties over periods of time and through a series of discrete interactions; and likewise, we come to lose these duties over periods of time in which the relationship gradually dissolves.

*Keywords:* Relationships; duties; love; friendship

**Huang, Pei-hua** (Monash University)

*Revising Moral Understanding with Emotions: A Moderate Defence of Affective Moral Enhancement*

In recent discussion about the possibility of moral enhancement, scholars disagree on which type of moral enhancement should be conducted. Many argue that since moral behaviour should be governed by rationality, moral enhancement should be proceeded with programs that function via improving enhancement recipients' cognitive faculties (e.g. moral education). Programs that try to improve moral behaviours via modulating the affective states should not be considered as genuine moral enhancement programs because emotions are not governed by rationality.

In this paper, I argue that even if we accept the view that moral behaviours require rational engagement, it does not follow that we must argue that none of the affective moral enhancement can be a genuine form of moral enhancement. The upshot of this argument is that, certain emotions are highly cognitive and can serve as a rich source of moral knowledge. Receiving affective moral enhancement, therefore, is not necessarily problematic for those who believe in the importance of rational engagement. Rather, with the emotional experience introduced by the affective program, one may be in a better position to make good moral decisions. In the later part of the paper, I further distinguish emotions from moods by defining the former as containing intentional objects, which the latter lack. I therefore suggest that what the rationalists should reject is the modulation of objectless mood.

*Keywords:* affective moral enhancement; emotion; moral knowledge

**John, Stephen** (University of Cambridge), and **Wu, Joseph** (University of Cambridge)

*First, do no harm? Overdiagnosis, screening and the ethics of risk*

Screening asymptomatic individuals for cancer saves lives. Unfortunately, it also causes harm: some people have risky treatments for growths which would never have caused symptoms anyway. There is heated debate over whether the benefits of screening outweigh these costs of overdiagnosis. This paper starts by suggesting that these debates seem wrong-headed; in virtue of the fact that screening programmes cause harm, they all apparently violate the principle of non-maleficence. Therefore, either we must reject non-maleficence or we must say that all screening programmes are impermissible. This paper argues that this dilemma is genuinely difficult: we cannot wriggle out of it by saying that "non-maleficence" applies only in the clinic and not to policy; nor can we do so by appeals to the notion of "informed consent".

Rather, it argues, the best way forward is to re-interpret the non-maleficence principle in ex-ante, rather than in ex-post terms. That is to say, we should understand "do no harm" as ruling out actions which worsen patients' prospects, rather than actions which worsen their well-being. This re-interpreted version of "non-maleficence" implies that some screening programmes are permissible, but is noticeably more stringent than the consequentialist approach typically adopted in public health policy-making.

The final sections of the paper consider the relationship between our arguments and recent work on the ethics of risk. Specifically, we show how our approach can avoid problems for other ex-ante approaches, most notably the ex-ante Pareto principle, and can provide a principled response to the "reference class problem". In turn, these arguments have broader implications for how we think about a range of problems in public health ethics – around the value of prevention and the identified/statistical lives distinction – and in applied ethics more generally.

*Keywords:* Screening; ethics of risk; consent; public health ethics; non-maleficence

**Jonker, Julian** (The Wharton School of the University of Pennsylvania)

*Who is Wronged When Markets Fail?*

Market teleology derives moral principles for market participants from the conditions of perfect competition. For example, Christopher McMahon characterizes the implicit morality of the market as those principles generated by economic theory when economic efficiency is taken as an end. And Joseph Heath develops a market failures approach to business ethics which prohibits market



participants from taking advantage of failures of the conditions of perfect competition. Teleological theories of market ethics suggest a particular diagnosis of marketplace wrongs like exploitation, collusion, rent-seeking, insider trading, and unfair competition: such practices undermine the welfare effects and virtues of well-functioning markets.

But market teleology struggles to explain the structure of marketplace wrongs. In particular, it fails to explain our judgments that unethical market practices not only are wrong, but wrong particular others. For example, collusion wrongs customers who must pay higher prices; trading on the basis of the ignorance of another market participant harms the participant who would have made different trades if the private information had been made public.

Market teleology can acknowledge the relational character of market wrongs once markets are valued for the right reasons. Under conditions of perfect competition, the relationship between buyer and seller is one of non-domination; and the relationship between competitors is one of fair play. Well-functioning markets are valuable primarily because they are constitutive of these valuable relationships, and only secondarily because they produce economic efficiency and cultivate the virtues amongst market participants such as creativity and thriftiness. Unethical market practices are wrong not because they undermine efficiency or marketplace virtues, but because they impair valuable ways of relating, and they wrong the relatives whose relational interests are set back.

*Keywords:* Business Ethics; Relational Egalitarianism; Unfair Competition; Insider Trading

**Kemp, Nicola** (University of Southern California)

*The Ethics of Failing to Make Happy People: Why Deontologists Don't Escape the Problem of the Procreation Asymmetry*

A problem that has received a lot of attention within the ethics of procreation is how to reconcile the following two plausible ethical claims: (1) There is a strong moral reason not to create people who will live lives of abject suffering, and (2) There is not strong moral reason to create people who will live happy lives. This puzzle has largely been ignored by deontologists, I believe, on the grounds that, unlike consequentialism, deontological ethical theories have no trouble explaining (2). Deontology is concerned with the ways in which individuals can wrong others, and if we fail to create the happy person then our act has no victim. I call this the 'No Victim Argument'. In this paper I will argue (1) that two No Victim-style arguments from deontologists Johann Frick and Rivka Weinberg are both unsuccessful, (2) that if a successful version of the No Victim Argument is to be defended then it will require greater theoretical grounding than might first be thought, (3) that while a No Victim argument has the potential to establish a related, deontic, asymmetry, we should be sceptical about its prospects for grounding the original version of the asymmetry, which is an asymmetry of reasons, and (4) that denying the original asymmetry is a significant bullet to bite, even for a deontologist who can defend a deontic version.

*Keywords:* ethics; procreation; asymmetry; deontology

**Kolodny, Niko** (University of California, Berkeley)

*Saving Posterity from a Worse Fate*

Suppose we must choose among different outcomes, in which people fare better or worse. Suppose different people, or different numbers of people, will ever exist at such outcomes. That is, suppose our choice affects the growth of the population, or the identities of future people. Which outcomes, if any, are wrong for us to choose?

There are two ways of approaching such questions. The more familiar way might be called "Benefit Thinking." We should make the choice that benefits people more. The less familiar way might be called "Worse-Fate Thinking." We should make the choice that leaves fewer people to a worse fate. It is surprisingly hard to come up with non-question-begging grounds to favor Benefit Thinking over Worse-Fate Thinking: to view Benefit Thinking as the more natural extension of our concern for how

people fare, as reflected in "ordinary" moral choices, which don't affect who or how many come to exist. And I suggest that Worse-Fate Thinking, or a combination of Worse-Fate and Benefit Thinking, gives more intuitive answers than does Benefit Thinking to many of the questions of population ethics.

**Lippert-Rasmussen, Kasper** (university of Aarhus)

*The stigma objection to affirmative action*

This paper takes a critical look at the influential objection that the intended beneficiaries of affirmative action are harmed through its stigmatizing effects and, thus, that affirmative action is self-defeating. This objection is common, because assuming that its empirical premise is true, it is difficult to deny -- even for people who are quite favourably inclined towards affirmative action -- that considerations about stigma form an important objection to affirmative action. However, this paper offers three main reasons why the stigma objection is weak. First, drawing on studies in social psychology I show why it seems likely that stigma is not merely a matter of rational statistical inferences, but also a matter of irrational processes such as implicit bias, the sheer numbers effect etc. and thus that affirmative action might actually reduce stigma. Second, much stigma is likely to reflect epistemic injustice, e.g., recipients of affirmative action are likely to suffer from comparative and non-comparative epistemic injustice in the form of overgeneralisations. Hence, the stigma objection provides no objection to affirmative action schemes that also involve means to eliminate the relevant epistemic injustice. This relates to the paper's third point, which is that affirmative action policies can be part of a larger package of policies that, taken as a whole, is immune to the stigma objection.

*Keywords:* affirmative action, stigma, epistemic injustice, affirmative action

**Lopez Cantero, Pilar** (The University of Manchester)

*Falling in love*

Loving changes who we are (Helm, 2010; Frankfurt, 2004); it is an appreciation of the beloved's incomparable value (Velleman, 1998); it allows to "really see" another's humanity (Murdoch, 1997). Philosophers have frequently pointed at love as one of the most significant features in a person's life. However, in the case of romantic partners, it seems that we play dirty in order to get to that state. Before 'loving proper', we have to go through an irrational phase -what is commonly known as 'falling in love' is considered, at best, a necessary evil.

In this paper, I defend falling in love as a necessary condition for being in love -the 'second phase' love which is usually considered 'loving proper' (Nozick, 1989). Firstly, I make a distinction between infatuation, limerence and falling in love. Secondly, I give my account of falling in love. I argue that falling in love is a process of radical change of one's identity which is characterised by its pervasiveness: it colours not only other features in our self-concept, but our way of interpreting the world. Finally, I deal with two objections to the account. The first one is that pervasiveness does not seem necessary for falling out of love. The second is that even if pervasiveness is indeed necessary, it may be disvaluable.

*Keywords:* applied ethics; love; narrative; identity; feminist philosophy

**Martin, Diana Adela** (Technological University Dublin), **Conlon, Eddie** (Technological University Dublin), and **Bowe, Brian** (Technological University Dublin)

*The Case for Macroethics Engineering Education*

Our presentation starts by providing an overview the two major theoretical frames for conceptualising engineering ethics education, highlighting the characteristics of the microethical and macroethical frames in regards to the themes and topics employed, goals, commitment to values, as well as their views on agency and responsibility. The second section will then examine the use of case studies for the teaching of engineering ethics, putting forward four deficiencies of case studies rooted in a

microethical outlook. From a metaphysical perspective, the microethical use of case study in the teaching of engineering ethics fails to fully capture features of the engineering profession related to the nature of (i) the artefacts produced (Feenberg, 1999; Winner, 1986), (ii) engineering practice (Beder, 1999; Vaughan, 1996) and (iii) the professional environment (Author, 2011; Davis, 1991). While the epistemological deficits of the microethical use of case studies, focused on clear cut dilemmas and situations of crisis, rest on the assumption that (iv) engineering knowledge is fully explicit and readily available by consulting professional codes, neglecting its strong implicit character (Vincenti, 1990; Vermaas et al, 2011). Building on our criticism, in the final section we put forward a macroethical agenda for case instruction of engineering ethics that aims to correct the deficiencies identified.

