

Abstracts of papers

Ideals and Reality in Social Ethics

University of Wales, Newport

Caerleon Campus

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alphabetically by author

Deborah Barnbaum

‘Pollyanna the Principlist, or: Unrealistic Optimism, the Therapeutic Misconception, and Other Cognitive Barriers to Principlism in Practice’

This paper investigates a particular problem in clinical research ethics, and examines its lessons about the gap between practice and one bioethical theory. It begins with some background: research subjects often agree to participate in research studies based on a mistaken belief that they will benefit directly from research participation. This mistaken belief has historically been referred to as the "therapeutic misconception" (Applebaum, among others). Patients laboring under a therapeutic misconception are unable to give autonomous consent to participate in research studies. Since autonomy is one of the cornerstones of Beauchamp and Childress's Principlist approach, this would appear to be an ethical problem. However, recent work has suggested that many instances of the therapeutic misconception are better construed as a distinct cognitive error – unrealistic optimism (Jansen, et al). Recent, forthcoming work (Barnbaum) has compared the cognitive error of unrealistic optimism with another well-known cognitive error – the gambler's fallacy. The paper develops a comparison between the gambler's fallacy and unrealistic optimism that is used to demonstrate the subtle, but ethically significant, distinction between the therapeutic misconception and unrealistic optimism. The contention is this: that the fine-grained distinction between the therapeutic misconception and unrealistic optimism is a problem "in practice" which is too subtle to be captured using the ideal/principle of autonomy. If we are to fix an ethical problem in practice, we need the theoretical tools that will help us do the job. This example from research ethics shows us that Principlism isn't up to the job.

Elvira Basevich

‘Arendt and Habermas on the Purpose of Politics: A Defense of Ethical Normativity’

I defend Habermas's conception of ethical normativity in politics in light of Arendt's aestheticization of political action. Arendt contends that the purpose of politics is to allow citizens to express their individuality through words and deeds in the public realm. Self-expression occurs in opposition to others and is judged according to an aesthetic, not an ethical, norm. Politics constitutes not only our identities as political actors but also makes manifest our distinctive human freedom of initiating a chain of causes in the midst of others; political life thus constitutes our very humanity. Arendt draws from both Kant's Critique of Judgment and Nietzsche's agonistic model of master morality in order to illuminate the normative foundation of political action, which affirms plurality, natality, and performativity as political virtues. As an alternative, I present Habermas's discourse ethics, which incorporates morality into politics. Unlike Arendt, Habermas maintains a distinction between discourse and action. Discourse ethics is a method for scrutinizing political claims, beliefs, and actions. For him, such scrutiny is the principal purpose of politics and is the true foundation of human freedom. I conclude that a viable account of politics and of the public

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realm must incorporate some method for scrutinizing the ethical merit of various political claims, beliefs, and actions, rather than just provide a space for their unhampered expression. It is pressing that political theorists revisit Arendt's and Habermas's formulation of the purpose of politics in light of the problems plaguing contemporary American politics. To merely assert political beliefs publicly and vehemently – as is the case with the Tea Party – is too a weak condition for attaining political legitimacy.

Alex Bavister-Gould

'Bernard Williams: Bad News for Political Theory?'

Williams' posthumously published work *In the Beginning was the Deed* is now of significant interest to theorists. Recent work draws on his realist account of politics and his political conception of legitimacy, and seeks to relate his political thought to his better-known ethical philosophy. This paper will cast the net still wider. I argue that a fuller appreciation of Williams' approach to political theory depends upon understanding its genesis in his wider 'view of the world' – something developed most clearly in his reflections on the enduring significance of ancient tragedy.

Williams juxtaposes the tragedian view to the 'good news' he finds typical of philosophy in general and liberal philosophy in particular. The 'stark fictions' of tragedy offer a necessary corrective; they leave space for the fact of human suffering for which there is neither comfort nor explanation. Tragedies often represent *inexplicable* necessity – ascribed to the activities of the gods who do not explain themselves or take notice of the suffering they cause. This, Williams thinks, may equally be recognised as a feature of our social reality – the interaction of a character with forces, structures, or circumstances that can destroy her has, in an important sense, the same significance even in the absence of gods and oracles. Appreciating this, or failing to, is reflected in our approach to politics and the role of political theory.

Williams understands modern liberalism to be driven by the demand that the concepts of necessity and luck should not take the place of justice. It recognises that an individual's place in society is determined by cultural and economic necessity, and individual luck, and that these determine the extent to which she is in the power of others, but its goal is an institutional framework guaranteeing both the justice of this interaction and its outcome. For Williams, this is version of the 'good news' mistake. These institutional frameworks themselves can provide 'structural substitutions' for the inexplicable 'supernatural necessity' of tragedy, establishing the conditions whereby tragedy (as a situation distinct from the identifiable fault of one person or a few) can occur.

If, as Williams urges, political theory is to take seriously real political practice it has to reckon with the reality of tragedy – confronted, and sometimes generated, by liberal institutions. For Williams this seems to underwrite a rather pessimistic account of the ambitions of much liberal theory. Whereas liberal 'political moralists', on his account, characterise good politics as the creation of institutional frameworks that will mitigate the causes of tragic conflict, Williams sees the central tasks of politics as a more open-ended, more conflict ridden and more messy business of legitimating an on-going political settlement which avoids the primary causes of social breakdown and basic rights violations. Though he is by no means suggesting we can achieve nothing through political practice (I contrast my own reading with Martha Nussbaum's, which mistakenly characterises Williams position as fatalistic) he is urging – with his 'political realism' – a more modest account of what political theory ought to promise.

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Maren Behrensen

Queer Refugees: The Failure of Human Rights (Summary)

Over seventy countries still criminalize same-sex sexual activity, and in seven of those, gays and lesbians face the death penalty. In recent years, applications of draconian anti-gay laws (for instance, executions in Iran) and legislative initiatives to introduce such laws or tighten existing ones (for instance, in Nigeria or Uganda) have provoked sharp international criticism. The criticizing countries usually frame such criticism in terms of human rights, while the criticized countries usually respond that “the West” should refrain from imposing its values on other parts of the world.

A number of countries (Canada, Australia, the United Kingdom, the Netherlands, Belgium, Germany, the Scandinavian countries, and a few others) regard the implementation of draconian anti-gay laws and policies as a form of persecution. Consequently, they have offered refugee protection to persons who flee countries with such draconian laws or policies on account of their sexual orientation. In practice, however, the protection for such refugees is woefully inefficient. In addition to physical and bureaucratic obstacles faced by all refugees (heavily fortified borders, powerful anti-immigrant sentiment), gay and lesbian refugees also face strong epistemological bias in their refugee status determination.

This bias can be traced to three factors:

- 1) The institutional setup of the refugee status determination makes it difficult for the refugee to be forthcoming about their situation, as they might fear homophobic attitudes from interpreters and “deciders.”
- 2) Legal authorities evaluate the refugee’s factual claims in light of outdated, incomplete or biased background information, or they assess the refugee’s credibility in light of stereotypical assumptions about gay and lesbian lives and identities.
- 3) Legal authorities apply much more demanding standards of what amounts to “persecution” to gay and lesbian refugees than to other categories of refugees; recommendations that the refugee could live “discreetly” in their country of origin are still common.

I take it that this bias represents a failure of human rights: Countries which have vowed to protect those whose human rights are violated disregard this commitment in practice. While they loudly condemn the offending countries, they do little for the persecuted individuals. In this paper, I think about the reasons for this failure, and I suggest a simple and a complex answer: The simple answer is that the countries committed to human rights for gays and lesbians simply put their self-interest over this commitment. The complex answer is that the status quo of inadequate protection benefits both countries committed to human rights for gays and lesbians, and those who persecute them. The “committed countries” can promote a specific image of the “good homosexual” (white, coupled) and assert their cultural superiority, while “persecuting countries” that do not have to fear concerted political action from “committed countries” can assert their cultural independence and distract their citizenry from other issues.

In a very tentative conclusion, I suggest that queer activism from “committed countries” should shift focus from “offending countries” to the refugee policies of “committed countries.”

Aaron Ben-Ze’ev

‘Do Lovers’ Eyes Deceive Them? The Role of Idealization and Accuracy in Romantic Love’

Romantic love is often characterized as being guided by idealizations (or positive illusions), sometimes even by blindness. This augments the partners’ wishes to be with each other over a long period of time. Idealization may prevent the feeling of being romantically compromised. However, romantic relationships should be based upon reality, as this reality is where both of them will live their lives. The high divorce rate might be indicative of the fact that lovers are not completely blind, or at least do not remain blind forever.

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Does love depend to some extent on a degree of blindness, or can it thrive on accurate knowledge? There are empirical findings supporting each view. Some kind of idealization and positive illusions is associated with long-term romantic love. The idealization, however, should be moderate in its nature and referring more to the general framework of evaluating the person, rather than to cognition of specific traits which are easily detected. Satisfying relationships reflect the intimate partners' ability to see their imperfect partners in an idealized light.

Idealization seems to be an initial ladder necessary for creating a new loving relationship. If the ladder is too low, we may not be able to experience profound love; if it is too high, there is the specter of disillusionment and disappointment once the ladder is removed. We can put on rose-colored glasses when we look at our beloved, but we should be careful that these are merely colored glasses and not ones that distort reality considerably.

It is incorrect to characterize a lover's perspective as completely deluded or as fully accurate. Lovers' sight takes place within a rosy framework which enables the lover to cope better with the beloved imperfections which are evident despite the rosy lens.

Anders Berg-Sørensen

'The Ethical Imagination of the Ombudsman: A "Realistic Utopia"?'

Taking the point of departure in the Rawlsian idea of a "realistic utopia" that a theory of justice can be both "realistic" and "utopian", i.e. embedded in existing political institutions *and* provide visions for how these institutions and their decisions can become more just, the aim of the paper is to question whether the ethical imagination of the Ombudsman operates as such a "realistic utopia." With a focus on the Danish Parliamentary Ombudsman, one could claim that by the practice of legal reviews of public authorities the Ombudsman has developed an ethical imagination of how government ought to behave in relation to ordinary citizens; an institutionalized practical wisdom with impact on the public authorities' ethical reasoning. In that sense, the ethical imagination of the Ombudsman is a "realistic utopia" institutionally embedded as a practical wisdom improving and innovating the ethical reasoning and decision-making of public authorities. At the same time, the Ombudsman is in a relationship to government characterized by a balance of power. The Ombudsman is supposed to control the legality of decisions made by public authorities, but from time to time the democratic legitimacy of the Ombudsman's recommendations are questioned by the government in power. This potential tension between legality and legitimacy questions the "utopian" part of the ethical imagination of the Ombudsman, especially how principled points of view are balanced in relation to more pragmatic reasons and, thus, it emphasizes the more political "realistic" aspect of the practical wisdom of the Ombudsman.

Magali Bessone

'Toward a Non Ideal Theory of Racial Justice'

Several issues face ideal theory when dealing with racism — when addressing the concern of men and women dominated by racial structures and representations. Building upon arguments defended by Mills (2005), Sen (2009) and Anderson (2010), this paper aims at defending a critical non ideal theory of racial justice. I claim that only a critical theory (aiming at human emancipation, Bohman 2005) can adequately face racial injustice, and that only a non ideal theory can be critical.

First, I will underline three epistemic reasons why ideal theory cannot adequately treat racial injustices.

(1) Ideal theory, taken primarily in its canonical Rawlsian form, leaves aside issues of power in political theory; it envisions justice as a form of institutional or administrative social organization aiming at a consensus through full compliance of rational beings. The ideal of ideal theory is politics without power. Non ideal theory, by contrast, takes power as one of the

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unavoidable element of politics: hence, it may aim at carefully disentangling legitimate forms of power from (racial) domination.