*Keywords:* engineering ethics, macroethics, ethics education

**Matheson, Benjamin** (Stockholm University), and **Archer, Alfred** (University of Tilburg)

### *Commemoration and Emotional Imperialism*

War and conflict are often commemorated or remembered through statues, ceremonies, and objects. In the United Kingdom, perhaps the most well-known commemorative practice involves wearing a red poppy to commemorate those who have died fighting for the British Army.

While many people take part in this practice, some choose not to do so. For example, the footballer James McClean refuses to wear a poppy because of the behaviour of the British Army in Northern Ireland, including the Bloody Sunday massacre. McClean has repeatedly been subjected to negative reactions in the media and from the general public for his decision, including occasional death threats, despite the fact the British government has admitted the killings on Bloody Sunday were unjust. Another case involves the footballer Nemanja Matic. He refuses to wear the poppy because of the NATO bombing of Yugoslavia in 1999. The interventions by NATO, in 1995 and 1999, were provoked by war crimes committed by Yugoslav forces, including massacres, ethnic cleansing, systematic rape, crimes against humanity and genocide, which according to a UN report were committed in order to create an ethnically pure Serbian state. Matic's behaviour has not received the same kind of criticism as McClean's has, though he has received some.

In this paper, we use McClean's and Matic's cases as a case study in order to develop a desideratum for an adequate account of commemoration. We argue that the negative reactions to McClean and Matic are both inappropriate. Both cases, we argue, involve affective injustices. We argue that McClean's case involves emotional imperialism. While Matic's case may not involve emotional imperialism, we argue that it does involve a failure to respect his right to grieve. Thus, we propose that an adequate account of commemoration must not permit practices that involve or perpetuate such affective injustices.

*Keywords:* commemoration; emotional imperialism; remembrance; emotions; war

**McKeever, Natasha** (University of Leeds), and **Brunning, Luke** (University of Birmingham)

### *Taking asexuality seriously: implications for the philosophy of sex and love*

Asexuals, who make up about 1% of the population (Decker, 2014, p. 3), but have been largely ignored by philosophers, profess to not experience sexual attraction but often experience, and want, romantic relationships. Some asexuals also want to engage in sexual activity with other people despite feeling little or no sexual attraction to the person with whom they have sex.

In this paper, we will assume that asexuals are right that they can experience romantic love without any sexual attraction, and that they might want to have sex for reasons other than sexual attraction, and we will consider what follows from this. We suggest that if we take asexuality seriously, there are (at least) two implications which could challenge the way that love and sex are typically conceived.

1) The connection between sexual attraction and love: What distinguishes romantic love from other forms of love, in particular from friendship, is often said to be sexual attraction and (exclusive) sexual

activity. However, as some asexuals want and have romantic relationships and feel romantic love, this suggests that romantic love is not necessarily sexual, or that it involves sex in less central ways. The implication of this is that romantic love and sex can be decoupled for allosexuals as well as for asexuals, contrary to much of the philosophical literature, and the common understanding of it.

2) The role of sexual activity in our lives: We sometimes feel discomfited by the idea of people having sex with people towards whom they lack attraction or desire. However, as some asexuals want to engage in sexual activity for reasons other than sexual attraction this suggests that sex can play a more varied role in people's lives.

*Keywords:* asexuality; sexuality; sex; love; romance

**McTernan, Emily** (University College London)

*What is it like to be offended?: An emotion reassessed*

A man cat calls a woman on the street. A stranger pushes you out of the way to grab the last available seat on the train. A colleague makes an off colour joke. One reaction to such events is to take offence. But should we? And what, exactly, is it to take offence?

Philosophers, especially legal philosophers, have thought a great deal about causing offence, especially whether we should punish or prevent offence causing, when that offence is serious. But far less attention has been paid to the person taking offence, perhaps because some regard taking offence as a near instinctive reaction, akin to feeling fear when wobbling at the very edge of a cliff. Joel Feinberg's classic characterisation of offence as a cluster of different disliked states may have contributed to such a tendency. His wonderfully vivid examples include someone masturbating on the bus, where the sentiment verges on disgust or an immediate recoil.

This paper offers an alternative and more unified analysis of what it is to take offence and what it is like to be offended; one focused on the everyday cases rather than the egregious cases preoccupying legal philosophers. On this analysis, to be offended is to believe, perceive or judge that one has been socially slighted; to feel estranged; and to behave in ways, often small, that express withdrawal from the person who offends. In so doing, I distinguish offence from other seemingly nearby emotions including disgust, anger, and indignation. I also begin to undermine popular arguments to the effect that increasing offence-taking threatens society. On my account, offence tends to be a smaller scale and more everyday emotion than that supposes. Instead, while offence can at times go beyond what seems reasonable, that is likely, for the most part, in only limited cases: those requiring symbolic or proxy forms of estrangement.

*Keywords:* Offence; emotion; ethics/political philosophy

**Mokrosinska, Dorota** (Philosophy, Leiden University)

*Why Snowden and not Greenwald? On the Accountability of the Press for Unauthorized Disclosures of Classified Information.*

In 2013, following the leaks by Edward Snowden, The Guardian published a number of classified NSA documents. Both leaking and publishing leaks violate the law prohibiting unauthorized disclosures. Accordingly, there are two potential targets for prosecution: the leakers and the press. In practice, however, only civil servants who leak classified information are prosecuted: Snowden is facing a threat of 30 years' imprisonment; no charges have been made against The Guardian. If both leaking and publishing leaks violate the law, why prosecute only the leakers and not the press? I consider and reject two arguments. The first claims that the press has special moral claims by virtue of its rights (press freedom) or its role (the Fourth Estate; conduit for information). The second argument states that the leakers commit a greater wrong than the press. I conclude that the current prosecution practice is inconsistent: prosecutors should either prosecute both or neither.

*Keywords:* unauthorized disclosures of classified information; leakers, the press, accountability; disanalogy

**Moore, Margaret** (Queen's University, Kingston)

*Territorial Rights in Unoccupied Places*

There is a recent burgeoning literature justifying collective rights over territory (rights of jurisdiction, rights to control resources, rights to control borders and so on), and also the limits of such rights. Many of these justifications appeal to the idea of place-related interests, which work well in places that are occupied by individuals and groups). But what could justify such rights in unoccupied places? What kinds of rights ought there to be in places that are unoccupied? Is it a libertarian free-for-all? If some kind of entity is justified to regulate or enforce rules in such places, what kind of entity is it and on what basis is it justified? And what are the limits of it? And how should it be related to the existing international order, which is largely comprised of territorial states ?

**Moran, Marie** (University College, Dublin)

*Inequality in the 21st Century: Towards a new pluralist egalitarian framework*

This paper presents an overview of the conceptual and theoretical framework that will be developed in the book 'Inequality in the 21st Century' (Polity, 2020). The framework is normative and analytical in orientation, and pluralistic in scope. It builds from assertion of the equal moral worth of all people, and by exploring the connections between inequality and human wellbeing, aims to re-invigorate our understandings of why inequality matters, and why we should be concerned with its significant amelioration. The pluralism of the framework derives initially from how it conceptualises the nature of inequality, recognising that it is useful and appropriate to view it both in terms of an unequal distribution of some valued resource ('distributive inequality'), and a relationship in which one group is subject to the power or disrespect of another ('relational inequality'). It contends that these distributive and relational approaches to defining the nature of inequality are not competing but overlapping and complementary, and can be deployed to understand different manifestations of inequality, as well as to articulate different normative ends. Furthermore, where distributive or relational inequalities exist, they exist between different social groups or across different spaces, such that relational and distributive inequalities can be mapped in a conceptual matrix with 'categorical' and 'spatial' inequalities. As concepts, 'distributive', 'relational', 'categorical' and 'spatial' inequalities have explanatory as well as descriptive power, though this is realised to greatest effect when combined with an analysis of the social systems that provide the context for these inequalities, and that have causal force in this respect ('Sectoral Inequalities'). Finally the framework considers visions and strategies associated with egalitarian alternatives to the currently unequal social order, and repositions the dominant dichotomy of redistribution and recognition as only a narrow sub-set of a better, wider conceptualisation made possible by five-part framework established here.

*Keywords:* Relational inequality; distributive inequality; categorical inequality; spatial inequality; sectoral inequality

**Moraro, Piero** (Charles Sturt University)

*Democracy, Vulnerability and Voting*

Majoritarian rule is often defended as an "intrinsically just" procedure which, by granting equal voting powers to all citizens, promotes the value of individual equality. In this talk, I raise some issues with the notion of the equal enfranchisement of all citizens. In doing so, I have no intention to undermine the democratic project: rather, my aim is to emphasise another value usually associated with democracy, i.e. justice. I argue that a system that grants equal voting power to all citizens fails to capture a crucial way in which citizens are not equal: namely, citizens face different levels of vulnerability to risks related to the electoral outcome. For example, citizens from socially disadvantaged backgrounds risk losing more (in terms of basic needs) compared to their wealthier fellows, from a change in government. A just procedure should be able to capture the different degrees of citizens' vulnerability; thus, I gesture at the possibility of a decision-making procedure based not on equality, but on proportionality, in which those who face more serious risks (in terms of basic needs) should be allowed more voting power during an election. I offer a non-instrumental

defence of a system of weighted voting, based on individual income. I contend that a just decision-making procedure should include the possibility of weighing individual votes in (inverse) proportion to the voter's income: the votes of citizens with significantly lower incomes may be afforded more weights than those of their wealthier peers, in order to account for the different levels of vulnerability these citizens face vis-à-vis the electoral outcome. After sketching my argument, I discuss some objections to it.

*Keywords:* Democracy, weighted voting, vulnerability

**Oberman, Kieran** (University of Edinburgh)

*Border Rescue*

Every year, thousands of refugees and other migrants die trying to cross borders. The dangers are many. Migrants die from exhaustion crossing deserts, freeze to death on mountain passes, drown at sea. One way states can save lives is by undertaking rescue operations. This paper asks whether receiving states have any special duty to do so. The idea of a "special duty" here can be brought out with the following question: do receiving states owe a duty to rescue migrants at borders that they do not owe all people in need? In answering this question, the paper starts with an important yet easily overlooked point: crossing borders is not inherently dangerous. Migrants die crossing borders because receiving states restrict migration. This fact, in itself, does not mean that receiving states have a special duty to rescue, but it does mean they cannot claim that border deaths are nothing to do with them. The question we need to ask is whether receiving states bear moral responsibility for border deaths rather than merely causal responsibility.

The paper locates two arguments for why receiving states are morally responsible for dangerous migration. First, receiving states are violating a duty to admit sufficient numbers of migrants in need. By violating this duty, receiving states become morally responsible for the dangerous migration that migrants subsequently pursue. Second, even if receiving states were to fulfil their duty by admitting sufficient numbers, these states could still be said to exclude further migrants unnecessarily. After all, the permission to exclude is not a requirement to exclude. There are then two arguments for why receiving states are morally responsible for dangerous migration: one from duty violation, the other from unnecessary endangerment. States cannot treat border deaths like any other misfortune without changing their immigration policies significantly.

**Ornelas, Mark** (University of Cincinnati)

*The Lesson of the Banality of Evil in Contemporary Politics*

In *Eichmann in Jerusalem: A report on the banality of evil* (1964) Hannah Arendt describes the trial of Adolf Eichmann arguing that its lesson is the "banality of evil". In the postscript, Arendt pushes back against the claim that there is "an 'Eichmann in every one of us,'" (Arendt, 1964 p. 133) and states that her report is strictly a report centered on the person of Adolf Eichmann and his trial in Jerusalem (Arendt, 1964 p. 130). She states that the crime of Eichmann is based on his "thoughtlessness" and the connection between thoughtlessness and evil (Arendt, 1964 p. 134). I disagree with Arendt's commentary in the postscript that there is not an Eichmann in all of us but agree that there is merit to the connection between sheer thoughtlessness and evil. I argue that Eichmann is an example of how thoughtlessness can predispose a banal person to become complicit in and propagate an evil system and evil ends. I will first defend that Eichmann is a banal individual, that his is not abnormally deviant or unaverage, focusing on Arendt's description of his psychological state and personal history. I will continue where Arendt then leaves off and describe the specific mechanisms that predispose a banal individual to propagate evil using a moral-psychological framework from Anand and colleagues (2004). I will then defend the model and demonstrate that there could be an Eichmann in all of us, thus by redefending the claim that he is banal. Lastly, I will consider the "lesson" from Arendt and how it applies to contemporary politics, and argue that a philosophical, reflective/discerning space is key to combatting the banality of evil in this contemporary setting.

*Keywords:* Applied Ethics, Political Ethics, Moral Psychology, Banality of Evil

**O'Shea, Tom** (University of Roehampton)

*Sexual Desire and Structural Injustice*

Does it matter from the standpoint of justice whether some people are more sexually and romantically desired than others? Philosophers have recently argued that some racialised disparities in desire – from the neglect of black women and Asian men in online dating, to a depersonalising fetishization of Asian women – are plausible candidates for such injustice. My aim is to defend such politicisation of desire and to develop a plausible model of injustice which can support the attribution of responsibilities to rework our sexual and romantic desires. I argue that objections based on futility, moralism, authoritarianism, and heteronomy are not compelling grounds to rule out such assessments, since practical, measured, non-interfering, and autonomy-respecting interventions are available to reform those social structures which help to generate unjust patterns of desire. Furthermore, the concern that it would be inappropriate to attribute responsibility for combatting unjust patterns of desire to those whose desires are formed unreflectively and unconsciously is answered through the proposal to apply Iris Marion Young's model of structural injustice to such cases. This allows us to step away from a backward-looking model centred on individual blame and liability, and instead assign responsibility in a collective fashion, even to those who have not culpably erred in how they have cultivated their sexual and romantic desires. Finally, the problem of assigning such responsibilities in a determinate way which does not overburden those who have already been marginalised is addressed by a tripartite model of power, connection, and privilege. Thus, I hope to show how sexual and romantic desire can be understood in terms of structural injustice.

*Keywords:* structural injustice; sexual desire; responsibility; race

**Page, Jennifer** (University of Zurich)

*On Not Demanding Reparations*

Do governments owe women reparations and an apology for the cumulative impact of wrongful treatment spanning many generations? From coverture laws to delayed voting rights to the failure to enact domestic violence and marital rape legislation, there is arguably a strong basis for women to demand redress. And yet, there has not been a women's reparations movement. In this article, I consider whether governments owe reparations in the absence of a demand from the would-be beneficiaries.

Historical injustice has structural dimensions, meaning that no one agent—individual, collective, or corporate—is the sole blameworthy party. I consider that, in the interpersonal context, people may have many forward-looking “structural duties” attached to structural injustice, some of which they act on, and some of which they don't. However, life circumstances might make a particular structural duty more salient to an individual that it had been, giving her a reason to act that was previously hidden to her.

Like individuals, governments have forward-looking structural duties, but they also have “remedial structural duties,” viz., duties of redress that arise when a government, institution, or firm has been a causal player in the long-term trajectory of historical structural injustice that causes harm in the present day. Though a government may have many remedial structural duties to many groups—as well as its many forward-looking structural duties—being confronted by a group actively calling power to account matters morally. It is morally worse to actively rebuff a salient structural duty than not act on a non-salient structural duty. Accordingly, if women were to pressure their government for reparations and an apology, it would owe it to them to take this claim seriously. It would be wrong, however, to use the absence of a women's reparations movement as a reason to reject reparations demands from other groups.

*Keywords:* Reparations; apology; structural injustice; historical injustice; gender

**Pinkert, Felix** (University of Vienna), and **Sticker, Martin** (University of Bristol)

*Why having children does not count towards parents' carbon footprints*

Several climate ethicists have recently argued that having children is morally equivalent to over-consumption, and contributes greatly to parents' personal carbon footprints. We show that these claims are mistaken for two reasons:

First, the position that procreation counts towards parents' carbon footprints leads to double-counting of children's consumption emissions, by including them in both their parents' and their own footprints. Double-counting defeats the carbon footprint's chief purpose to function as a measure for the sustainability and equitability of one's activities and choices. Further, any attempt to avoid double counting by counting only some of children's consumption emissions towards their own, and the remainder towards their parents' footprints has problematic implications for children's footprints: Some of their consumption emissions will then no longer feature in their personal carbon footprints, and thus children's own contribution to climate change is misrepresented.

Second, procreation and consumption are supposedly morally equivalent because both are voluntary actions which foreseeably lead to additional carbon emissions. But this reasoning overgenerates: Saving someone's life would turn out to generate an enormous carbon footprint. We should therefore assume a much narrower conception of what counts towards one's footprint. On this conception procreation would be morally distinct from consumption.

We conclude that children's emissions should not count towards parents' personal carbon footprints. However, this does not make procreation morally innocuous: After all, having a child does make a difference to overall carbon emissions. We propose that rather than counting one's children's emissions towards parents' carbon footprints, we should consider these emissions as part of the parents' carbon impact, i.e. the difference that one's choices make to the overall global carbon emissions. It is from the perspective of impact and not from the perspective of footprint and a supposed ethical equivalence to consumption, that we should think about the ethics of procreation in an age of climate change.

*Keywords:* climate change; climate ethics; procreative ethics; consumer ethics; carbon footprint

**Pundik, Amit** (Tel Aviv University)

*Predictive Evidence and Unpredictable Freedom*

When determining in criminal proceedings whether an individual performed a certain culpable action, predictive evidence is often ignored. Most apparently, and with only few exceptions, base-rates are excluded. The hostility of criminal fact-finding toward predictive evidence is also apparent in the deeply-rooted suspicion of bad character and previous convictions. In this paper, I seek to explain this hostility by suggesting that criminal fact-finding implicitly adhere to the view that culpable conduct requires free will that is necessarily unpredictable. While theorists of free will tend to agree that it is possible to predict a free action, at least to some degree of confidence, I contend that criminal fact-finding adheres to the view that free actions cannot have either subjective or objective probabilities. It is not only the lack of sufficient information that prevents an accurate prediction of how an agent will act freely: free actions cannot be predicted because their probability does not exist.

*Keywords:* Criminal Responsibility; Culpability; Free will; Causation; Prediction

**Räsänen, Joonas** (University of Oslo, Norway)

*Artificial wombs and the genetic privacy argument for killing the fetus*

Most bioethicists, legal scholars and philosophers who support abortion rights argue that a woman has a right to detach the fetus from her body even though the fetus would end up dead, but when it



becomes possible to detach the fetus alive and gestate it in an artificial womb the woman do not have a right to demand the fetus' life to be terminated. Even those who believe that fetuses do not have full moral status or a right to life endorse this view. In this paper, I argue that this view is mistaken. I argue that gestating the fetus in an artificial womb violates the genetic privacy of the genetic parents because fetus' genetic material comes from its genetic parents and the gestation in an artificial womb causes non-voluntary disclosure of genetic information of the parents. I claim that genetic parents of the fetus together have a right to kill their fetus even in those cases where the fetus could survive outside the female body in order to correct the wrong of the genetic privacy violation. Abortion right is thus a right to the dead fetus and artificial wombs would not, therefore, 'solve' the abortion debate. However, the right to genetic privacy is not an absolute right, and it could be outweighed by stronger right such as a right to procreate, which explains why no-one can use this right alone and the genetic parents must be unanimous if they want to end the fetus' life.

*Keywords:* abortion; reproductive ethics; killing; ectogenesis; artificial womb

**Rees, Clea** (Cardiff University)

*The neglected parental question: Parental, medical and judicial choices*

Consider three ethical questions raised by disputes between medical staff and parents concerning the medical treatment of children who lack capacity to choose for themselves. First, the parental question: how ought those with parental responsibility choose? Second, the medical question: when ought medical professionals ask the courts to override parental decisions? Third, the judicial question: when ought the courts grant such requests? Two answers dominate discussions of the medical and judicial questions. The first is children's best interests. The second is the harm threshold, according to which parental decisions should be overridden only if likely to cause significant harm. This paper argues that the neglected parental question is ethically fundamental: if one does not know what criteria parents should use when deciding, how can one determine when their choices should be overridden? However, neither best interests nor the harm threshold provides a plausible answer to the parental question. An unqualified best-interests criterion is unacceptable for two reasons. First, parents may not permissibly ignore moral considerations other than their children's best interests. Second, parents may permissibly consider their own interests. The harm threshold is unacceptable because, other things being equal, parents may not permissibly choose options which are worse for their children, even if they are not likely to result in significant harm. In answer to the parental question, I defend a *ceteris paribus* best-interests standard. I then argue that this standard provides a satisfactory ethical framework for answers to the medical and judicial questions. In particular, the *ceteris paribus* best-interests standard provides moral justification for judicial use of different legal standards when adjudicating disputes concerning different aspects of children's lives, thus providing a response to the accusation that judicial use of a best-interests standard in medical cases reflects a legal 'double-standard'.