(2) In its constructivist procedure, ideal theory takes equal persons as a starting point of any normative argument. When dealing with racial relations, the question should rather be how to get to actual recognition of equal status, in a transitional perspective, without abstracting nor universalizing particular identities (Mills 1997, McCarthy 2009, Valentini 2012).

(3) Lastly, ideal theory does not use actual claims for equal status as a substantial guide for the normative content of justice. It assumes a normative stance that springs from abstraction. Non ideal theory, by contrast, may take seriously actual demands from agents in dominated assigned positions and consider them normatively relevant in a consequentialist way (Bohman 2012).

Second, I will argue that ideal theory, either as ideal theory per se, or as “theory of ideals” (Stemplowska 2008, Hamlin and Stemplowska 2012) cannot either be complementary to critical non ideal theory. Its pretension to clarification in fact pertains to false generalizations which negatively affect 1) the racial ideational itself; 2) the potential application of the ideational to the realm of reality. Hence ideal theory is not only useless for transformative purposes (Fraser 2003), it is misleading on racial issues.

Enrico Biale

‘Temporary Workers and Political Inclusion. The Role of Interests’

Democracy is a way of making collective decisions that connects decisions to the interests and judgments of those whose conduct is to be regulated by those decisions. The essential idea is that those governed by the decisions are treated as equals by being included on an equal footing at some essential stage of the decision-making process. Within current democratic societies temporary workers’ interests and judgements are systematically excluded by this process. How is it possible to include them within democratic institutions, and is this inclusion legitimate?

In this paper I will aim at answering to these questions in the following way:

Firstly I will specify the distinction between permanent migrants and temporary workers. I will then claim that while the inclusion of permanent migrants within decision-making process of a liberal-egalitarian society is unproblematic, the inclusion of temporary workers represents a challenge. I will then critically consider three answers to this challenge:

1- the neo-republican idea according to which the exclusion of temporary workers is unjust because it makes them vulnerable (political authority can arbitrarily interfere in their lives). The inclusion of temporary workers requires the extension of political rights and this extension is justified in order to reduce their vulnerability and lack of control on their life-plans. Through an analysis of the possible interpretations of arbitrary interferences I will claim that the extension of political rights to temporary workers does not reduce their vulnerability and it is not fit to temporary workers’ life-plans. Since temporary workers do not aim at living in the hosting countries (and thus becoming citizens of these countries), a set of rights that is structured for citizens cannot properly deal with their interests and claims.

2- Democratic equality according to which the inclusion on equal footing within decision-making process does not depend upon effectiveness but on public acknowledgement of people’s equal standing. Because temporary migrants ought to be acknowledged as equals and their life-plans of equal worth, political rights have to be extended. Focusing on the meaning and requirements of political rights I will argue that the extension of political rights to temporary workers will be burdensome and unfair, both from the perspective of temporary workers and from the perspective of the rest of the polity.

3- Affected interests according to which the inclusion in political decision-making is justified when interests are at stake and to ensure fair and effective influence on the political decision-making. Because temporary workers’ interests are affected by some specific policies but not by every political decision this account cannot justify the full inclusion of temporary workers

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within decision-making process. I will however claim that this approach is consistent with the idea of multiple and differentiated levels of inclusion (differentiated inclusion). I will thus specify why differentiated inclusion is more respectful and effective than neo-republican and relational account of inclusion. I will finally show how this account can rebut the objections that are usually addressed to “all affected” account of democratic inclusion.

Megan Blomfield

‘Climate Change and the Just Distribution of Natural Resources’

In this paper I examine the phenomenon of anthropogenic climate change understood as a problem of injustice in the global distribution of control over, and use of, the world’s natural resources. Conflicting claims to natural resources arise constantly in debates about how to deal with climate change. In an attempt to find a way to adjudicate between such claims I start by looking at the question of justice in the distribution of the world’s natural resources more generally. This question is commonly given two very different answers: cosmopolitans press the need for egalitarian shares regardless of state membership, whilst statist argue that the importance of national self-determination grounds rights over territorial resources that are practically unfettered.

Looking more closely at the reasoning that is given in support of these two views, I argue that it is possible to formulate a position that pays heed both to the cosmopolitan emphasis on human need and the statist concern with collective self-determination. One implication of this view is that justice in the distribution of natural resources requires us to strike a difficult balance between the protection of legitimate collective rights of control over land, and the limitation and redistribution of ownership rights over some of the natural resources beneath it.

Applying this conclusion to the case at hand, I contend that it is instructive regarding the kind of injustice climate change embodies, and should aid us in assessing the fairness of proposed solutions.

Marit Böker

‘Realistic Utopia as a Model for Social Change’

The concept of a ‘realistic utopia’ is often used to capture theorising that lies at the intersection between reality and idealism (e.g. Rawls, 1999; Habermas, 2010). At the same time, it marks an attempt to re-fashion utopian thought into an attractive compromise, disarming its inherent totalitarian tendency. Yet, the recent popularity of this catchy solution clouds the degree of discrepancy between different scholars’ usages of the concept. This paper argues that disentangling these from a methodological angle not only helps to uncover their implicit connections to the authors’ views on the relationship between political-philosophical theorising and social reality, but also gives rise to a fruitful conception of realistic utopias that responds to the ongoing debate about the simultaneously dangerous and indispensable nature of utopia.

Recognising that utopian thought embodies the two extreme sides of stigmatising totalitarian suppression as well as the both hopeful and critical attitude indispensable for spurring conscientious social change, the paper seeks out a way between the dangers and the political importance of utopias. My argument is that a ‘realistic utopia’ regarded as an open-ended process rather than an end-state vision is not only capable of overcoming the totalitarian danger associated with traditional utopianism, but indeed makes the critical-inventive spirit typical of utopian thought the very safeguard against totalitarianism.

In order to develop this argument, the paper outlines three types of realistic utopia based on examples in the academic literature: ‘Type I’ as realistic utopia in the sense of limiting the scope

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of the utopian vision; ‘Type II’ as supplementing the utopian vision with a roadmap; and ‘Type III’ as my own proposal for a fruitful use of this concept as a process, for which I sketch a methodology as well as an outline of the meta-principles it implies. Based on the assumption that the most ‘unrealistically’ perfect element of a utopian world is the totalitarian danger that inheres in its very conceptualisation, ‘Type III’ conceives of realistic utopia as an ongoing process of utopian visioning rather than an end-state vision. It is a utopia not of a static society in a state of perfection, but described as an institutional frame and a set of conditions which enable ongoing utopian thought and thus themselves constitute utopia: utopia as the search for utopia.

A realistic utopia in this sense must be democratic and inclusive; reasonable in the sense of genuine; and self-corrective through conscientious reflection. It must involve a diversity of different social contexts and groups in society, yet in an informal, flexible and self-organizing way. Thus, it manifests itself first and foremost in institutional structures that allow for inclusive participation in a continuous vision-forming process nested within a deliberative framework – realistic utopia as a ‘democracy of utopias’. This conclusion opens up a new perspective on the role of ideal theory in the context of how philosophical theorising relates to social reality.

Luc Bovens

‘International Climate Change Negotiations: Morality Tale or Bargaining for Mutual Advantage?’

Negotiations within the confines of the UNFCCC have generated few results. I will look at some of the reasons for this gridlock. However, at the same time, there are many hopeful climate change policy initiatives proffered by various parties in the global arena.

I will try to analyse this paradoxical situation by placing it against the backdrop of R.B. Braithwaite’s discussion of the role of bargaining theory as a tool for the moral philosopher in addressing collective action problems (1955). Braithwaite notoriously used the story of a pianist and a trumpeter who are bargaining for practice time to illustrate Nash’s Bargaining Solution.

I adapt Braithwaite’s example to an n -person bargaining game in which the musicians have motivations that are similar to the motivations of the actors in a forum for climate change. In this case, it would also be a natural move for the parties to try to reach local solutions between a few willing parties. Such solutions bring about a change in the culture, which will make it profitable for others to be on board with agreements.

Much of the gridlock in the UNFCCC is generated by irreconcilable moral positions. What drives these moral positions? What makes them irreconcilable? Are these genuinely held moral positions or are they just window dressing?

What kind of progress can be achieved through bi- or multi-lateral agreements that aim to secure short-term local mutual advantage? Are these arguments fully amoral? Or are there moral constraints placed on such negotiations as well?

Bob Brecher

‘Academics and Activists: A False Dichotomy’

Surely activism and academic work are different; not only that, but activism is surely inimical to the disinterestedness that *academic* work requires.

On the contrary: all academic work is carried out in order that something be able to be done. Certainly academic work ought to be disinterested; but that is not to say it should be uninterested, unengaged or neutral, as the impeccably liberal but today apparently outdated J S Mill understood very clearly. Moreover, it’s not “knowledge for its own sake” with which neo-liberal instrumentalism should be contrasted, not least since there is no such knowledge. All knowledge is for the sake of action of *some* sort; none is neutral.

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It is on that basis that one can build an answer to the question, 'What is activism for academics?' And if responsible activism begins at home, then academics' responsibilities in the matter are pretty clear.

Berit Bringedal

'Should Patients' SES Count when Allocating Health Care Resources?'

Since it is well documented that health inequalities follow a social gradient it can be argued that we, as a society, have a responsibility to reducing these inequalities. Given this, can we and should we contribute to reducing social inequalities in health within the health care system? If the answer is yes, can this be carried out in a fair way?

The argument follows this structure: First, I discuss whether/why health is a matter of social justice. My reasoning is based on a capability approach, where health is seen as one of the fundamental factors of determining an individual's capability to pursue her life projects.

Secondly, I argue that health should be considered a special good - though not as a general rule, it depends on the health level. For some health statuses, health is substitutable as well as possible to compensate by other goods, thus not 'special'. For other health statuses, however, no other good can compensate or substitute the ill health.

I then proceed to discuss the relation between health care and health, and conclude that the potential impact of health care on a person's health also constitutes a potential impact on justice. Although the main determinants of a person's health, as well as the social inequalities in health, are found outside health care, the distribution of health care can, and probably does, play a role. Unless health care has no effect on a person's health, it can contribute to reducing, increasing or maintaining social inequalities in health.

The next element in the argument, which is also the main part of the paper, is a discussion on how justice in the distribution of health care is best preserved. The fundamental principle in medical ethics is to hold medical need as the only justified criterion for unequal treatment of individuals. It follows that unequal treatment on the basis of SES alone is unjustified. I argue that the definition of medical need is crucial to the question of whether SES should count in the prioritization of resources between individual patients.

A reasonable definition of a patient's need for treatment is what it takes to benefit from treatment. The identification of the factors that influence this ability is a necessary prerequisite of effective treatment. Clearly, some of these factors are social, economic, and cultural; in other words, socioeconomic factors.

It follows that justice in health care requires striving for equality in the ability to benefit from treatment. This may involve unequal treatment between patients depending on their SES, among other factors. A distinction between input and output equality can help to illustrate the point. Input equality requires equal treatment for equal diagnosis/disease, while output equality may require unequal treatment for the same diagnosis/disease.

The paper concludes with proposing an amendment to the Geneva Declaration ('Physician's Oath') by including this interpretation of justice and equality in the allocation of health care.

Alexander Brown

'Hate Speech Law, Accumulative Harm, and the Eggshell Skull Rule'

One sticking point for those writers seeking to *prima facie* justify the enactment and application of hate speech law on the basis of the cumulative effects of hate speech is how to plausibly account for the responsibility of individuals for such effects. There is concern over the legitimacy of banning all occurrences when there are thresholds below and above which particular instances of speech do

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not make a difference. In the absence of such an account, appealing to cumulative harms seems to make the harm-based justification for hate speech law weaker not stronger.