*Keywords:* best interests; children; harm threshold; medical ethics; parental rights

**Renzo, Massimo** (King's College London)

*Two Kinds of Consent*

What does it take to give morally valid consent? According to the "mental state view," you consent to me  $\phi$ -ing when you form a certain mental state, such as mentally waiving your right that I don't  $\phi$  (Alexander 2014; Ferzan 2016). According to the predominant "behavioural view", you consent to me  $\phi$ -ing when in addition to forming that mental state, you behave in a certain way to communicate its content to me (Dougherty 2015; Tadros 2016; Manson 2016; Shiffrin 2008; Owens 2012). For the mental state view, communication performs simply an epistemic function: It provides the consentee with evidence of the normative change that took place when the consentor formed the relevant mental state. For the behavioural view, communication is necessary for the normative change to occur at all. This paper defends a version of the mental state view – one that accommodates some of the insights of the behavioural view. The main goal of the paper however, is methodological. I suggest that in addressing the question of consent, it's a mistake to focus primarily on the consentor, as most

philosophical theories do. More attention needs to be paid to the role played by the consentee(s). If we do that, we'll see that two important revisions to the mainstream understanding of consent are called for: First, we should accept that a crucial function of consent is to guide other people's behaviour, and not simply to control the normative status of certain interactions. (A point surprisingly neglected in the most recent literature.) Second, we should acknowledge that there are two types of consent, grounded in different autonomy-related interests that underlie the justification of this power.

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**Keywords:** Consent, Normative Powers, Forgiveness, Autonomy

**Richardson-Self, Louise** (University of Tasmania), **Cross, Ben** (Wuhan University)

*"Offensiphobia" is a red herring: on the problem of censorship and academic freedom*

Today, there is no shortage of complaints that academic freedom is being trampled on by the plagues of safe spaces and political correctness. Staff and students are apparently more concerned with protecting themselves and each other from offense than the importance of good scholarship, rigorous debate, and the pursuit of truth. J. Angelo Corlett (2018) defines this as offensiphobia: 'the fear of offensiveness and the attempt to prohibit it by way of law or public policy' (116). The basis for this position is 'the presumption that people have a right to not be offended' (125), thereby 'implying a moral duty of others to not offend' (120). He subsequently levels a barrage of arguments against offensiphobia, concluding that it is a morally indefensible position. We think there are at least three serious problems with Corlett's critique.

The first concerns the accuracy of the description. Offensiphobia is not the same thing as "expression intolerance"—a refusal to tolerate certain kinds of utterances, often characterized by some sort of censure—and it offers only one possible explanation for the phenomenon. Instead we argue that expression intolerance is likely to be caused by either "independence" or "trust". The second problem concerns Corlett's case for permitting "hate speech" on university campuses. We argue that his definition is defective, and his claim that the censure of "hate speech" involves the censure of non-harmful speech—and hence is a threat to academic freedom—is unjustified. Finally, we note that universities are frequently attacked by governments and influential media, and the propaganda used to justify such actions seems to assume that offensiphobia is the problem. We argue that "offensiphobia" is a red herring. It poses little or no threat to the freedom and integrity of university research and teaching. But labelling universities as offensiphobic may well do so.

**Keywords:** Offensiphobia; Hate Speech; Censorship; Academic Freedom; Free Speech

**Riedener, Stefan** (University of Zurich)

*Gratitude as a response to being morally valued*

When is it fitting to feel grateful? Almost everyone seems to accept that whenever it's fitting for you to feel grateful towards me for my x-ing, then this is so, at least in part, because by x-ing I've (tried to) benefit you. I argue that this view is false. The clearest counterexamples are omissions of

paternalism. Suppose depressed Mary is kept in a clinic against her will to prevent her from committing suicide. Caregiver John feels that that's deeply problematic, and lets her escape, thereby risking his own career. Plausibly, Mary may feel grateful precisely because John didn't benefit her. And there are many other cases with a similar structure. Intuitively, you may be grateful for my treating you fairly, respecting your normative authority, or proving loyalty to you – even if I didn't specifically (try to) benefit you, or not because I did. Morality isn't all about beneficence. And neither, it seems, is gratitude.

So I suggest a broader alternative view: whenever it's fitting for you to be grateful towards me for my x-ing, then this is so because my x-ing expresses that I supererogatorily morally value you. Here's what I mean. There are a number of positive attitudes towards you that are made fitting and morally commendable by your intrinsic properties – including, at least, benevolence and respect. To some minimal extent, I owe it to you to have them. But there are more demanding forms of these attitudes that are commendable for me to have but that I do not owe you. If I have such attitudes, then I 'supererogatorily morally value you'. I suggest that gratitude is a response to being valued in this way. It can be a response to benevolence, but also to respect – or to other morally commendable attitudes, whatever precisely these are.

*Keywords:* gratitude; reactive attitudes; benevolence; respect

**Rüger, Korbinian** (University of Oxford)

*Pluralist Population Ethics and the Obligation to Create People*

I here assess the merits of a particular pluralist account of population ethics. I propose an approach that aims to combine elements from a broadly Utilitarian approach with elements from a broadly Contractualist approach. The former approach tells us to choose outcomes or distributions that maximize the overall value of a population. The latter tells us to choose outcomes against which individual people cannot raise justified complaints. These two approaches conflict in variable population cases. My goal is to resolve this conflict by arguing that both dimensions are important in these cases and neither approach can adequately deal with them on its own.

The Contractualist complaints-based rationale, for example, offers a good explanation for why it is more important to benefit existing people than it is to bring new people into existence. However, in many cases this approach will be silent, for example when we have to choose between bringing one person and bringing another person into existence without affecting anyone else. In these cases the claims-based approach fails to offer any guidance. I argue that we therefore also need to take account of the overall or general value of possible outcomes. I shall argue, furthermore, that any plausible pluralist approach to population ethics that takes at least some of its reasons to stem from the general value of outcomes will in some cases be committed to the claim that we have an obligation to create people merely because their lives would be good. This is denied by adherents of the Neutrality Intuition, according to which bringing into existence a person with a good life is in itself a "morally neutral" act. I also show how this account implies an obligation to ensure that humanity survives for as long as possible.

*Keywords:* Population ethics; utilitarianism; contractualism; procreation; existential risks

**Salkin, Wendy** (San Francisco State University)

*The Conscriptio of Political Representatives*

Informal political representation, the phenomenon of speaking or acting on behalf of others outside of formal political contexts, plays a crucial role in advancing the interests of groups, particularly marginalized and oppressed groups. Sometimes, those who emerge as informal representatives do so willingly (voluntary representatives). But often, people end up being informal representatives, either in their private lives or in more public political fora, over their own protests (unwilling representatives) or even without their knowledge (unwitting representatives). With their emergence as informal representatives, these parties come to have tremendous power to influence how those they represent

are regarded by various audiences. Few theories of informal representation have been advanced and those there are do not accommodate either unwitting or unwilling representatives, rendering those theories underinclusive and distortive. The theory developed here, conscriptionism, accommodates both voluntary and conscripted representatives. What makes it the case that one is a representative for a group is only that one is taken to be a representative for that group by an audience (audience uptake). Conscriptionism illuminates this feature of informal representation better than alternative accounts—bringing to light all the representatives there are, not just all the representatives who see themselves as representatives. As a result, the theory allows us to get at essential normative questions about informal political representation that are otherwise occluded.

*Keywords:* political representation; political ethics; political morality; political philosophy; social philosophy

**Sarajlic, Eldar** (City University of New York)

*Upbringing and the Child's Right to Authentic Identity*

This paper aims to develop and defend an argument that children have a right to adopt and develop an authentic personal identity. In the contemporary literature about 'parenthood ethics' philosophers ask about the permissibility of parental transmission of their cultural values to their children and the role of the government in this process. The current contributions vary in their response to this question. Some of them suggest that parents should have the liberty to shape their children's worldviews in light of their own 'comprehensive doctrines.' Others disagree, claiming that the government should guarantee that children are raised in ways that preserve their freedom to choose their worldview once they become adults.

In this paper, I strike a critical stance towards much of this literature. I argue both against the restrictive views that posit strict limitations to transmission of parental culture, as well as against permissive views that posit wide latitude of parental freedom in shaping their children's identities. My argument revolves around the idea of child uniqueness, which posits specific restraints on the ways parents raise their children. However, unlike some of the restrictive accounts, it also allows for significant freedom of parental involvement in the development of their child's identity. That involvement, according to my approach, is constrained not by the assumption that the child is a *tabula rasa* (a blank slate onto which any identity can be written) or by the assumption that the child is a mere extension of the parent, but by a particular set of reasons for being that the child must be capable of recognizing and responding to. Namely, I argue from the position of normative realism about identity, according to which every person is what she has reasons to be.

*Keywords:* children; identity; authenticity; parenthood; ethics

**Seim, Maria** (University of Oslo)

*The wrongness of meddling blame*

It has been argued that for blame to be appropriate the blamer must have standing to blame. This paper examines the underexplored consideration of how personal relationships can influence who has the standing to express blame. We seem to assume that if we do not stand in the right relation to the wrongdoer, it is not our business to blame them. I identify two challenges to this view. First, we do not know what is wrong with meddling (whether it is morally or prudentially wrong). Second, there are cases where we have no close relation to the wrongdoer, but where we seem to have standing nonetheless – murder and other serious moral offences are examples of this. This paper defends the notion of standing as a propriety condition on blame in cases of meddling. I start by canvassing the extant accounts of what is wrong with meddling blame. Two distinct views are identified: meddling blame is pointless or impossible, or it is morally wrong. Next, recent objections and skeptical challenges to both these accounts are raised. The remainder of the paper presents a possible route by which to meet these challenges. I argue that personal relationships are governed by relationship-specific-norms, norms that again are constituted by our attitudes and intentions toward each other. I suggest that blaming someone for breaking these norms is a prerogative only for those

who participate in the relationship. Because the norms are limited to actions and attitudes within the relationship we do not need to worry about not having standing to blame someone for breaking moral norms that apply to all equally. In addition, the role these norms play in developing and regulating our relationships can explain why meddling blame is morally (and not just prudentially) wrong.

*Keywords:* Moral responsibility, blame, meddling, protest

**Smith, Leonie** (University of Manchester)

*Just Resistance: the Permissibility of Epistemic Nudging in Overcoming Epistemic Harm*

The idea that structurally prejudiced-against individuals might have epistemic advantages despite – or because of – their conditions of injustice is well-trodden ground in standpoint epistemology [e.g., Harding, 1993; Hartsock, 1999]. But in addition to insight into their own situation as ‘the oppressed’, the sheer necessity of survival can require that minority group members do the work to understand the attitudes, beliefs and demands of majority group culture. Those who experience oppression may be able to understand the mindset of likely perpetrators of injustice far better than those perpetrators themselves do [e.g., Mills, 2017], making them “uniquely positioned to initiate and motivate resistance efforts” [Vasanthakumar, 2016, p2] against the injustices they experience. The question this paper asks is: when it comes to the epistemic ignorance and prejudices of others, what may the epistemically oppressed permissibly do with their knowledge of the psychology of the oppressor, before risking perpetuating epistemic harms of their own?

To answer this, I draw on broader literature on epistemic and social improvement. Epistemic paternalism stipulates that in some circumstances we may be justified in interfering with the inquiry of another for her own epistemic good [Ahlstrom-Vij 2013; Goldman 1991]. In contrast, the practice of ethical nudging makes the nudger’s preferred outcomes more salient amongst the nudgee’s choice set to achieve a greater good at the social level [Thaler and Sunstein, 2008]. This will explicitly involve working with - rather than working to remove - an individual’s existing cognitive biases. Both approaches have come under criticism with regard to their interference in individual epistemic practice and social outcomes. In this paper I combine aspects of each to define epistemic nudging. I argue that, provided certain conditions are met, the epistemically marginalised may permissibly make use of their knowledge of the oppressor in order to epistemically nudge them towards epistemic justice.

*Keywords:* Epistemic injustice; nudging; epistemic paternalism; testimonial injustice; epistemic resistance

**Thau, Tena** (Oxford University)

*Love Drugs and Expanding the Romantic Circle*

In this paper, I explore whether it would be, from a prudential perspective, desirable, and from a moral perspective, permissible, to take “love-expanding drugs”: drugs that would expand the set of people that you are romantically attracted to. I will consider two types: (1) drugs that would make you less “picky” when it comes to physical attractiveness, and (2) drugs that would expand your sexual orientation (if you are not already pansexual). I argue that there is a strong prudential case in favour of taking both types of drugs, if you are looking for a romantic partner. I consider a reason why it might be morally wrong to take sexual orientation-expanding drugs, and offer two responses.

*Keywords:* Enhancement; Love; Sexuality

**Thomas, Joshua** (Open University)

*Meaning and Cultural Heritage*

The notion of cultural heritage is at the centre of several ongoing debates regarding the ethics of repatriating acquired objects and our obligations to defend and restore heritage damaged during war.

Fuelled by the increasing significance of these issues, we urgently need to answer a host of underlying questions such as ‘what makes cultural heritage valuable?’, ‘who does cultural heritage belong to?’ and ‘what principles should guide its reconstruction?’ In my paper, I approach these questions from an angle which has not yet received any focused attention. Specifically, I first provide an account of the meaning of cultural heritage and then demonstrate how this concept can be used to shed light on the questions noted above.

Very briefly, the meanings of some cultural heritage are certain relationships between that object and other objects/events/ideas in the world through which it can be illuminated and understood. There are thus various forms which the meaning of something can take, including forms I call origin-meaning, impact-meaning, purpose-meaning, and symbolic-meaning. Learning about these varieties of meaning can help us better comprehend the nature of a piece of cultural heritage. However, I argue that we can also come to value cultural heritage in virtue of these meanings. For instance, the origin-meaning of a genuine Van Gogh will lead us to value it more highly than a forgery, and the symbolic meaning of a monument will lead us to value it more highly than a random boulder with a similar shape.

I also demonstrate how my concept of meaning can be used to form the basis of a plausible definition of cultural heritage, how it can broaden our understanding of authenticity, and why it must be addressed in our decision-making regarding cultural heritage, and assessments of which culture the heritage belongs to and who count as stakeholders.

*Keywords:* Cultural Heritage; Value Theory; Meaning; Authenticity

**Toop, Alison** (University of Leeds)

*The Role of a Romantic Partner*

This paper aims to do two things: to argue in favour of a role-based (rather than a behaviour-based) account of the romantic relationship; and to tentatively suggest what such an account might look like for a modern, western society. I first highlight problems with behaviour-based accounts. They cannot acknowledge the vast variety of behaviour that occurs within individual romantic relationships whilst at the same time identifying the romantic relationship as a distinct relationship type. They also problematically characterise romantic relationships as close friendship plus sex.

I then explain what a role-based account entails: it defines a relationship in terms of the norms governing that relationship. I propose four constitutive norms which I take to form a part of a role-based account of the romantic relationship. These are:

1. Romantic partners should love one another, and act in ways that express that love.
2. Romantic partners should share the experiences that are central to their lives and accommodate these things within a joint life.
3. Romantic partners should take joint responsibility for the central aspects of each other’s well-being.
4. Romantic partners should trust one another deeply.

I explain how I came to settle on these four proposed norms by discussing four features of love – union, robust concern, valuation and emotion.

I close the paper by addressing a potential worry along the lines of the “agency, schmagency” objection, and by showing how the role-based account can address the problems faced by the behaviour-based account.

*Keywords:* love; romantic relationships; roles; norms

**Van Goozen, Sara** (University of York)

*The Rescuers Thesis and the Question of Supererogatory Interventions*

This paper tackles the so-called Rescuers Thesis (RT). RT has been used to justify the transfer of risk from combatants fighting a humanitarian intervention to the non-combatants on whose behalf they are fighting. It has been subjected to a number of critiques, but two important issues have so far been left underexplored. First, it is sometimes argued that because soldiers can only be considered to have consented to fighting for their own country, they cannot be required to fight humanitarian interventions. If they do fight an intervention, this should be considered as being supererogatory, and for that reason they cannot be made to shoulder any significant amount of risk. Second, it is assumed by proponents of RT as well as some of its critics that a meaningful distinction can be made between obligatory (morally required) interventions and supererogatory interventions. This paper rejects both arguments. Against the first claim, it shows that combatants in most modern militaries can be considered to have consented to fight on behalf of “strangers” as well as their compatriots. Against the second claim, it argues that it is exceedingly unlikely that any humanitarian intervention will be morally permissible but nevertheless not obligatory. Rather, interventions are either morally required or impermissible. As such, RT is unsustainable.

*Keywords:* just war theory; war; humanitarian intervention; consent

**Vitikainen, Annamari** (University of Tromsø - The Arctic University of Norway)

*Refugee-based reasons in refugee resettlement*

This paper discusses the recent turn in the ethics of refugee resettlement for taking the interests of refugees themselves into account in the distribution of refugees among potential refugee receiving countries. I argue that there is an important category of interest that does not align with the two commonly held views on what is owed to refugees: ‘safety’ or ‘conditions of good life’. This category, focusing on the refugees’ interests in not being subjected to a variety of (also non-asylum-grounding) injustices, should be weighted in the assessment of the refugee-based reasons in refugee resettlement. The normative salience of this category – not being subjected to injustice – is illustrated with the help of the case of LGBT refugees, and the kinds of injustices they may be subjected to also in countries that provide them asylum.

The paper proceeds as follows. Part 1 identifies the commonly held positions in the ethics of refugee resettlement and their relation to the recent turn to take the refugees’ interests better into account. Part two discusses two plausible positions for more stringent duties of refugee resettlement, based on the refugees’ interests in leading good lives. Part 3 puts forward my own position that emphasizes the refugees’ interests in not being subjected to injustice, and illustrates the relevance of this category in refugee resettlement with the specific case of refugees with LGBT status.

*Keywords:* refugees; resettlement; LGBT; refugee-based reasons; injustice

**Wells, Katy** (University of Warwick)

*What's Wrong with Gentrification?*

What's wrong with gentrification? Gentrification is a global and highly controversial phenomenon, the focus of widespread criticism and resistance. Yet some would argue that there is nothing wrong with gentrification: it is a process of positive change, in which struggling areas are transformed into flourishing ones.

In the face of these conflicting views, this paper offers a novel account of the wrong of gentrification. Gentrification, I argue, is wrong because the process can reasonably be expected to humiliate the original residents of gentrifying neighbourhoods and cities. It can be reasonably be expected to humiliate them in a particularly pernicious way: by confronting them with a degraded understanding of themselves. In making this argument, I develop an account of humiliation from Elizabeth Anderson. Gentrification humiliates in this way, I argue, because areas in which gentrification takes place are typically areas where the residents, pre-gentrification, have lacked access to certain significant basic goods such as decent quality housing, and safe and well-maintained neighbourhoods. These original

residents are displaced from the areas in question as these basic goods become available. This can be expected to be humiliating in a deep sense, because these residents are confronted, through this process, with an understanding themselves as the sort of people who lack entitlement to these basic goods.

This account challenges a central, existing account which understands the wrong of gentrification as a violation of the occupancy rights of those resident in gentrifying areas. In the paper, I argue that the humiliation account offers a superior diagnosis of the wrong of gentrification, because it locates that wrong in the right place: in a wrong done to those who are already badly off.

*Keywords:* gentrification; housing; cities

**Williams, Andrew** (Universitat Pompeu Fabra, Barcelona)

*Age, Time and the Priority View*

Prioritarianism claims that there are weighty moral reasons to secure various benefits for individuals but that the stringency of those reasons diminishes, and the moral value of the relevant benefits should be discounted, as the level of advantage of the recipient increases. The best known refinement of prioritarianism favours promoting the level of welfare enjoyed by each individual over her complete life, and a moderate discount rate based on welfare over a complete life. One problem for Welfarist Complete Lives Prioritarianism arises when some individuals suffer severe welfare-diminishing hardships during a stage of their lives, and we can relieve their suffering only at some cost to the welfare of other individuals with complete lives at the same or lower welfare level. It seems a complete life focus might oppose such relief, at least assuming that relieving suffering does not produce substantially larger welfare gains than losses. In *Justice Between the Old and the Young* (OUP, 2013), Dennis McKerlie provides various age-related illustrations of this Hardship Problem, and a solution that appeals to Time Specific Prioritarianism. We shall examine three critiques of McKerlie's proposal: the Objection from Harm; the Objection from Prudence; and the Objection from Ambition-Sensitivity. Drawing on the concerns animating the first and third Objections, we conclude by stating an alternative hybrid account of how to design political institutions that distribute benefits and burdens between elderly adults and younger individuals. We resist the second Objection by appealing to a duty to protect oneself as well as others from specific harms. We conclude that if the hybrid view is plausible, McKerlie was correct not only in his humane opposition to abandoning the elderly but in his philosophical insight that such opposition might be justified by applying distributive concerns to self-regarding as well as to other-regarding decisions. But he was mistaken in thinking Time Specific Prioritarianism supplies the appropriate self-regarding distributive principle.

*Keywords:* Distributive Justice; Intergenerational Justice; Prioritarianism; Dennis McKerlie

**Wolmarans, Lichelle** (LSE), and **Voorhoeve, Alex** (LSE)

*What Determines the Permissibility of the Use of Personal Data by Social Networking Sites?*

Standard notice-and-consent regimes for the use of personal data on social networking sites (SNS) are problematic. Due to the complexity of the notices, the frequency with which users are asked to consent, and the presence of decision-making biases, many users consent without proper understanding or consideration. As a consequence, the consent given by SNS users does not meet the conditions for morally transformative consent according to the canonical Autonomous Authorization (AA) view.

One response would be to require that users' consent meets the AA view's standards. We criticize this idea. First, this would make the process of gaining access to SNS unduly onerous, involving demanding tests of understanding. The AA view's tests would therefore create severe barriers to access, even when such access would be in users' interests. Second, we argue that the AA view does not take account of the power imbalance between users and SNS.