Consider the critical race theory literature on hate speech law, which tends to focus on medium- to long-term psychological and physiological health complications suffered by victims of hate speech. These harms are typically cumulative in the sense that they reflect a build up of utterances over time. Forget the old saw “Sticks and stones may break my bones but words will never hurt me”, and think more in terms of, “The straw that broke the camel’s back” – substituting “psyche” for “back”. The problem of attributing individual responsibility for such harms is one instance of a more general phenomenon of the transference of non-responsibility. If an agent is not responsible for the other acts of hate speech necessary for causing a person medium to long-term psychological and physiological health complications, and not responsible for the fact that if he or she along with others use hate speech it will produce these collective effects, then he or she cannot be responsible for those harms.

There are a number of ways in which theorists might seek to exploit a more robust theory of responsibility to overcome this problem. They might draw upon an average or proportional responsibility approach, according to which each person is responsible for his or her proportion of the cumulative harm, which can be calculated as the number of contributors divided by the total harm. Or they might instead try to argue that individual responsibility derives from the responsibility of the collective entity.

In my talk I argue instead that one powerful response to the problem of responsibility is to insist that there is no need to provide such a theory or no serious problem to overcome. In many instances a speaker’s action strikes the target of the speech off the back of or in the wake of a history of past experiences. Medium- to long-term psychological and physiological health complications occur as a result of this past history. However, the eggshell skull rule of common law (particularly tort law) says that as far as the attribution of liability is concerned a person must take the victim as he finds him. In the case of hate speech this means hate speakers must take their victims as they find them including in an unusually heightened state of weakness or vulnerability to hate speech. The upshot of applying this rule is that it is not inappropriate to hold persons liable for medium- to long-term psychological and physiological health complications caused by hate speech even if they are not responsible for the history of acts but for which the complications would not have resulted. I also defend the application of the eggshell skull rule to hate speech law against some possible objections.

Katharine Browne

‘The Possibility of Cooperation in Theory and Practice’

“Cooperation” constrains self-interested pursuits, broadly conceived, and as such poses a difficulty both for those who seek to explain it in evolutionary terms, and for those who seek to justify it on rational grounds. It requires a sacrifice in fitness, which is apparently at odds with natural selection, which should eliminate fitness-decreasing characteristics. And it calls for a constraint on self-interested pursuits, which is apparently incompatible with an individually maximizing conception of rationality. But it is prevalent. We see examples of cooperative behaviour in the animal kingdom, from food sharing and mutual grooming among chimpanzees, to the highly coordinated and cooperative activities among honeybees. We see cooperation in humans, in everyday happenings ranging from helping a stranger to cross the street, to voting, to governance of shared resources, to the formation of large-scale political institutions. We also see dramatic examples of cooperation in experimental settings, where the level of cooperation far exceeds what would be predicted by any selfish actor model.

This paper has two central aims. The first is to explore how we might get our theories about cooperation in both evolutionary and game theoretic contexts to match reality. To this end, I will motivate, in the evolutionary context, an appeal to cultural group selection by showing that the

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mechanisms of kin selection, reciprocal altruism, and indirect reciprocity that are often invoked to explain cooperation are insufficient to explain all instances of it (particularly widespread *human* cooperation). In the game theoretic context, I will examine the adequacy of team reasoning to explain what standard game theory cannot. While standard game theory is concerned with strategic interaction between individual agents, and provides an analysis of the process by which rational agents arrive at action, team reasoning does the same for groups of individuals. Adopting team reasoning shifts the unit of agency from individuals to teams and asks, instead of “What should *I* do?”, “What should *we* do?” This transformation in agency, I will suggest, permits the adoption of cooperative strategies by rational agents and thus resolves the tension between reason and cooperation. While it might be the case that *I* should perform the non-cooperative outcome in many social settings, *we* should cooperate.

The second aim of this paper is to examine the practical implications of the above theories of cooperation. In spite of the presence of these possibilities for reconciling cooperation with evolutionary theory and rational choice, many of our social institutions preserve a self-regarding model of motivation and, consequently, rely heavily on economic incentives to make cooperation more attractive, as well as sanctions to deter non-compliance.

There is, however, an emerging body of (predominantly popular and business-oriented) literature that shows that cooperation can be encouraged through means other than carrots and sticks, and outlines different ways in which policies and institutions can be designed to capture the intrinsically cooperative nature of employees and increase efficiency in the workplace. I outline some of these recommendations, and suggest that they align closely with the above theoretical frameworks for explaining and justifying cooperation. We thus arrive at a coincidence between theory and practice, and open the door to an examination of reforms of other social arrangements in non-business contexts.

Marinella Capriati

‘Human Rights: How Closely Should Theory Match Practice?’

In this paper I focus on the relationship between human rights’ theory and practice. I do so by outlining a set of desiderata for a theory of human rights and exploring the way they relate to each other. In the first part, I begin by outlining the distinctive challenges faced by human rights theories. I then explain how these challenges have led to deep disagreements in the analysis of the concept. I outline the two main approaches to human rights theory: political and orthodox accounts, and elaborate on the current debate. I then argue that the theories of human rights need a clear set of desiderata in order to meet the challenges they face.

In the second part, I present three desiderata and I argue they have strong intuitive plausibility. First, I hold that a theory of human rights ought to have *critical capacity*: it has to offer the tools to critically assess human rights practice, giving agents the instruments to evaluate whether human rights practice is indeed successful in protecting human rights. Second, I argue that a theory of human rights ought to have *justificatory capacity*: it should allow us to defend human rights claims from sceptical challenges, and to articulate our reasons for action. Thirdly, I argue that an adequate theory of human rights needs to respect a desideratum of *fidelity*- i.e. it needs to match the legal, political and social practice of human rights. This is because we need a theory that is able to illuminate human rights practice, and this can only be done if the theory is close enough to the practice.

In the third part, explore the relation between these desiderata: I argue that there seems to be a tension between fidelity, on one side, and justificatory and critical capacity, on the other. I argue that the disagreement between orthodox and political theories can be analysed as a disagreement about the how to solve this tension.

In the fourth part I argue that, on a closer examination, we will realise that the relationship between the desiderata is more complex than we anticipated. In particular, respecting fidelity is

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also a precondition to satisfy justificatory and critical capacity. I hold that the contrasting nature of the relation between these desiderata leaves us with the problem finding out what is the right balance between these requirements.

In the fourth part I propose a solution to this problem. I argue that we need to recognize a further desideratum for a theory of human rights: *normative effectiveness*, according to which human rights theory ought to provide an effective tool to achieve morally urgent goals. I explore the way this desideratum relates to fidelity, justificatory and critical capacity and I hold that normative effectiveness provides a criterion to answer the question outlined above. I conclude by outlining the ways in which this should inform the current debate on human rights theory.

Brian Carey

‘Justice for Jerks: Human Nature, Selfishness and Non-Compliance’

Much of the current debate over ideal and non-ideal approaches to issues of justice turns on questions to do with feasibility and the extent to which a good theory ought to be sensitive to the different sorts of constraints which may impede its implementation in ‘the real world’. David Estlund has recently argued that certain claims about “essential and characteristic human selfishness”, if true, are nevertheless not facts about people which are capable of refuting a theory of justice. In other words, justice can require that we do things even if it is the case that human nature is such that we will be incapable of motivating ourselves to comply.

In my paper, I aim to advance two claims in response to Estlund’s paper in particular, and recent trends in the ideal/non-ideal debate more generally. First, I argue that Estlund’s central claim is false and that if there are fundamental motivational constraints upon human behaviour, these are facts which, to use Estlund’s phrase, are “requirement-blocking” in that they restrict what justice can demand of us. Here I argue, contra Estlund, that “can’t will” does imply “can’t do” and I attempt to show that Estlund’s own account of what it means to be able to do something actually supports this view.

The second part of this paper defends the claim that a rejection of Estlund’s conclusion is not as unpalatable or counterintuitive as it might at first appear. Here I argue that sorts of examples Estlund uses turn out to be deceptively unusual, producing unreliable intuitions as a result. I also argue that very little, if anything, follows directly from a rejection of Estlund’s conclusion in terms of how we ought to respond to people in the real world who claim that justice does not require something of them, because they are unable to motivate themselves to comply. Thus, we are free to reject Estlund’s conclusion without committing ourselves to “letting people off the hook” when faced with appeals to motivational constraints in the real world.

Francesco Chiesa

‘Recognition as Esteem and its Adjudication’

In the last few decades the concept of recognition has been employed as a sort of common grammar by people fighting for various issues including respect for difference and esteem for cultural distinctiveness in multicultural and socially diverse contexts. The normative ideal of recognition can refer to two different conceptions: recognition as equal respect and recognition as differential esteem. Equal respect is unconditional: this form of recognition is due to everyone by virtue of everyone being an autonomous person regardless of any particular trait, ability and distinctive feature. Merely being a person is the origin of the right to respect; is the ‘self-authenticating’ source of ‘valid claims’ (Rawls 1999) facing us from a position of ‘second-personal

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authority' (Darwall 2006). This form of recognition (central in neo-Kantianism) is primarily assured by the presence of certain unconditioned legal relations substantiated by legal rights. Conversely, esteem is conditional. In this realm, individuals (or groups) are not self-authenticating source of valid claims, but claims, if they are to be esteemed, need to be socially recognized; in this case, individuals' claims depend in a particular way on the relevant others' validation. Recognition as social esteem confers legitimacy to what counts as valuable and estimable in a given society. It concerns concrete traits and abilities such as ethnicity, culture, gender, work, class, and how to enable individuals to "relate positively" to these traits and abilities (Honneth 1995: 121). Different societies have different ways in which esteem and disesteem are conveyed: e.g., through the 'expressive' function of their criminal law and public policies which articulate the community's moral condemnation of certain conducts and practices (Feinberg 1970) (e.g., marriage laws that exclude same-sex partnerships; social welfare policies that stigmatize people on benefits; professional practices involving some form of racial profiling; think also of the cultural 'expressivist' function of school curriculum and public holidays which can be experienced as exclusionary of some cultural and religious traditions); the ways in which certain activities are or are not recognized as work (e.g., care giving and upbringing); and how different professions are ordered in the social status hierarchy (Honneth 2003: 153).

I argue that if respect is understood as something requiring 'evaluative abstinence' (Carter 2011), then respect-based accounts of recognition fail to meet most claims for recognition of difference because this notion of respect seems to be compatible with a lack of positive evaluation (esteem) and, to a certain extent, even with the presence of disesteeming attitudes and behaviours, in a way that may lead to forms of misrecognition. I aim to defend a conception of 'recognition as esteem' and I shall discuss the tension that seems to arise between the ideals of equal respect and differential esteem, between the political impersonal egalitarianism and the active, necessarily partial, recognition of the pursuit of certain aims. This tension seems to derive especially from the fact that esteem is a *relative* notion and a *positional* good which can only be experienced in comparison with others' esteem, expressing a certain standing in relation to the standing of others.

Lars Christie

'Is Ending Lesser Humanitarian Wrongs a Legitimate Goal in War? The Case of Afghanistan and the Goal of Alleviating Religious Oppression'

Prior to 2001 most observers agreed that religious oppression in Afghanistan was insufficiently grave to constitute an independent just cause for humanitarian intervention. Yet today some consider alleviation of this wrong as part of the justification the war in Afghanistan above and beyond the purported just cause of self defence. Can the correction of wrongs insufficient for justifying going to war justify the continuation of an on-going war? Proponents of the view, typically attempt to do so by arguing that the good of preventing wrongs help counterbalancing the evils caused by war and thus help making the war proportionate.

Thomas Hurka (2005, 2007, 2008) defends this view by distinguishing between "conditional just causes" and "independent just causes" for war. On this view, the prevention or reversal of grievous injustice can constitute independent just cause in and of itself (paradigmatically self-defense), which can legitimately be pursued by means of war. Conditional just causes, however, can only be pursued by means of war given the separate presence of an independent just cause. Hurka suggests disarmament; deterrence and avoidance of lesser humanitarian injustices are conditional just causes. On Hurka's view, all humanitarian evils (hereunder religious oppression) "above the threshold that determines when a humanitarian wrong can be another state's legitimate business" (Hurka 2007:218) belong the category of contributing just cause – which if achieved, can contribute towards the wars justification by making it proportionate.

Against Hurka, I argue that his view leads to an overly permissive account of which goods can be pursued by means of war given the presence of an independent just cause and his view risks

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militarizing a humanitarian agenda which can only be pursued legitimately *without* military force – and that this view risks impermissibly justifying the extension of the scope and duration of what could otherwise be a just war. Instead I argue that the criteria must be whether the lesser evil itself is a wrong the prevention of which would independently justify defensive lethal harm.

I discuss whether wrongs suffered by victims of Taliban's religious oppression, particularly women, constitute a wrong of this sort (the prevention of which justifies lethal harm). I argue that even if we think that the harm suffered by each victim of religious oppression is insufficient to justify individual lethal self defence, these harms can under certain circumstances be aggregated to add to the Taliban's liability for lethal harm on grounds of victims' collective self defence. However, I raise serious concerns whether the prevention of this collective wrong can justify collateral casualties unless it can plausibly be assumed that such victims voluntarily would assume extra risk for the alleviation of religious oppression.

I conclude by pointing out that in spite of the limited way it can contribute justify the war by offsetting excessive casualties (especially collateral) otherwise out of proportion to the just cause, religious alleviation *can* contribute to the justification of the war by significantly offsetting non-lethal harm (e.g. economic harms) brought on by the war.

John Coggon

“Health in All Policies”, and the Ethics of Public Health Politicking’

The literatures on health inequalities problematise many political philosophies that would claim to provide ethically sound practical frameworks for governing human societies. Persuasive critiques can be founded on evidence of health inequalities, whether theorists espouse a view that holds health to be special, unique, or foundational, or advocate for a perspective that simply takes health as one amongst various important aspects of well-being or human flourishing. There is, therefore, great strength in arguments favouring an approach to law and governance that emphasise the importance of ‘health in all policies’. This seems to be a matter that is increasingly recognised in calls for activism from those in public health: rather than defences of a position of neutral, scientific advisors, we find calls for health advocacy, and claims that public health experts should have a privileged position in policy discussions with government. This paper examines such arguments, and subjects their implications to ethical critique. In particular, the paper advances some ideas about, and aims to provoke discussion of, how we should understand the legitimacy of ‘health in all policies’, and that of public health professionals’ activism.

Jurgen De Wispelaere and Gry Wester

‘Is Basic Income Good for Health? Basic Income, Unequal Social Status and Health’

It is often held that inequality/poverty negatively impact on health outcomes, but the precise mechanisms by which this happens, or the extent to which they explain health outcomes, remain controversial. Furthermore, it remains an open question what policies are best suited to ameliorate health outcomes, to the extent that it is the case that inequality and poverty are bad for health. Are there any reasons to think that basic income would be good for health? One set of reasons might be that basic income offers access to certain health services that otherwise remain out of reach of those who are poor and uninsured (or where insurance does not cover a particular health service). Another set of reasons offers a much broader scope, by arguing that basic income will not only improve access to health care, but has the potential to affect population health more generally, by directly addressing some of the known social determinants of health.

In this paper, we are primarily interested in the causes of ill health that are related to levels and, in particular, the distribution of income. Within the social determinants of health perspective,

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we distinguish four clusters of hypothesized causal pathways for how income, relative or absolute, affects health:

- *Material deprivation.* Poverty impacts negatively on health in many direct ways, from being disposed to unhealthy environments to reduced access to health care or increased stress. Material conditions can also affect health in many indirect ways, through limiting one's ability to make healthy choices.
- *Relative deprivation and social exclusion.* One's relative position on the income scale signals a form of deficiency to others and to oneself which might cause psychosocial problems (anxiety, stress, shame) while also possibly reducing the take-up of essential goods in order to consume more status goods – which could have bad health effects.
- *Inequality and social polarization (lack of social cohesion).* Social cohesion is assumed to be good for health because of numerous beneficial effects of social capital and social networks, with social polarization reducing health for similar reasons.
- *Inequality and status anxiety.* This is a purely relational thesis according to which status matters intrinsically, causing constant competition for improved status positions – this in turn may cause stress, with associated negative health effects for the whole population.

We will then examine the potential impact basic income could have on each of these mechanisms. In particular, we will focus on two ways in which a basic income might be good for health: by affecting various types of inequality, and by affecting various types of insecurity. Although in recent years inequality has received the bulk of attention in relation to health outcomes, we believe the impact of basic income here to be limited. By contrast, we argue that the impact of basic income on insecurity may have very promising health outcomes, albeit restricted to part of the population.

Jan Dobbernack

'Muscular Liberalism: Theorizing the Changing Politics of Minority Integration'

This paper explores recent shifts in the way liberal philosophy features in political debates about the integration of minority populations. David Cameron's reference to 'muscular liberalism' at a speech in Munich illustrates how liberal values, such as gender equality, freedom of speech or the rule of law, are mobilized in public debate and put towards allegedly non-compliant groups in the form of a request. A significant strand of research into integration policy-making in Europe responds to the prevalence of this rhetoric in mainstream politics, which is considered evidence for an important re-orientation of the liberal state in at least two ways. First, the toughness of muscular rhetoric and the new insistence on civic and socio-economic integration is seen as a turn away from pluralist modes of incorporation, specifically from multiculturalism. Second, the alleged failure of many Western European integration regimes is traced to the lack of 'confidence' with which liberal principles are asserted. A number of scholarly contributions broadly follow such arguments and suggest not only that muscular liberalism, liberal perfectionism or civic integrationism – terminologies vary – have become the order of the day but also that they are normatively justified in light of unreasonable minority demands, represent the 'correct' understanding of the liberal tradition and will provide for superior integration outcomes. In the area of minority integration, gutsiness and muscularity have become popular motifs in public statements about populations that are considered problematically illiberal. But although the new rhetoric is undoubtedly significant, accounts within the field wrongly suggest that liberal-muscular politics amounts to a complete project. Questioning theoretical and empirical assumptions in the current literature on ethnic minority integration, my paper introduces two

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exemplary cases that allow for a closer inspection of continuities and discontinuities between liberal ideas, rhetoric and political practice: the attempt to regulate and curtail the operation of ‘Shariah courts’ in Britain and recent legislative efforts to protect male circumcision in Germany. Drawing on these two cases, I suggest that a better way of conceiving of ‘muscular liberalism’ – its ideational content as well as its political deployments – is to study how its instantiations ‘perform, shape, create, and transform policy-making dynamics’.

Agnieszka Doczekalska

‘The Ethics of Fandom: When Law and Ethics Clash’

Fans are as essential for authors as authors are indispensable for fans. Nowadays, fans usually are not merely passive consumers; they are often active users with the ability to participate, influence and transform their cultural environment. For instance, fans write stories (fanfiction) and create images (fanart) or video (fanvids) inspired by fictional stories and characters. Others get involved into scanlation, i.e., fan-made translation of scanned Japanese manga. Fans also have a strong need to share their passion with others and, as a result, distribute, e.g. by posting online, their fanfic, fanart, fanvids, scanlation or other fan-made products. Since none of these derivative works is made with formal authorisation of the copyright holder, fans infringe copyright law, which protects the rights and interests of the creators of stories and characters adored by fans. Most fans, however, do not intend to violate the rights of authors. On the contrary, they follow their own ethical rules and exclude from fandom those who infringe fans’ codes of conduct.

The research focuses on the relation between authors and their audience (fans), the ethical views fans and authors hold towards copyrights, and the rhetoric used by these two groups when expressing their beliefs.

Firstly, the paper examines the wide range of attitudes held by authors towards fans’ creativity based on copyrighted work. The analysis covers a broad spectrum, from authors who do not accept any alteration of their imaginary world to authors who openly give up copyright claims and let fans freely copy, use and change their works.

Then, the paper investigates how fans perceive their rights and obligations towards authors and publishing houses. Fans usually do not reject the concept of authorship and recognize authors’ rights, and often provide their own ethical framework to protect these rights. Ethical rules established by fan communities involved in creating and distributing fanart and scanlation are identified and discussed.

Finally, the values, principles and interests protected by fans’ ethical rules are compared with those guaranteed by copyright law in three different locations, namely, Japan, Europe and North America.

This analysis aims mainly at detecting to what extent copyright law and fandom’s ethical rules are in conflict and whether it is possible to rethink the balance between protection of and access to copyrighted works as to satisfy both fan and author rights.

Ashley Dodsworth

“‘Enough and as Good’”: What are Environmental Rights, Rights To?’

The diverse and yet finite nature of environmental resources raises two key questions about the rights to such resources – namely what are they rights to and who holds them? This paper will look at previous conceptions of rights to natural resources in order to provide a historically rooted examination the first of these questions, and ask what environmental rights are rights *to*?

The obvious response to this question comes from John Locke who, in the ‘Second Treatise of Government’ makes clear that individuals’ rights to property is limited, as that they must ensure

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that they leave ‘enough and as good’ resources for others. This is further supported by Locke’s belief that we do not have a right to more than we can use – any resources that ‘spoil’ in our possession are to be considered stolen from others. Under Locke’s interpretation, we therefore have a right to enough natural resources of a similar quality to those of others, and a duty to not take more than this, in order to ensure that everyone is able to access the resources they need to preserve. This conception of rights to resources suggests that they are rights to enough natural resources of sufficient quality that we need to secure our preservation. (This conception is also backed by Hugo Grotius and, albeit to a lesser extent, John Stuart Mill). This idea of ‘enough’ also seems to be the basis of several current interpretations of environmental rights – for example Tim Hayward puts forward a right to an environment that is ‘adequate for our health’ and this idea is also reflected in many popular environmental campaigns.

The answer to the question posed at the beginning of this paper therefore seems to be clear – environmental human rights are rights to enough natural resources needed for our survival. Yet even this seemingly straightforward answer raises troubling questions. In order to articulate these concerns, I’m going to turn to criticisms of the sufficiency approach. This approach was developed by Frankfurt in order to respond to what he believed should be the central concern of distributive justice, with Frankfurt arguing that “what is important from the point of view of morality is not that everyone should have the same, but that each should have enough” (Frankfurt, 1987: 21). This approach therefore shares similar concerns and assumptions as the past and current interpretations of environmental rights and, I therefore argue, the criticisms of the former can be used to articulate what is troubling about the idea of environmental rights being rights to enough resources.

Part of the problem is that this focus on ensuring everyone has ‘enough’ can mask the reasons why some have more than others, why some have enough and others do not, which can enable discrimination and oppression to flourish – an argument that is highlighted in Gerrard Winstanley’s work on rights to natural resources. But, I argue, the main problem is the question of what is enough? Turning to Locke can again illustrate this problem, for though Locke initially suggests that we have a right to enough resources of sufficient quality to secure our preservation and no more, he then circumvents these limitations through the introduction of money in order to allow for the accumulation of wealth. Do we have a right to enough resources for mere survival or do we have a right to the resources necessary for development and commerce? This problem is pulled up by Sax, who points out that we do not have a right to a pristine, undeveloped environment, and ties to Marx’s worry that competition and development will ensure that we can never ‘have enough’. The exact definition of enough and what it compasses – survival, flourishing or development, is therefore a question to be decided by the rights holders themselves, meaning that the question of what environmental rights are rights for is inextricably linked to the question of who holds such rights.