We argue that both problems can be solved by ensuring that users have valuable opportunities to access SNS. On this view, we should ensure that a dispositionally diverse set of users, with different



tastes and decision-making abilities, can pursue their interests on SNS in a manner that strikes a balance between the potential benefits provided by SNS, the risks of personal data processing by SNS, and the costs of access. This means regulating SNS so that a variety of user types can reasonably be expected to make choices that are in their interests. On this view, we need not always aim for fully autonomous authorization. For example, exchanges of basic access in return for the right to circumscribed forms of data processing need not meet demanding standards of understanding and competence. Moreover, in requiring that exchanges be structured to the advantage of users, the view addresses the power imbalance between SNS and their users.

**Keywords:** Consent, Right to Privacy, Data Processing, Social Networking

## PANEL SESSION ABSTRACTS

### **Panel 1: *Speech and Counter-Speech on Social Media***

How does communicating on Facebook or Twitter compare with more traditional ways of expressing ourselves, such as discussing with friends, giving a speech in front of a physical audience or publishing articles in newspapers? Increasingly, philosophers worry that social networks facilitate the propagation of speech which contradicts core democratic values such as truth, tolerance and respect. Political epistemologists, for instance, worry that the proliferation of so-called “fake news” and low-quality information – as well as the formation of epistemic bubbles – erode the conditions necessary for good deliberation and democratic decision-making. Moral philosophers, for their part, consider that social networks provide their users with new ways of abusing others while avoiding the consequences of doing so by remaining anonymous.

This panel brings together four early researchers in philosophy and political theory interested in assessing the moral and political consequences of three types of problematic speech which proliferate on social media: (i) ignorant speech, which spreads falsehoods about people and policies (ii) manipulative speech, in which a manipulator misrepresents what he takes to be a good reason to accept some position and (iii) abusive speech in conversational ‘trolling.’ More precisely, the four speakers share an interest in assessing “counter-speech” conceived of as a potential remedy against these types of speech. Questions that will be discussed include: can the propagation of falsehoods be efficiently combated with the assertion of true propositions and fact-checking; how should social media users react when they see others being manipulated, and what is the morally appropriate response to online trolling?

**Lepoutre, Maxime** (University of Oxford)

#### *Can ‘More Speech’ Counter Ignorant Speech? Tackling the Stickiness of Verbal Ignorance*

Ignorant speech, which spreads falsehoods about people and policies, is pervasive on social media. A popular response to this problem recommends countering ignorant speech with more speech, rather than legal regulations. However, Mary Kate McGowan has influentially argued that this ‘counterspeech’ response is flawed, as it overlooks the asymmetric pliability of conversational norms: the phenomenon whereby some conversational norms are easier to enact than to reverse. After demonstrating that this conversational ‘stickiness’ is an even broader concern for counterspeech than McGowan suggests – it applies not just to oppressive hate speech, but also to ordinary policy-related misinformation of the kind that proliferates on social media – I argue that a more sophisticated account of counterspeech can nevertheless overcome it. First, the stickiness objection overlooks the distinction between ‘negative’ and ‘positive’ counterspeech. Instead of directly negating a distorted or hateful proposition, positive counterspeech affirms a correct proposition that is inconsistent with the falsehoods at hand. This, I contend, allows it to counter ignorant speech without triggering the properties that render it sticky. Second, the stickiness objection presupposes an unrefined conception of counterspeech’s temporality. Counterspeech should be understood as a diachronic process, which not only follows, but also pre-empts, ignorant utterances. Drawing on speech-act theories of silencing, I argue that pre-emptive counterspeech can condition the conversational context so as to prevent subsequent ignorant utterances from enacting sticky conversational norms. Thus, this theoretically-refined conception of counterspeech helps appreciate how verbal responses might overcome the stickiness of conversational norms; and, in doing so, it reveals that this stickiness need not provide reasons to prefer legal remedies to counterspeech.

**Pamuk, Zeynep** (University of Oxford)

#### *Deciding What’s True: The Epistemology of Fact-Checking*

The last decade has witnessed the emergence of a new kind of fact-checking. Instead of journalists checking the accuracy of their own reporting, new fact-checking organizations evaluate the veracity of public statements by political actors. This practice is at once more ambitious and more controversial.

In the age of post-truth politics, fact-checkers set themselves as arbiters of truth and make claims to objectivity. But what are the grounds for these claims and what kind of objectivity is being claimed here? Is there a reliable and shared methodology in the field that could legitimate it? This paper explores these epistemological questions raised by fact-checking, and traces their implications for the democratic value and potential pitfalls of the practice. The paper is organized in three sections. The first section draws a distinction between two rival conceptions of objectivity underlying the practice: the first focuses on the mechanical accuracy of factual statements, while the second seeks a contextualized evaluation of the accuracy of meanings. I argue that the latter is more consistent with the purposes of the new fact-checking. The second section argues that this version of objectivity will be irrevocably moralized. Through a comparison between the scientific method and the methods of fact-checking, I show that the claims of fact-checkers necessarily require value judgments, subjective interpretations and moralized conclusions. While this does not invalidate the democratic usefulness of the practice, it does suggest that its epistemic reliability and political effectiveness could be improved. I propose two possible improvements: submitting fact-checks to critical scrutiny from rival organizations and diversifying the field of fact-checkers. The third section turns to fact-checking on social media and argues that unlike journalistic fact-checking, this may pose dangers for democracy and free speech.

**Whitfield, Gregory** (University of Edinburgh)

*Social Media, Manipulation and Deliberative Decision-making*

Much liberal-democratic thought has concerned itself primarily with coercive interference in citizens' lives. While doubtless important, attending to such interference to the exclusion of other liberty-limiting actions is to fail to account sufficiently for the potential injustice of subtler non-coercive interventions. Political actors do things -- they engage in influential speech, they offer incentives, they mislead other actors, they disrupt the expected functioning of decision-making mechanisms etc. -- that fall short of coercion yet nonetheless call for normative evaluation and public justification, precisely because they serve to purposively alter citizens' beliefs, intentions, and behavior. An area that should be of special concern over manipulation is public deliberative democratic procedures in online contexts. Ideal deliberation requires an openness to the views, reasons, and testimony of our co-decision-makers. This openness is valued in many accounts of deliberative democracy as a necessary condition for the sort of respectful egalitarian process justice in decision-making calls for. But while openness is undeniably a virtue of ideal deliberators, the presence of unscrupulous (and often anonymous) sophists, bullshitters, liars, and manipulators on social media makes openness an exploitable vulnerability that threatens to undermine the value of deliberative procedures. If we're to pursue deliberative institutions, then we must carefully attend to the real-world presence of insincere speech aimed at manipulating good-faith participants. This paper crafts an account of manipulation in online deliberative contexts, focusing on the surreptitious/duplicious nature of such acts in order to distinguish it from proper persuasion and rhetoric. This account does not presuppose lies or deception; manipulation may involve lies about the world, but in the deliberative context its only necessary condition is that the manipulator misrepresent what he takes to be a good reason for his target to accept some position. With this account the paper identifies resilience to manipulation as an underappreciated virtue of both internet users and social networking platforms.

**Brown, Étienne** (University of Oxford)

*Doing it for the Lulz: The Ethics of Online Conversational Trolling*

"Don't feed the trolls" is a well-known mantra of the internet, and it is fair to say that the online troll is one of the most despised characters of the virtual public sphere. But what, exactly, is trolling, and what is the moral wrong in it, if any? In this presentation, I shed light on the nature and ethics of online trolling by answering two specific questions. The first question -- let us call it the definitional question -- simply consists of distinguishing trolling from what it is not. Building on recent studies in cultural anthropology and communication studies, I suggest that trolling refers to the deliberate attempt to spark the anger or distress of internet users for humorous purposes, customarily by allowing a large number of trolls to witness the victim's anguish. As trolls explain it themselves, they do so for the lulz, a "corruption of LOL, which stands for 'Laugh Out Loud,' signifying laughter at someone else's

expense” (Encyclopedia Dramatica, 2004). I then consider a second, evaluative question, which consists of determining what the moral wrong in trolling is and how internet users should react to it on social media. Here, I contend that trolls who are active on social networks wrong their victims by intentionally distorting discussions to which they have no intention of contributing, thus preventing them from attaining essential conversational goods such as knowledge, mutual understanding and coordination. Trolls often do this by arguing claims they only pretend to endorse, hoping that their insincere argumentation will not be detected. In fact, their hope is that such an argumentation will spark the moral outrage of internet users and generate counter-arguments which will keep them laughing. When successful, trolls humiliate their victims by revealing that they are too dull and naïve to realize that they are being trolled. In the end, my framework helps us discern the reasons we have not to feed the trolls. If conversational trolling amounts to disrupting conversations in a humiliating manner, not feeding the trolls – or preventing trolling practices through the use of forum moderators – allows us to protect conversational goods and the dignity of internet users.

## **Panel 2: *The Wrong of Exploitation***

This panel will aim to do three things: First, it will aim to articulate the puzzle of exploitation and why exploitation raises uniquely difficult moral problems. The three panelists—all sharing broadly nonconsequentialist commitments—are largely in agreement on how to settle this first question, though there may be nuanced differences that emerge. Second, the panel will then aim to consider how to resolve this puzzle. Here, each panelist will represent a different approach, though all staying within a nonconsequentialist framework. This second question—in some ways the most central—will implicate issues regarding the scope and contours of the duty to avoid exploitation. Third, the panel will raise questions about how features of exploitation might affect different cases of exploitation. For example, should unfair wages be treated as similar to unsafe working conditions? Here, the panelist’s slightly different approaches to thinking about exploitation all yield slightly different—though decidedly overlapping conclusions.

**Hughes, Robert** (University of Pennsylvania)

### *Pricing Medicine Fairly*

Recently, dramatic price increases by several pharmaceutical companies in the U.S. have provoked public outrage. These scandals raise questions both about how pharmaceutical firms should be regulated and about how pharmaceutical executives ethically ought to make pricing decisions when drug prices are largely unregulated. Most of the normative literature on pharmaceutical pricing has focused on regulation. Less has been written on the ethical question how firms should behave in an unregulated environment. Theories of just price that were designed to address exploitation or price-gouging in other contexts struggle to give clear answers to the question how firms ought to price medically necessary drugs. One source of the difficulty is that pharmaceutical firms need to charge above the hypothetical competitive price to recover the costs of research.

This paper presents and defends a Kantian approach to this ethical question. The formula of humanity implies that one should not use others in a way that inherently prevents them from exercising rational agency with at least a minimal level of effectiveness. A seller uses a customer merely as a means if the seller structures a transaction in a way that is incompatible with the customer’s continuing to exercise at least minimally effective agency, despite being able to structure that transaction in a way sustains the customer’s continued effective agency. Serious illness compromises the continued effectiveness of a person’s agency. So does financial ruin. Some pharmaceutical pricing practices put patient-customers in a position of choosing between financial ruin and doing without a medically necessary drug. Whatever choice these customers make, their ability to exercise agency effectively will be compromised. So if a pharmaceutical company can price medically necessary drugs in a way that avoids forcing customers to choose between serious illness and financial ruin, it should.