Gideon Elford

‘Pains of Perseverance: Agent-Centred Prerogatives, Burdens and the Limits of Human Motivation’

Much recent work in political philosophy has engaged the issue of the extent to which justice, and normative principles more generally, are sensitive to facts, in particular facts about human nature or behaviour. An important question in this context asks whether failing to be motivated to do what is, or otherwise would be, normatively required is a fact on which the application of normative principles, addressed to those persons, depends. Against the view that motivational difficulties individuals face can affect the content of normative principles that apply to them, David Estlund has recently argued that the limits of human motivation – what individuals can muster the will to do – do not impose limits on what can be soundly morally prescribed. As Estlund puts it: ought implies “can do” it does not imply “can will.” In respect of this the paper argues that in principle the motivational difficulties individuals face can affect the content of normative principles that apply to

them. This argument is made with reference to so-called Agent-Centred Prerogatives (AGP). The paper argues that because the limits on human motivational capacities might affect the extent to which it is burdensome to do (or to try to do) something those limits might also have an impact on the nature of justified AGP. If AGP to depart from a putative normative requirement depend, at least in part, on the burdensomeness of complying with that requirement, this suggests that human motivational capacities might indeed impinge on justifiable normative requirements, albeit in an indirect manner. The paper thereby seeks to explain the ways in which normative principles generally are sensitive to certain facts about human nature and draws implications from this argument with respect to how we ought to evaluate the justice of societies that manifest non-compliance with putative principles of justice.

Demet Evrenosoglu

‘The Problem of Human Needs: A Moral or a Political Question?’

Along with the end of the welfare state, discussions over the needs of individuals were to a significant extent effaced from social and political thought. Instead, the orthodox economics paradigm of preference and demand based on the principle of interest has occupied the theoretical terrain. Needs are thereby equated with effective demand based on preference and treated as an aspect of the economic sphere considered to be autonomous and exempt from political considerations such that ‘the primacy of need began to give way to the maximization of economic goods like wealth and time savings’ (Reader, 2006: 5)¹. Nonetheless, there have been relatively recent attempts to argue for the significance of needs in social and political philosophy, which evoke in different ways the legacy of the welfare state where ‘needs-talk has been institutionalized as a major vocabulary of political discourse’ (Fraser, 1989: 291)². With a view to restoring the category of need as a principle of social justice, many moral and political thinkers such as Goodin (1985), Nussbaum (2006), Shue (1980), Doyal and Gough (1991) and Wiggins (1998) appeal to some form of need/want distinction predicated upon the dichotomy between the objective and the subjective, and provide different lists of universal basic needs. Accordingly, the objectivist account delineates ‘need’ primarily as a normative, moral category linked to universally valuable ends.

This essay argues that even though the objectivist and the subjectivist adopt inverse positions and have entirely different political agendas, they similarly abandon and displace politics, while simultaneously failing to problematize the role of the contentious space of need interpretation for the determination of a need. However, this does not harm the subjectivist perspective, which from the outset refuses to conceive of itself as a political intervention in this realm. After all, the neoliberal ideology which reinforces the subjectivist understanding of politics disavows its own political nature. I claim that the failure of the objectivist account to address the concrete political context is, to a significant extent, due to its formulation of “need” as a moral category. By formulating “need” as a purely normative notion, it presents “what are in fact matters of conflict as matters of principle”³ and purports a *depoliticized* understanding of needs. Hence, for the objectivist who intends to construe a need discourse against the neoliberal strategy of depoliticizing needs, this implies a position that defeats its initial aim. Nevertheless, the difficulties in underpinning “need” should not lead one to abandon the category all together. Instead, this paper follows Raymond Geuss’ insight that “need” is a basic category to resist the glorification of immediacy in the realm of preferences and ends by some suggestions that will allow framing the question of needs as a political question.

¹ S. Reader, *Philosophy of Need* (Cambridge, 2006).

² N. Fraser (1989), “Talking About Needs: Interpretive Contests as Political Conflicts in Welfare Societies”, *Ethics* 99: 291-313.

³ R. Geuss (2012), Economies: Good, Bad, Indifferent. *Inquiry: An Interdisciplinary Journal of Philosophy* 55: 331-360.

Oliver Feeney

'Non-Ideal Theory and the Problem of Incentives: Educating Civil Motivations'

One key complexity that non-ideal theory recognises are stronger feasibility constraints than an ideal-theoretical approach would acknowledge (Farrelly, 2008; Rawls, 1999). Devising institutional arrangements that are not compatible with the *Homo oeconomicus* image of people (to whatever degree this image is evident in reality) – and that are not incentive-compatible in this way – could be seen as unworkable no matter how desirable such a scheme would otherwise be (Brennan and Pettit, 2005).

However, insofar as feasibility constraints are taken as limitations on what is realistic in terms of social justice, these limitations themselves must be subjected to critical scrutiny, particularly connected to the concern of inadvertently crowding out virtue. What is feasible depends greatly on the balance between self-interested and other-interested motivations and, as will be explored, such feasibility constraints not only form the parameters of what *can* be done, they are also the consequences of what *is* done. For instance, Bowles and Hwang note that an espousal of incentive-based policies designed to harness self-interest to public ends wrongly assumes that ethical motivations will remain unaffected (2008). The concern, akin to that of Titmuss' (1971) regarding blood donations, is that this use of incentives would lead to a 'crowding out' of social (or other-regarding) preferences, which, while arguably productive in pursuing social justice goals in the short term, would undermine such goals in the longer term. Indeed, provisional evidence suggests that explicit incentives diminish activity in distinct regions of the brain associated with social preferences (Bowles and Polanía Reyes, 2009).

In this paper, I will analyse the recent empirical research on ethical motivations and the use of incentives with regard to social justice and will outline key lessons that non-ideal theoretical approaches must take into consideration if they are to succeed. I will focus on (civic) education as a site for (non-coercively) encouraging altruistic motivations and discuss the potential that this may hold for non-ideal approaches to issues of feasibility and motivation.

Matthew Fluck

'Epistemic Ideals, Epistemic Practices and the Ethics of Global Transparency'

Faith in transparency has been a recurring feature of modern political and intellectual life. Transparency promises cognitive access to opaque or remote political and economic institutions and thereby increased control and/or accountability. This promise is of particular appeal in the international sphere, where the opacity of key institutions and structures is particularly pronounced. Transparency optimists can now be found heralding the global 'Age of Transparency' in which local and global activists can use social media and internet technology to increase the responsiveness of institutions and to improve transnational political interaction. The Wikileaks website suggests that transparency will help people to 'take control of their own history'. This paper examines the connection between the notion of transparency, the ideals which accompany it and international political practices in order to assess how much faith those pursuing radical international change should have in the concept.

Two attitudes to transparency are identified, each of which reflects a particular philosophical understanding of the epistemic practices involved in transparency and is connected to a particular form of international political practice. The first, 'Benthamite' attitude, which is apparent in Jeremy Bentham's proposal for his Panopticon, looks for unhindered access to or control of information by rational actors. The more efficient this control, the more efficient the operation of key institutions and systems. This attitude is manifested in theoretical discussions of international regimes (security, environmental, financial etc.) and in the practices of the regimes themselves, where transparency is 'a source of regime effectiveness' (Mitchell, 1998). On some

accounts, by incorporating citizens into processes of information exchange it is possible to increase institutional responsiveness.

The second, 'Kantian' attitude to transparency is concerned with unhindered deliberation – transparency as publicity. The goal is not simply access to or control of pre-existing information, but rather the public justification or formulation of particular interpretations and/or normative and institutional frameworks. This account of transparency as publicity is apparent in Kant's principle of publicity in his essay 'Perpetual Peace'. In contemporary international politics, it is manifested appeals to the power of global public sphere and civil society as drivers of political change.

Whilst each account of transparency is connected with real international practices, each is 'false' insofar as it cannot bring about the political progress it promises. Benthamite transparency is ultimately concerned with technical control and efficiency rather than responsiveness to the needs of citizens. The promise of Kantian transparency obscures the objective conditions which shape communicative practices. The transparency metaphor is therefore partly ideological, a consolation for the disempowered, but one which ensures the smooth operation of the structures which perpetuate their disempowerment. Those interested in the pursuit of new forms of political interaction should therefore approach 'transparency' with caution.

Fergus Green

'Climate Change and the Dangers of Ideal Theory'

If applied political philosophy is to contribute to the just resolution of real world problems, philosophers must think carefully about not merely the normative desirability, but also the feasibility, of their proposals. Yet the bulk of political philosophy is aimed at specifying the most desirable principles and institutions – the "ideal" – with scant attention to questions of feasibility or implementation. It is often assumed that specifying the ideal is valuable because it can (or at least should) guide our action in the real world, however "non-ideal" our present circumstances may be. In recent methodological debates, this "ideal-guidance" approach has been both heavily criticised and staunchly defended. In this paper, I consider how valuable the ideal-guidance approach has been in the case of a particular problem – the mitigation of global climate change. I argue that the "ideal-heavy" canon of climate ethics scholarship is ill-suited to the problem of climate change and, as such, adds little value to real-world climate mitigation. Specifically, I identify three features of climate mitigation that should inform the methodology philosophers employ when theorising about it, and show how these features constrain the value of much current ideal theory. These features are: (1) the (urgent) *timeframes* in which large-scale mitigation action is required; (2) the *complexity* of the problem and of its potential solutions (in particular, the number of variables, and the extent of interactions between such variables, associated with any such solutions); and (3) the *distance* between the status quo and plausible solutions (ie. the extent to which relevant variables would need to change from their "status quo state" in order to be in their "solution state"). I argue that the urgency of the timeframes constrains the feasible set of mitigation options, rendering some proposed ideal solutions (eg. a global emissions trading scheme) either absolutely or relatively infeasible, and places a burden on philosophers to consider the temporal feasibility of their proposals. Moreover, proposed ideal solutions – based as they are on highly idealised assumptions about a large number of interacting variables – are of little value in "guiding" current action because the relevant variables interact very differently in their status quo states. Attempting to approximate ideal solutions has therefore produced predictably ineffective, and sometimes perverse, results.

This analysis suggests a need to refocus theorising about climate mitigation toward the "non-ideal", and to rethink the role that ideal climate theorising should play. In the final part of the paper I sketch what such an approach to climate theorising might look like, advocating engagement not only with the normative inadequacy of the status quo, but also with the underlying causal

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dynamics — the relevant variables and their interactions — implicated in climate mitigation. This approach requires focusing on a wide range of reforms — at various levels of governance and in regard to multiple policies, practices and norms — that can work in complementary ways towards achieving a broadly-defined ideal vision. I consider how this approach would differ from current ideal-heavy theorising in relation to climate and energy policy developments in Australia, including Australia's flawed emissions trading scheme and rapid expansion of export-oriented fossil fuel projects.

Fredrik D. Hjorthen

'Conceptualising Ideal and Non-ideal Theory'

The debate on ideal and non-ideal theory has resulted in an impressive amount of scholarly work and analysis. Much of the discussion has been centred on the argument that ideal theory is ill suited to the task of guiding action for actors in our very own time and place. Moreover, there have been several attempts aimed at constructing a typology or classification of the debate and its content. More specifically, attempts at organising and analysing the debate have concerned dimensions and concepts such as full compliance/non-full compliance; end-state/transitional; utopian/realistic; abstraction; idealisation; fact-sensitivity; and feasibility. In this paper I examine the contributions from Laura Valentini and Hamlin & Stemplowska and argue that while their suggested categories are all useful for the task of describing theory, they fail to come up with a constructive account of how to distinguish between ideal and non-ideal theory. Moreover, these, and other, classifications of the debate fail to examine the relationship and links between the suggested categories and therefore miss out on the internal logic of the ideal/non-ideal distinction.

Based on this, I construct an argument that the key to the debate lies in adopting a view that the descriptive characteristics of political theory can be sorted into the categories of properties and purpose. As such, assumptions having to do with compliance, fact-sensitivity (and related concepts) and feasibility all constitute properties of theory while the purpose of theory has to do with whether theory is meant to design principles for perfect justice or for improvements of justice. I argue that whereas the former should be the purpose of ideal theory, the latter should be the purpose of non-ideal theory. The upshot of this argument is that in order to decide which properties that are relevant for a theory one will first have to determine the purpose of theory, and, accordingly, how sensitive one should be to the historical, social and natural facts of the world.

Stephen Hood

'Human Nature Constraints and the Nature of Human Social Interaction'

In his paper 'Human Nature and the Limits (If Any) of Political Philosophy', David Estlund argues that general facts about human nature cannot be requirement-blocking in relation to normative political theory. In this paper, I wish to argue that Estlund's argument is based on an overly narrow understanding of the manner in which facts about human nature might be relevant to an outline of human obligations. Even if normative political theory will not be limited by human nature, understood as the general motivational inclinations of individuals, I maintain that it may be appropriately constrained by facts about the nature of human social interaction. By this, I mean not only general human motivational inclinations such as self-interest and risk-aversion, but also how such inclinations affect problems inherent to the attempt to coordinate behaviour within large, complex societies under conditions of uncertainty. I maintain that many of the theories Estlund wishes to counter are better understood as making appeal to facts about the human situation in this broader sense, rather than the narrow account of human nature he presents. As such, many

instances of normative political philosophy that are constrained by such general facts may not be susceptible to Estlund's critique.

François Hudon

'Justice in Actual Circumstances: The Need for Coherence'

The recent debate on ideal and nonideal theory has brought to light the issue of practical guidance in political philosophy, which had been rather neglected in the literature until then. Although this debate has managed to reaffirm the important evaluative role of ideals in practical guidance, it remains difficult to understand precisely how the ideal of justice is supposed to guide us in actual circumstances.

One of the difficulties stems from the need for a coherent strategy in pursuing justice. We can assume that this pursuit should involve reforms in many spheres of activities, such as health, education or social security. Yet, it is rarely the case that we can implement a comprehensive reform that targets directly all relevant spheres. Most of the time, agents of justice must focus their attention on a subset of these spheres. How can we design a coherent strategy in such conditions? How can we be sure that such a focus will not sacrifice the optimal pursuit of our main objective – social justice?

In this paper, I seek to assess the quality of various solutions to this problem. I start by introducing the isolationist approach, according to which justice must be defined and pursued in each sphere, in isolation from the others. Given the probable interactions between these spheres, the isolationist approach runs the risk of being counterproductive; improvements in one sphere may well end up being detrimental to the overall situation in society because of the injustices it creates in other spheres. That is why we must reject the isolationist approach. How can we avoid this counterproductivity?

A natural alternative to the isolationist approach is the comprehensive approach. This second approach calls for the evaluative assessment of the overall consequences of any reform. To the extent that social justice is the evaluative criterion of these consequences, this approach can lead to reforms in a subset of relevant spheres of activity that nonetheless constitute the optimal pursuit of social justice. Unfortunately, for this approach to be successful, the amount of knowledge needed is such that it threatens the helpfulness of the approach. What we need is a model that will reconcile the locality of our action with the globality of our objective while avoiding the burdens of such a comprehensive approach.

But what kind of alternatives are there between these two extremes? A modest proposal would be to focus on reforms that we already know produce benefits in many spheres, without having to consider overall consequences in all spheres. However, like the isolationist approach, this strategy can be counterproductive; negative effects in disregarded, yet relevant spheres can be larger than the aforementioned benefits of a reform. Are there approaches that offer more comprehensiveness, without having to consider all consequences?

I think there are at least two approaches that do so, both of which start with a general idea of what the pursuit of social justice should involve. The first approach proceeds with the assignment of specific distributive goals and currencies for each sphere of activities, which are derived from the conception of social justice but can be pursued independently. The second approach instead divides the pursuit of justice in subtasks and tries to achieve these various tasks through the spheres that are available for reform. I argue that, although the first approach might be more intuitive, the second offers more flexibility and may be consequently more conducive to a coherent pursuit of justice. Of course, even this approach has its shortcomings – notably regarding the coordination of the achievement of the subtasks. Nonetheless, the balance it strikes between the globality of the objective and the locality of the means seems most promising.

Stephen Hussey

‘What do we Gain (and Lose) by Adopting ‘Political’ or ‘Practice-based’ Conceptions of Human Rights?’

Political theory struggles to deal with change and conflict. And nowhere are these two qualities more present than in the current field of contemporary human rights.

Indeed, the ever-changing face of modern human rights has forced philosophers more than ever to engage with questions about interpretation of concepts, the interaction between ethics and politics (as well as which takes precedence), and has thrown into doubt the very possibility of theorizing about a practice.

In fact, engaging methodologically with human rights has become inseparable from doing human rights theory. No longer does one simply make the case for a catalogue of human rights. One is immediately asked to qualify the conception of human rights they are working from; are we working from the practice of the Universal Declaration, or a natural rights framework, or a legalistic perspective? Conversations about human rights now require a qualification as to exactly where ones enquiries begin.

This paper reassesses what contribution philosophers can hope to make when assessing a practice as fluid as human rights. The concern over the proliferation of human rights is not a new one. Theorists repeatedly squabble over the inclusion of everything from environmental rights, rights to freedom from poverty, and even a right to the Internet. As such, many Orthodox theorists see their task as being one of trying to capture the ‘essence’ of what human rights should protect, usually under broad values like “human dignity”, “personhood”, or “equal respect”. These master values are then used to derive entire the list of human rights that best satisfy these values.

In opposition to this Orthodox project, I will instead focus on a burgeoning new school of human rights theory, advocated by theorists such as Charles Beitz, Joseph Raz and, Andrea Sangiovanni, all of whom advocate ‘political’ or ‘practical’ theories of human rights. This school purports that human rights theory can be (a) without naturalistic foundations, and (b) practice-oriented. This begins by asking: can we better understand the nature of human rights by examining the unique role they play in political practice?

I will examine the gains and losses from adopting this approach to human rights theory. I argue that while ‘political’ conceptions of human rights are more effective at dealing with the realities of change in the political world, they still tend to under-emphasize the deep and radical conflicts and threats that new human rights pose to currently established political priorities. However, adopting a practical view may mean having to give up two important desiderata of human rights: that they be universal and infeasible.

I argue that political theorists would be better off giving up the attempt at creating master lists of human rights, and seek instead to decode the different levels of moral demand they make, which are a mix of prudence, expectation, and hope.

Jomon Jose & Johan De Tavernier

‘How Normative is the Past for the Future? Discussing the Tradition of Discrimination and Neglect of Female Children in Northern India’

During the 37th session of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, New York, 2007) the participants appealed India to improve its provisions for women’s rights and to provide an advanced status for the Indian women. Rationale behind such proviso was its continued, current and categorized practice of discrimination and neglect of female children: *Infancy to childhood* (female infanticide, sex selective abortions, female mortality and neglect of nutrition); *childhood to adulthood* (child abuse, child marriage, child labor, sex trafficking, and depriving education); and *adulthood to onwards* (dowry, property rights, household labor, etc.). Although the Constitution of India ensures ‘all Indian women

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equality' (art. 14), and promotes their right against all kinds of discrimination and social injustice (art. 15, 39, 46), equality of opportunity (art. 16), the right to personal liberty and due process of law (art. 21) and recognizes the dignity of women (art. 51a), traditional religious beliefs combined with social conditions and structures are still dominating the practice of discrimination of females in India. But how normative is the past? Today this juncture of conflict raises a question, whether traditional normative beliefs and social practices are really inevitable. At the 'evaluation' of a particular tradition, significance of ontological, theoretical and methodological moderations, prescribed by Andrew Sayer, has variance with the tradition of discrimination in the everyday normative lives of Indians.

Hence, the main question that this paper will answer is: how can Sayer's hermeneutics of "lay normativity" (everyday evaluative dispositions, judgments and responses which depend on sentience and sense of well-being or ill-being) and the moral methodology, used by James Bretzke (an inevitable linking of the sacred claim axis, human experience and rational reflection), be aptly applied to the discussion on and the current form of discrimination and neglect of female children in India? This is done at the three levels. First, we will analyze how an interpreted religious axis and mis-comprehended 'ought' would endanger both the flourishing and well-being and integrity and dignity of female children in the Indian communities. Second, we inquire, how a normatively corrupted past and the process of deciding 'ought' from 'is' (as evident in our tradition) assist the evaluation of the normativity of the past for the future. Third, we unearth the impacts of (mis)-understood objective values and mere subjective preferential values. Our paper intends to have a concluding purport, i.e., the application of 'second-order preferences' with a suggestion of positive subjectivity and positive objectivity.

Stephen John

'What do "The Social Determinants of Health" Determine?'

In recent years, political philosophers have been excited by research on the "social determinants of health", which seems to open-up opportunities for integrating discussions of health inequality with discussions of socio-economic justice more broadly. In this paper, I draw on the philosophy of science to suggest three friendly challenges to such projects. First, drawing on debates over racial IQ difference, we should be careful to distinguish two different explananda which "social determinants" might explain: individual ill-health and inequalities in health outcomes. Second, the normative relevance of the fact that social determinants might influence individual's health status is complicated by the role of value judgments in causal explanation. Third, the normative relevance of a relationship between socio-economic inequalities and health inequalities within a population is complicated by Geoffrey Rose's claims about how shared environments can influence overall population health. In conclusion, I suggest some more general reflections on why and how political philosophers – especially those concerned with real-world problems – should be careful in their use of empirical research.

Harry Lesser

'Should Codes of Practice be More than Minimalist?'

This paper will first give the evidence that professional codes, and also the activities of ethics committees, are typically concerned with the maintenance of an essential minimum standard rather than with ideals or with trying to make the work as well done as possible. It will then consider the arguments for and against expanding the role of these codes and activities so that they are directed towards implementing ideals, and consider what conclusions should be drawn in the light of these arguments.

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In one sense, these codes and activities are not simply minimalist, since they impose a higher standard than the law. But they are still essentially about making sure that basic standards are met, and not with anything beyond this. An illustration is the work of a research ethics committee, which is concerned with making sure that the proposed research will not harm the participants or the investigators, that there has been proper informed consent obtained, that confidentiality will be guaranteed, and that the investigators know what to do if physical or mental distress is caused; but is not concerned with any evaluation of the research itself, or whether its benefits outweigh any suffering or inconvenience it may cause. The NMC (nursing) Code will also be used as an illustration.

There is one strong argument in favour of extending this beyond minimalism, that people should always aim to do more than the minimum. There are four arguments against this: the limitations of time and energy; the ethical disputes that emerge once we get beyond minimalism; the impossibility of covering everything through rules; and the danger that if too much is demanded standards will go down rather than up. I will argue, controversially no doubt, that these arguments are enough to justify the minimalist character of Codes and ethical checks; but that it is as a consequence very important for people to recognise that following the Codes is not all that ethics requires, and there remains the pursuit of ideals and the dealing with situations in which what to do is not established by the Code.

Lior Erez

‘Motivation as a Normative Constraint on Cosmopolitan Theory’

It is a shared view by both proponents and critics of cosmopolitanism that the theory suffers from a ‘motivational gap’, i.e., that people in general do not seem to be motivated to act in ways cosmopolitan theory prescribes. A much more controversial point, however, is to argue that this motivational gap is significant to cosmopolitan theory at the normative level, rather than merely at a practical level. This paper argues that normative political theory might have been too quick in dismissing the argument that motivational facts have normative significance. This is at least in part because it has been ambiguous what the normative motivational critique entails, what are the challenges it poses for cosmopolitan theory, and how it differs from a critique of political feasibility. The paper, therefore, offers a framework for understanding the challenge the motivational gap might pose for normative cosmopolitan theory.