**Jonker, Julian** (University of Pennsylvania)

*Price, Risk, and Exploitation*

Is there any moral difference between paying sweatshop workers low wages and requiring them to work in conditions that pose risks to their health? More generally, should our judgments about whether a transaction is exploitative treat its price and its riskiness differently? An expected utility approach would treat as equivalent a low wage job with safe conditions that pays \$4 an hour, and a risky job that pays \$8 an hour but has unsafe conditions that expose the worker to expected health costs of \$4 an hour. Against this, I argue that a proper understanding of the wrongness of exploitation requires risk aversion in transactions with participants with little bargaining power.

To resolve a central puzzle about exploitation—namely, how an exploitative transaction can wrong someone who consents to it—we must understand exploitation as violating a duty to take care in exercising one's bargaining power when transacting with a vulnerable party. Such a duty survives the vulnerable party's consent to the terms of the transaction. Understanding exploitation as a violation of due care is the basis for two arguments that one should set risk averse terms when transacting with a vulnerable person. One argument has to do with the psychology of a vulnerable person. All of us are likely to miscalculate the expected returns on taking a risk, but those in vulnerable situations are particularly likely to do so. Thus due care requires a risk averse approach to setting terms. A second argument generalizes from commonsense judgments about everyday cases of stewardship, such as parent-child and doctor-patient relationships, and from widely shared prioritarian intuitions about public policy. But neither argument entails that a market participant must set risk-averse terms in conditions where exploitation is not a serious possibility.

**Cornell, Nicolas** (University of Michigan)

*Exploitation and Waiving Rights*

Consensual, mutually beneficial exploitation is a famously puzzling category. In a range of contexts, two parties may interact in ways that seem morally problematic, even though both parties consent to the interaction and both are made better off than they were before the interaction. In such contexts, we might say that one party is "exploiting" or "taking advantage" of the other. There are many classic examples that might fit this description—a sweatshop laborer, a sex worker, an organ seller, a surrogate mother, etc.

These cases present a puzzle. Ex hypothesi, they do not involve harm and they do not involve a lack of consent. So how can they constitute wrongs? Joel Feinberg accordingly classified such exploitation as a "free-floating evil," accepting that such conduct is not constituting a wrong to the other party. Other philosophers have tried to find a wrong to the party in such cases through novel understandings of what we owe in an interaction.

This paper argues that the puzzle of consensual, mutually beneficial exploitation arises because of a problematic, though widespread, assumption. Philosophers typically assume that rights and wrongs are mirror images. To be wronged is to have had one's right violated, and to have a right is for it to be the case that some conduct would wrong you.

If we abandon this assumption, then the cases of consensual, mutually beneficial exploitation can be more readily explained. Though the exploited parties have not had any right of theirs violated, they have been wronged. This explanation is consistent with how we speak and think about such cases. In order to illustrate this, I focus on the case of sex workers. I hope to show how natural it is to think that exploitation of consensual sex workers involves wrongings, and yet not rights violations.

### **Panel 3: *Principled and Ethical Investing: Theory and Practice***

The investment world is awash with funds that claim to meet standards of what we might loosely call 'principled investment' – investing with some regard to the consequences that the investee corporation's activities have across a very broad field of concerns. It is a crowded and confusing field, partly because there is not one common set of principles, and partly because the prime motivation of some and conceivably many of the players is not necessarily one of ethical concern, but of marketing advantage.

So what would it mean to invest ethically? An individual might answer that it is to invest in line with his or her own particular values, but this is a hard answer for an institutional investor representing many different individuals to give. Must the institution invest amorally, simply seeking to maximise returns for beneficiaries, may it impose values of its own, or is there a common set of values on which there is an overlapping consensus that may apply?

This panel takes as its starting point the 'principled investment' movements that comprising 'socially responsible investing' (SRI), 'responsible investing' (RI), 'sustainable investing', 'ethical investing', 'social investing', 'green investing' and 'impact investing' using 'Environment, Social and Governance' (ESG) principles and the United Nations Principles of Responsible Investment (UNPRI) took off. Globally, assets under management in these forms of investing are claimed to be \$23 trillion now. It examines if principled investment funds do, in fact, invest ethically and if there are obligations on trustees and directors of collective investment vehicles that go beyond negative screening and impact investing to consider engaging with investee companies to avoid catastrophic externalities and their collective impact on issues of social justice.

**Sherratt, Lesley** (King's College, London)

#### *Don't Crash the Ambulance: Responsible Investment for Capitalists*

Principled investment guidelines used by institutional investors today share few common definitions of what is ethical, and display little concern as to the real world impact of simply running negative screens across a universe of mostly secondary market stocks. Worse, there is a significant absence amongst many of dealing with perhaps the most serious and intractable of problems for investors and society, finding ways to manage the systemic and potentially catastrophic externalities that investee companies can create.

Externalities in this context are 'tragedies of the commons' problems whereby corporations within a sector, each acting independently, legitimately and with full regard to maximising their own shareholders' return, yet create a global disaster. Examples of this are argued to be climate change; the spread of antimicrobial resistance to the human population through abuse of antibiotics; and the Global Financial Crisis of 08, where the extreme illiquidity and gearing of all the investment and many commercial banks managed to turn what should have been merely a manageable, if sordid, asset quality crisis in the small sub-prime sector, in to a conflagration that threatened the next Great Depression.

This paper argues that truly ethical investing requires a different approach than the 'box-ticking' predominant within the ESG movement. It is argued to require much more collective engagement by the asset management industry with investee companies to prevent catastrophic externalities. I further argue that such collective engagement is not only ethically desirable, but is actually ethically required as a condition of large institutional investors participating in capital markets at all.

**Russell, Hamish** (University of Toronto)

#### *Why the ethics of investment is more demanding than the ethics of management*

The most obvious rule for ethical investing is that one ought to invest in businesses that are managed ethically. But if that were the only rule, then the ethics of investment would be completely explained by the ethics of corporate management: once we have determined the constraints that an ethically-

managed corporation must obey, all we could say about ethical investment is that one should invest only in corporations that respect those constraints.

In this paper, I argue that there are additional requirements for ethical investing that are not grounded in the ethics of management. Assuming that a range of corporations satisfy the constraints of managerial ethics, investors can select among those businesses in order to promote their moral and social ideals. But in a context of moral disagreement and economic inequality, investing in this ethically-motivated way can give excessive power to the ideals of the economically advantaged. The basic concern is parallel to the democratic objection to campaign finance regimes that set no limits on the political influence of the wealthy; ethical investing is another way in which wealth can command an unfair influence over the shaping of the social world (cf. Hussain 2012 on ethical consumerism). Although this problem is rooted in economic inequality, procedural constraints on ethical investing can limit its negative consequences. Investment funds and family offices should consult with groups that can speak to the needs and values of the less wealthy, rather than simply catering to the preferences of their investors. Investors should in turn be open to receiving direction from this consultation process. These requirements mean that the ethics of investment is more demanding than the ethics of management: not only do investors inherit the moral constraints applicable to managers, but they must also be attentive to democratic, procedural considerations.

Works cited:

Hussain, Waheed, "Is Ethical Consumerism an Impermissible Form of Vigilantism?" *Philosophy and Public Affairs* 40, no. 2 (2012): 111-143.

**Halstead, John** (Founders' Pledge) and **Hillebrandt, Hauke** (Let's Fund)

*When does impact investing generally have impact?*

Impact investing is an increasingly popular approach to doing good, with around 20% of assets under professional management in the US labelled as "socially responsible". Impact investors face two distinct challenges. Firstly, they need to have enterprise impact – they need to find companies that have positive social impact. Secondly, they need to have additionality – they need to make a difference to the performance of the company either by providing capital at lower cost or by providing non-monetary support. For both enterprise impact and additionality, it is crucial to consider the counterfactual: we need to consider what would have happened if the company had not existed and what would have happened if the investor had not invested. Impact investors also need to consider the social opportunity cost of impact investing, which is donating to charity or socially neutral investing to give to charity later on.

We argue that many impact investors do not adequately take account of these factors and that impact investing is generally only likely to succeed in specific circumstances. Firstly, it is difficult to have additionality in large and liquid public stock markets because such markets are highly efficient at least over the six-month timeframe. So, even if impact investors do affect stock prices in the short-run, much of the evidence suggests that the stock price will revert back after six months. Secondly, impact investors need to accept financial sacrifice – if they pursue market-rate returns, they will likely merely displace a socially neutral investor. Impact investors who do VC or angel investing have much greater scope for additionality. Thirdly, impact investors need to find a high-impact problem that is neglected by other impact investors. These criteria imply that the space of impactful impact investment is much narrower than commonly assumed.

#### **Panel 4: *The nature and politics of the family***

This panel examines the nature and politics of the family. The family is perhaps the most enduring and central institution in all human societies. It structures many people's social relations and obligations, as well their sense of identity. It is also deeply intertwined with social inequalities and is a key conduit through which they are maintained. This invites scrutiny of parental freedom and the extent to which it can be curtailed to promote social justice. More generally, an increasing number of thinkers are questioning the ethical legitimacy of reproducing and the extent to which the state should

support this (e.g. through funding IVF). Finally, developments in medical technologies are challenging assumptions about who can have children and the methods by which this is done. This raises questions about what constitutes a family and social-relatedness.

The papers in this panel offer novel perspectives and arguments in relation to these issues. The first paper analyses a little-discussed tension between people's interests in technological progress and their interests in doing the best for their children. It focuses on parents' freedom to determine the raise their child as they want and the extent to which the state can restrict this freedom in order to advance collective interests in social progress. The second paper offers a new defence of the state's funding of IVF, which centres upon the state's duty to provide all citizens with an adequate set of options about how to live. In so doing, it rejects the objection that the state should not fund IVF when prospective parents have the option to adopt. The third paper comprises an exploration of the relationship between genetic-relatedness and the concept of the "family". This is achieved by engaging with recent empirical research into donor-conceived adults and their non-familial relationship with genetic relatives.

**Gheaus, Anca** (Pompeu Fabra University)

*The collective action problem in childrearing*

Some neuroscientists have recently argued that strictly directed child-rearing – for instance, insisting on formal education and training children for competition from very early ages – is detrimental to collective progress with respect to knowledge and technology. Each of us, I assume, has a weighty interest to foster collective progress and, for this reason, strictly directed child-rearing is in one sense against everybody's interest. However, in societies that distribute positions of advantage according to meritocratic competitive standards, strictly directed child-rearing is the best means for individual parents to avoid their own child's social and economical comparative failure. Individual parents have a weighty interest to ensure their child will avoid social and economical comparative failure (and, at least procreative parents have a duty to ensure that their children will avoid destitution at any time in the future). This means that strictly directed child-rearing is, to some extent, and in many cases all-things-considered, in each parent's individual interest. However, if all or enough parents act on this parental interest, this sets back everybody's interest in general progress as well as numerous other interests that parents and children have to avoid arms' races in education.