The first section of the paper provides a conceptual clarification of the general argument. The three main concepts entailed by the argument are defined and explained. This section then demonstrates the distinctiveness of the normative critique from alternative interpretations of the motivational gap: namely the weakness-of-will critique, the political feasibility critique, and the non-ideal theory critique. The normative motivational critique is distinct, as it maintains that the fact of the motivational gap is significant for the duties of the agents lacking that motivation. In the second section, the paper considers three strong objections to granting motivational facts such normative weight: (a) the motivational fact objection, which argues that generally facts about human nature, and particularly about motivation, cannot be considered requirement-blocking; (b) the moral motivation objection, which argues that motivational critiques of cosmopolitanism neglect the motivating power of universal principles; and (c) the status quo bias objection, according to which granting normative weight to current motivations ignores the possibility of change. This section considers the plausibility of these objections to the general argument made by the normative motivational critique.

In its third and main section, the paper provides a typology of possible versions of the normative motivational critique, and assesses them in light of the three objections presented above. First, it considers the radical version, according to which motivation determines the source, content and scope of the moral obligation; and second, it considers the grounding version, according to which particularist moral frameworks determine the content of moral obligations. The

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paper then rejects these two versions as implausible and irrelevant as critiques of cosmopolitan theory. It argues, rather, that by restricting the domain of the motivational critique to the political rather than the moral, and the place of motivation as a precondition for the attainment of certain political ideals, we can arrive at a plausible interpretation of the motivational gap as a normative constraint. Finally, the paper considers the implications of accepting this version of the critique for cosmopolitan theory.

Kim Garchar

‘Pragmatizing the Founding Fathers of Bioethics: Pragmatism in the Principlism of Beauchamp and Childress’ □

Beauchamp’s and Childress’s “Principlism” is the seminal work in bioethics and has become, arguably, the most taught and explicitly relied upon ethical theory in healthcare. In *The Principles of Biomedical Ethics*, originally published in 1969 and now in its 7th edition, Beauchamp and Childress argue that in any problematic situation four primary principles – respect for autonomy, beneficence, nonmaleficence and justice – be specified (that is, they be made more precise and given content for the situation at hand) and balanced (a “weight” relative to the principle’s importance is assigned and the principles will be prioritized according to their weight). This methodology is largely pragmatic and is grounded in the reflective equilibrium of Rawls. Strangely, though, they reject the methodology of American pragmatism as simply inductive, with no way to account for general rules or principles. Their critique is misguided and grounded in a fundamental misunderstanding of what pragmatism is. Classical American pragmatism, as developed by Dewey, Peirce, and James, accurately describes the work Beauchamp and Childress call for. Further, pragmatic methodology, which relies upon a pragmatic metaphysics, is not only the methodology Beauchamp and Childress use but also precisely what they *need*. Specifically, principlism is limited and, for lack of a better word, “clunky,” due to two primary failures: a lack of attention paid to the community and a treatment of specification and balancing as discrete actions with no continuity and, therefore, no “memory.” While Beauchamp and Childress understand their theory as situated within coherence models, their lack of attention to the community weakens any coherence they hope to achieve. Additionally, we can further strengthen their principlism by introducing Dewey’s metaphysics of inquiry, in which any decision made from a principlist perspective becomes part of the community itself, thereby acquiring a solidity that allows for further critique or habitualization.

Robert Jubb

‘Participation in and Responsibility for State Wrongs’

In this paper, I engage with the growing literature on the criteria for acceptably holding citizens responsible for wrongs their state or its agents commit, itself part of a growing literature on the structure, particularly the moral structure, of collective harms and wrongs. In it, I suggest that a failure to understand the character of the relation between citizens and their states has made it difficult for theorists to adequately understand the challenges they face in accounting for and evaluating our practice of imposing the costs of state wrongs on their publics. It is only when citizens are participants in what their state does that we can understand them as having a special responsibility to the victims of its wrongs, and we can only understand when citizens are participants if we appropriately understand the character of that relation. I claim that citizens are responsible for a state’s act when those acts concern their relation to the state in virtue of their citizenship; that is, in virtue of their receipt of the good of political order from a coordinating authority. When a state wrong does not concern the political order, either because it does not concern the background structure all citizens share or because the state is too coercive to count as a

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coordinating authority, citizens are not responsible. Otherwise they are. In arguing for this conclusion, I stress theory's relation to practice at two points: first, to our practice of judging states and their citizens responsible for political wrongs, and second, to the practice of the coercive provision of political order. I consider a range of real-world cases in which we might raise the question of citizens' responsibility, and suggest that our judgments about them can be used to articulate constraints any plausible theory of citizen responsibility will have to answer to, in part by helping us think through the conditions for being in receipt of the good of political order.

Reima Launonen

'The Twofold Failure of Political Philosophy'

My paper is an enquiry on the question of the meaning of political philosophy. I claim that political philosophy, as to be sufficient, should be able to answer to two different requirements: it should be consistent enough to work as a plausible moral theory of good society, but it should also be relevant to actual societies.

To have a real effect on surrounding society, political philosophy has to be able to give ideas and solutions that can be implemented on actual situations in society, but this is not enough from philosophical perspective. The ideas of political philosophy should also have strong ethical foundations. Thus, there is a clash between the concepts of politics and philosophy. I claim that the position of political philosophy is somewhere in the middle of ideal and nonideal theory, if we understood these concepts in Rawlsian framework.

This duality means that political philosophy often fails in twofold ways. If theoretical aspects are emphasized too much, then almost in every case, expressed ideas are completely unsuitable for actual situations and demands of everyday politics. But if we just ignore the demands of consistent morality, we are not making ethical theory of good society. In the worst case political philosophy without strong moral background is just propaganda or a political white paper for governance. These failures show us the challenge of political philosophy: how to combine the best elements from politics and philosophy for the theory that would be morally consistent and valid but also politically feasible?

In my paper I use Rawlsian framework for creating a solution for this problem. John Rawls' conception of realistic utopia gives a starting point for eutopia models that can be used for developing the model of sufficient theory of political philosophy. Eutopia stands for a good society, which has the required ethical foundations, but is also achievable. Eutopia models consist of three elements: reforming, regulativity and reflectivity.

These elements of eutopia can be found on Rawls' own theory of justice as fairness and in his conception of realistic utopia. I use the concept of eutopia to build a bridge between ideal and nonideal theory. Eutopia models should be able to tell us how we can improve actual situations in society with politically feasible methods (reforming, nonideal element), but they also have to give direction towards just society (regulativity as an element of ideal theory). Last but not least there is the demand of reflectivity. This is a part of eutopia that secures that other processes are going on right direction. The process of reflectivity has to be perennial: each new idea or reform should be under surveillance. If the moral and ethical value or political feasibility is diminishing in the theory, then we have to change its course.

Roxanna Lynch

'On Definitions as Tools'

The need to provide a definition of care is clear. Consider, for example, the various institutional settings (such as hospitals or schools) in which part of an employee's role is 'to provide care':

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employees who fail to provide care in such circumstances are not only considered morally blameworthy, but are also failing in their role responsibilities (responsibilities that arguably cannot be fully outlined in the absence of a definition of care).

The undesirable practical and ethical implications of failing to define care suggest, then, that defining care is both a necessary and important undertaking.

To date, though, assessments of what can count, or what has counted, as 'care' have been varied. The distinct socio-cultural and emotional elements that contribute to people's appreciation of care makes the potential for disparity between definitions of care made in practice, quite high. Similarly, given the various leanings (e.g. Kantian or Aristotelian) of the different moral theorists who have attempted to define care, theoretical understandings of what it is to care can be equally diverse. In addition to the lack of consensus within practical or theoretical accounts of care, then, there sometimes exists a tension between the theoretical and the practical accounts themselves.

In this paper I shall not attempt to argue about *how* one should define care (based on theory, practice etc.). I will instead argue that what matters most when attempting to define care is whether the definitions that we formulate 'work' in practice. I have argued that a definition of care is needed for practical reasons (reasons that do not apply similarly to a term like 'love'), so it seems plausible to argue that a definition of care should first and foremost serve the purpose that necessitated its creation. By 'work in practice' I mean that definitions of care must be: a) sufficiently uncontentious to be widely accepted, and b) workable. By 'workable' I mean that a definition of care must be easy to understand and apply, comprehensive in its application (e.g. it mustn't be too specific or overly demanding) and be capable of providing action guidance.

With the criteria of 'sufficiently uncontentious' and 'workability' in mind, then, I suggest the following as a definition of care that represents these virtues:

"Care is the successful promotion of the flourishing of the cared-for, for the cared-for's own sake".

One might wonder how uncontentious any definition of care that invokes an account of flourishing may be. Flourishing is itself a contentious term – contentious both in whether it is something we should aim for and in what the term actually means. However, I will argue that if flourishing is construed in a way that is both objective and agent relative⁴, 'promoting flourishing' is one of the few notions (if not the only one) available to us that can tread the fine line between being over prescriptive (and thus contentious), and under prescriptive (and thus insufficiently action guiding, so not workable).

As a care theorist and a practitioner of care (a position occupied by most, if not all care theorists and practitioners), my feelings towards the above definition are ambivalent. I feel that the definition is potentially successful. However, I now wonder, as someone who is employed to theorise about care, what I should do next. I have made a tool, now I must give it to others to use. What remains for the theorist to do? Perhaps the theorist's role is simply now to help settle any contentious cases, or to more fully elaborate what can be meant by, for example, 'for another's sake'? In other words, I (the theorist/product designer) made the tool now you (the practitioner/customer) can use it: just report back if there are any problems.

⁴ See, for example, Rasmussen, D.B. (1999) 'Human Flourishing and the Appeal to Human Nature' *Social Philosophy and Policy Foundation*, Vol. 16, Issue 1, pp. 1-43

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Narzanin Massoumi

‘Identity Politics, Political Mobilization and Political Consciousness Among Muslim Women Activists in the Movement Against the “War On Terror”’

This paper presents theoretical conclusions from a study on Muslim women’s involvement in the movement against the ‘War on Terror’. The study considers whether a group of Muslim women activists involved in this movement, develop a political consciousness that focuses on their social

location as Muslim women, acting as a critique of the social relations and systems of domination (Young, 1990) that configure their position. This paper demonstrates how an analytical concept of collective identity (Melucci, 1989; Taylor and Whittier, 1992) developed within the social movement literature can address normative questions regarding the nature and development of politicised identities (Young, 1990; Taylor, 1992). This movement did not primarily mobilise on the basis of issues pertaining to Muslim identity concerns and therefore provided a useful way to interrogate the relationship between the form of political mobilisation, the development of political consciousness and the struggle against forms of oppression based on social location. The paper argues that the relationship between mobilization on the basis of such identities and political outcomes should not be assumed. This requires empirical analysis, based on a model that considers a variety of possibilities for the political use of identity- both in form (goal or strategy) and in content (sameness and difference). This means situating political uses of identities around social location within the political environment in which it takes place. This paper concludes with examples of how this can be done through a multi-level framework for understanding identity, politics and mobilization.

Jamie Melrose and Cerelia Athanassiou

‘Challenging the Status Quo in the Modern University: Participation, Democracy, Counter-Hegemony’

The so-called student rebellions of 2010 and 2011 (Solomon and Palmieri, 2011) were a flashpoint that promised *something*; a possibility for what can be described as a counter-hegemonic project (Laclau and Mouffe, 2001: 178-179). In this paper, we discuss contemporary resistance in Higher Education (HE). We elaborate upon this moment and discuss the promise of this moment to ‘penetrate to the ground’ (Hall 1982: 18)

Crucially, the student movement was notable because of its medium as much as its anti-neoliberal message; style and content were fused. Horizontal and participatory in spirit, it was well versed in non-hierarchical and institutional admonitions: ‘[p]refer what is positive and multiple, difference over uniformity, flows over unities, mobile arrangements over systems’ and ‘develop action, thought, and desires by proliferation, juxtaposition, and disjunction, and not by subdivision and pyramidal hierarchization’ (Foucault, 2004[1972: xv).