There are two plausible ways out of this dilemma: One is to change the overall mechanisms of distributing advantage in society such that strictly directed child-rearing ceases to be the best means for individual parents to avoid their own child's social and economical comparative failure. This would require the elimination (or, most plausibly, the extreme confinement of the place of) competition in allocating access to advantage. This may be the ideal solution, yet it is not obviously feasible. The second solution is to constrain parents' and others' ability to strictly direct children – therefore also abolishing the race for early competitive advantage. Some individual children – those who would thrive best under a regime of strictly directed childrearing – and their parents, will be made worse off by this strategy; nevertheless, if strictly directed childrearing really is detrimental to our collective interest in scientific and technological progress, this is a legitimate approach.

**Cutas, Daniela** (Umeå University)

*Nothing if not family? On the value of genetic connections*

The question of what implications genetic relatedness has for social or legal relations between people has preoccupied story-tellers, lawmakers, anthropologists, ethicists, and others, throughout human history. Reproductive technologies (especially those that involve reproductive material from people other than the intended parents), political borders (the crossing of which is dependent on family ties), and the increasing popularity of DNA testing (which precipitates discoveries of mismatches between social and genetic relatedness), have intensified the need to clarify the interplay between different kinds of relatedness.



The relevant issue here has often been taken to be whether genetic relatedness is an essential ingredient of family relations. Families in which parents and children lack this dimension of relatedness have had much to worry about in terms of the social recognition of their bonds on a level equal to that of families which are so connected. However, if society were to stop looking at genetics to define family relations, would that imply that there is nothing left to say about such connections? If genetic relations are not family relations, does it follow that they are meaningless? We lack terminology to refer to genetic relations in language that is not family-based, which may contribute to the difficulty to distinguish between different kinds of contributions to children's lives.

In this talk, I explore the value of genetic connections beyond the family. I will review empirical work in which donor-conceived adults have pointed to non-familial needs to explain their interest in knowledge of and connecting with genetic relatives. I then contrast these accounts to the current tendency to express genetic connections as either family or nothing. If successful, this project should contribute to reducing the tension that results from a conflation between claims to meaning of these different types of connections between people.

**Fowler, Tim** (Bristol University)

*Funding procreative technologies: the (non) importance of adoption*

This paper argues that there is a strong pro tanto reason for state funding of procreative technologies, even when prospective parents have the option of becoming adoptive parents. The paper considers and rejects two existing defences of funding IVF. First, that parenting is a valuable activity and the state should promote good living, and second that the ability to have children is a resource which should be equalised. The first view needlessly assumes that being a parent is better, generally, than being a non parent. The second approach struggles to place a value on procreative resources. In their place, I suggest that procreative technologies are best justified via the state's duty to provide all citizens with a good and varied set of options about how to live. I show the advantages of this defence, and then show why the possibility of adoption is often not sufficient to give each person the option set to which they are due.

### **Panel 5: Problems in Free Speech Theory**

A broadly liberal approach to free speech is under attack. The demands of cultural identity, the harms of hate speech, the existence of fake news, and the existence of implicit bias, epistemic injustice, and silencing have all put severe pressure on the popularity of liberal principles of free speech. Mill thought that free speech is valuable for two main reasons. First, free speech will encourage inquiry, and promote truth. Second, free speech will encourage individual self-realization. Both reasons have been increasingly challenged.

First, unrestricted free speech may entrench error, rather than promote truth. It cannot be assumed that the free 'marketplace of ideas' clears at the point of truth-maximization. People can become enmeshed in bias and prejudice, and fake news may abound. The problem of how and whether to regulate fake news is addressed in Maria Ferretti's paper.

Second, free speech may enlarge the social vulnerability of individuals who are already marginalized or oppressed. Hate speech seems not so much to advance inquiry but to undermine the social standing of the individuals who are targeted by it. Issues like these are addressed by Adina Preda's and Raphaëlle Thery's papers.

Third, it may not be at all obvious when speech is free and when it is being attacked in order to promote some other value. If a certain opinion is furiously denounced, does the denunciation reflect a hostility to free speech, or does it amount to just more speech? This problem is complicated by the fact there can be no such thing as an entirely free exchange of ideas, without rules and conventions for organizing and structuring these interactions. But the need for these conventions or rules makes it harder to see what defenders and critics of free speech are really arguing about. These issues are addressed in Gerald Lang's paper.

**Ferretti, Maria Paola** (Goethe University Frankfurt)

*Fake News, Freedom of Speech, and Alethic Obligation*

It's often argued that social media present novel challenges to healthy public debate. Accordingly, some hold that new legal regulation is needed to prevent these networks from being abused for a number of nefarious goals, including political manipulation. However, such proposals for the regulation of freedom of expression on platforms such as Google, Facebook and Twitter are often interpreted in terms of censoring 'fake news'. Opponents of legal interventions to stem the spread of fake news point to the moral and political dangers of having governmental agencies deciding what is true and what is false, or establishing that only what is true can be legitimately expressed.

I argue that 'fake news' per se should not be the direct object of legal regulation for a number of reasons. These include the observation that (1) what counts as a fake news remains vague and subject to a number of interpretations; (2) the complexity of establishing degrees of veridicality; and (3) the fact that censorship may be abused. Although the effects of the spreading of fake news still need to be addressed, freedom of speech restrictions which censors fake news seems even more problematic than fake news per se.

But it doesn't follow that an aspiration to truth is inappropriate in public discourse. On the contrary, an alethic obligation should guide the contribution of responsible users of social media in the public debate. This is because, as Locke argued, citizens in a liberal society ought to do their best to hold beliefs that are true or very likely to be true. In a liberal democratic society, there are epistemic, moral and practical grounds for endorsing alethic obligation. Alethic obligation should be lie at the core of citizens' mutually respectful behaviour. This is preferable to legal restrictions on freedom of speech.

**Lang, Gerald** (University of Leeds)

*Three Puzzles for Free Speech Theory*

Most discussions of free speech focus on substantive issues: which forms of speech should be protected, and on what grounds? Though these are difficult issues, we usually think we know when speech is free, and when it's restrained. Is that so obvious? I want to explore three more conceptual puzzles for free speech.

The first is the 'Location Puzzle'. Imagine that Jay's arguments elicit furious denunciation from Daisy. It may be unclear whether Daisy's denunciation reflects hostility to free speech, because it can be unclear whether it merely continues the conversation or condemns Jay for having started it. The basic conversational data underdetermines which interpretation fits.

Second, there's the 'Internal Norm Puzzle'. The internal norms governing assertion within speech are normative. One plausible assertion norm is the 'Evidence Norm': speakers' contributions should be proportioned to evidence. Now Daisy's accusation against Jay that he has defied the Evidence Norm seems to imply that Jay's contribution was a mistake. Isn't Jay's contribution, whatever it is, precisely one which is protected by a doctrine of free speech? But the protective function of the value of free speech recedes from within the perspective of fellow participants in free speech exchanges.

The third puzzle is the 'Convention Puzzle'. This puzzle arises from the thought that there's no such thing as an entirely free exchange of ideas without conventions for organizing these interactions. Each interlocutor may have to compromise in order to have an intelligible conversation with the other. Nobody thinks these processes of accommodation and forbearance curtail free speech. But then what are defenders and critics of free speech actually in dispute about?

I suggest, in reply, that the value of free speech is the value of a practice. This switch in theoretical orientation can make the puzzles go away.

**Preda, Adina** (University of Limerick)

*Feel Free to Speak as Long as I Don't Have to Listen*

Some complain that the right to freedom of speech or expression is being restricted by demands that speech not offend or harm (members of) disadvantaged groups. This paper aims to argue that such complaints are misplaced. The right to freedom of speech is best understood as a right against governments, and social censorship does not restrict or infringe on this right. First, I clarify the ways in which this right can be understood, either as a Hohfeldian liberty or an immunity.

The former construal of the right, as a Hohfeldian liberty, can be held against other people, but does not correlate with any duty that they refrain from criticising the content of any speech. So demands for refraining from expressing certain opinions do not qualify as restrictions of the right to freedom of speech, but rather represent demands for self-censorship, which is not a restriction of our freedom of expression, even if we may feel unfree to say things.

The latter construal of the right, as a Hohfeldian immunity, is held against a government, and is usually a specific instance of freedom of expression, which is freedom of the press. But nobody thinks that the freedom of the press should be entirely unrestricted. There are laws against libel, slander, and defamation, as well as complex professional ethics standards that journalists must comply with, and a democratic society should not dispense with those. It is just a misconception that the freedom of the press should be unlimited, and that the press should be immune from the powers of the state. Governments must regulate the freedom of the press, and the best rationale for such regulation is ensuring that citizens are treated equally, which also militates in favour of hate speech laws.

**They, Raphaëlle** (Université Paris-2 Assas)

*Freedom of Expression as a Means of Expression?*

The liberal approach to freedom of expression is often linked to the metaphor of a 'marketplace of ideas' (Holmes, 1919) in which truth triumphs over falsehood, as well as to the claim that freedom of expression constitutes a means to struggle against the tyranny of the majority (Mill, 1859). Against this tradition, the Marxian approach (e.g., Marcuse, "Repressive Tolerance," 1965) is distrustful of freedom of expression for three reasons: (1) Far from helping minority speech to emerge, freedom of expression only re-entrenches and legitimizes existing power inequalities. (2) Freedom of expression unrealistically presupposes an ideal society where citizens freely form informed opinions. (3) Freedom of expression excludes violent or uncivil means of expression, although violence is for some the only way to be heard. These leftist critics suggest two remedies: first, freedom of expression should be restricted in light of epistemic considerations; and second, the unlawfulness or illegitimacy of some minority speech means of expression should be reconsidered.

If liberals really want freedom of expression to counter the tyranny of the majority, then they have to take seriously the criticism that freedom of expression can indeed disqualify some speech for extra-epistemic reasons. Rather than limit freedom of expression in the name of epistemic considerations, liberals should question one of their fundamental premisses, according to which valuable speech excludes any form of violence, and acknowledge that violence may in some cases constitute an expressive resource of last resort. This does not imply that liberals must accept all forms of expressive violence, or presuppose that all violence expresses a valid minority point of view; rather, it acknowledges that there can be a link between expressive violence and the oppression of minority voices, and, where this is the case, it suggests an expansion of the boundaries of democratically acceptable expression.