Yet, the fundamentally unhindered continuity of contemporary HE managerialism, economism and depoliticisation suggests that this student resistance, supported by fellow HE workers, was a flash in the pan, a chapter in an existing narrative, not the beginning of a new one. The main reason for this that we identify was the crucial lack of meaningful political collaboration on furthering its promise by what we see as an institutionally-entrenched, anti-liberal self-identifying grouping within academia.

Through our collaborative account of our very institutional experience over the course of the last three academic years - of the UK HE and general anti-cuts protests and occupations in late 2010, as well as more recent events in our own vicinity - we address some questions predicated on the *why* and crucially, the *how*. Why and how has the wave of anti-cuts and austerity protests not transformed into a more counter hegemonic presence? We outline the promise of a fledgling coming together between traditional anti-hegemonic and anti-establishment networks within the boundaries of Higher Education. We explore what this meeting consisted of and the general state

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of affairs that emerged. We then detail a particular problem: the mode of critical scholarship and its conjectural, noteworthy absence within the modern University. Our intervention here demands an explicit rethinking of this *brand* of scholarship in order to reimagine critical scholarship and democratic participation within the University.

Marco Meyer

'Two Approaches to Just War Theory'

There are two quite distinct approaches to just war theory, which are usually conflated. The justificatory approach attempts to identify the circumstances under which waging war is permissible. I will call theories that set themselves this task *justificatory theories* of just war.

In contrast, according to the limiting approach, the task of just war theory is to provide a set of rules that reduces the cruelty of war as far as possible, recognizing that most governments and other groups are very reluctant to dispense with war entirely. I will call such theories *limiting theories* of just war.

In the ethics of war, so-called revisionists like Jeff McMahan, David Rodin and Cecile Fabre are best understood as trying to provide a justificatory theory of just war. Their aim is to test whether the moral constraints we accept regarding war are in line with our broader moral convictions. For instance, they oppose the entrenched interpretation of the principle of discrimination according to which both combatants on the just and on the unjust side may permissibly kill enemy combatants. They oppose this interpretation of discrimination on the ground that combatants on the just side have done nothing to lose their right not to be killed, and thus retain it, while many combatants on the unjust side will have done something to render them vulnerable to attack, at least if they are morally responsible for their unjust attack on the just party. Thus, the argument runs, the principle must be revised to track the difference in the moral status of just and unjust combatants. These arguments presuppose, however, that *in bello* principles are supposed to track morality in the first place.

Others, such as Henry Shue and Cheyney Ryan, work on the task of providing a limiting theory of just war. Such a theory does not primarily seek to formulate principles for conduct in war that track our wider moral concerns, if this undermines the prospect of adherence to the principles proposed. A limiting theory of just war can be likened to a theory of just duels, developed in 19th century Europe. Assuming that engaging in a potentially deadly shootout is impermissible to resolve the issues normally at stake in duels, a limiting theory of duels would try to identify principles that aim at reducing the number of duels as far as possible, promote alternative ways of resolving the dispute in the run up to the duel, and attempt to minimize the risk of lethal injury during the duel, to the extent that the rules would not jeopardize adherence to the theory.

The distinction between justificatory and limiting theories of war is normally overlooked. It is important to keep these two kinds of theory separate, however, because the standards of justification appropriate to each are very different. Limiting theories may put forward rules that license morally impermissible actions in the conduct of war, if these rules are more likely to be adhered to than rules that track morality more closely. Thus limiting theories risk to mislead governments or soldiers who are committed to engage in war only if that is morally permissible to engage in unjust wars. In contrast, since justificatory theories of just war have a hard time to secure adherence from most governments, putting forward only justificatory theories risks to render just war theory mostly ineffective in practice, especially when limiting war would be most important.

To overcome this difficulty, I propose to move away from an understanding of just war theory as a set of principles that practitioners are supposed to apply. Instead, addressing practitioners that are committed to act morally, just war theorists need to do a better job at explaining the underlying moral concerns and enable practitioners to evaluate situations in the light of these concerns. Parties that are not motivated to stick to moral rules are better addressed

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by making them accountable to the law of war, which should be designed according to the concerns relevant to limiting theories of war.

Naima Chaboun

‘Liberalism and its “Others”’: Examining the Agonist Critique’

This paper sets out to examine the poststructuralist claim that liberalism produces its constitutive outside in the shape of “others”, who are dismissed as confused or demonized as evil. By engaging with this critique, which has been articulated by theorists belonging to the “agonist” camp, my twofold aim is to contribute to a deeper understanding of the agonist critique of liberalism, and to critically assess the arguments presented in this debate.

The paper is structured as follows. First, I try to unpack the agonist critique, distinguishing between claims stating that liberal theory produces otherness in the form of *evil* and *confusion* respectively. My aim is here to show that the two charges presents liberalism with separate, and possibly opposing, challenges. While agonists may (rightfully or not) accuse liberals of characterizing their “others” as *either* evil *or* confused, I argue that they could not consistently charge them with both, since the two claims rest on opposing assumptions regarding the “others” moral status. Second, I call into question the claim that liberalism produces evil others, by confronting the agonist critique with conservative charges, accusing liberalism of lacking the necessary resources for recognizing and denouncing evil. The discussion which follows from this operation reveals the pressing need for agonist theory to produce a defense of non-universalist ethics on egalitarian grounds. Taking up the search for the ethical foundations of agonism, my inquiry then proceeds by tracing the agonist argument back to its Nietzschean roots. My main finding is that while Nietzschean ethics may provide the foundations necessary for agonists to reject liberal universalism, the radical individualism inherent to this account renders it inapt for doing some of the work agonists would need it to. Notably, the Nietzschean framework seems not only to produce, but also to justify, some of the “othering” practices for which agonists accuse liberals. What the agonists claim to be unforeseen side-effect of liberal egalitarianism, re-appear as a virtues in Nietzschean ethics.

Karuna Mantena

‘Gandhi and the Hazards of Political Action’

In this paper, I explore Gandhi’s understanding of political action, of what political action entails and requires if it is to be effective and, at the same time, avoid the descent into violence. The Non-Cooperation Movement (1920-22) was the first major national mobilization against British rule, and also Gandhi’s first experiment with *satyagraha* (nonviolent action) on a mass scale. Within two years the campaign came to an abrupt and controversial end when Gandhi suspended it in the aftermath of outbreaks of violence. This was a defining moment of Gandhi’s political career; no other decision has been so roundly condemned or misunderstood. In this paper, I want to revisit that decision and situate it in terms of Gandhi’s understanding of the hazards and possibilities of large-scale political action. Gandhi often referred to the violence which shadowed these first experiments in large-scale *satyagraha* as his Himalayan “miscalculations” or “blunders” for which he sought continual adjustments, corrections, and solutions throughout his long and tumultuous political career. What Gandhi learned, practiced, and propagated was a daring sense of the duty and power of action – in his terms, the force of ordinary people recognizing and regaining their

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inherent “power to act.” At the same time, he repeatedly cautioned against the latent dangers of that same power to unleash violence and undo its very achievements. The excitement of action was seen to engender a hubristic politics that tempted one in the direction of an unconstrained politics of escalation. His limitless faith in nonviolent action was therefore always tied to a sober assessment of the potential pitfalls of political action. Gandhi’s greatest challenge was to create modes of political action, especially in their collective form, that did not augur pure anarchy or a relentless struggle for power between opposed social forces. He found the answer in *satyagraha*, understood as disciplined, self-limiting, nonviolent action – action that could mitigate violent escalation and effectively channel popular protest in constructive and progressive directions.

Iurii Mielkov

‘Philosophical Ideals and Political Practice: A Hierarchy of Values’

My paper is dedicated to the most important problem of social ethics – which, in my opinion, is the absence of the ideal dimension from our everyday life. As theories, ideals, and the goal-setting activity in general start to be considered as something unnecessary and irrelevant for social and political practice, then *means take the place of ends*.

An ideal composed and/or revealed by philosophical thought, serves as a guiding star for human activity, including social and political practices, as the highest point in the hierarchy of human values; while we still could not ‘achieve’ the ideal in all its completeness, it is indeed an ultimate *measure* for all other achievements, the latter being literally certain approximations to that ideal and concretizations of its essence.

The means prevailing over goals take the role of quasi-goals while depriving human life and activity of its sense and its ultimate end while nobody even amongst most of the intellectuals and political scientists tries to understand and to preach on the subject of the more profound goals those means (like money or consumption) could be used to obtain.

In fact, without such ‘pronunciation’ of the higher ideals, those means could be used to achieve quite opposite ends. For example, in the sphere of the political, *democracy* as the classical representation of the ideal form of society, now rather often appears as a certain set of procedures, like free elections of representatives and/or a political system comprised of a parliament and a president. But those means in fact that could be used for achieving quite anti-democratic ends leading to the discrediting the very notion of democracy in practice.

That’s why we need to stress the importance of the ideals for practices once again.

Monica Mookherjee

‘Restoring Human Capacities? Reconciliation and Liberal Multiculturalism’

This paper proposes a link between the controversial concept of reconciliation in discourses of transitional justice and the theory of liberal multiculturalism. While liberals generally focus on minority rights to address group injustice, I contend that broader strategies involving memory and recognition will often be required to achieve equitable social relations. Practically, the paper focuses on the multicultural harmony anticipated by the French government’s construction in 2001 of a plaque at Paris’ Pont St Michel to remember the killing of some forty Algerians during the Liberation War.

Whilst conceding the difficulties in the French case concerning the acceptance and definition of ‘multiculturalism’, the paper draws on this vivid example to examine the tension between strong religious-redemptive narratives of reconciliation-as-forgiveness, which aim to heal wounded individuals and societies, and liberal, secular re-workings of this concept which avoid controversial therapeutic ideals and concentrate on the demands of liberal public reason. Whilst accepting liberal worries about the therapeutic ideal, in terms of what I call the ‘justice’, ‘privacy’ and ‘spirituality’ objections, I claim however that the liberal conception is equally flawed on

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account of its overdrawn public-private distinction. Notably, the liberal conception tends to disregard the internal and individual aspect of reconciliation necessary in learning to live with self, others and the past, and crucial for building the possibility of lasting transformation and change. In view of these difficulties, I outline a concept of multicultural reconciliation by taking seriously the limits that pluralism and diversity place on reconciliation, whilst also, conversely, recognising how reconciliation's aspiration for personal change partially challenges liberal thought. The multicultural conception draws on John Paul Lederach's writings on the political psychology of

healing, applying them to Sen's human capabilities approach in political theory. The paper emphasises Sen's conception of 'agency-achievement' as the provisional goal of reconciliation under conditions of diversity.

This perspective generates the view that liberal-multicultural reconciliation – exemplified by the French government's recognition of the 'Paris Massacre' – may restore both victims' and perpetrators' capacities in societies marred by conflict and histories of colonialism. While not illiberal or coercive, reconciliation so understood unsettles liberalism's tendency to assume rather than negotiate a public-private distinction, and brings to light a more subtle relation between spirituality and secularism.

David Moss

'Philosophy, Politics and Real Ethics'

This paper offers a close consideration of Raymond Geuss' critique of the dominant 'Rawlsian' mode of political philosophy as being unrealistic in virtue of being 'Ethics First.' I aim to draw out what is involved in this critique in order to better exemplify what is involved in and what is desirable or objectionable about being or failing to be realist. This is desirable because both Geuss' 'real politics' and political realism more generally are only loosely defined and most prominently in Geuss' case, defined almost exclusively in opposition to a mode of political theorising which is taken to be non-realistic. While political realism need not be thought of as requiring tight definition, we should at least think that it beneficial to know what (if anything) is beneficial about being realistic and how we should work towards being so, in our political theorising.

Characterising 'real(ist) politics' in opposition to 'Ethics First' politics therefore seems to offer a neat and compelling way of defining what is realist or irrealist in political theorising. I argue, nevertheless, that this way of characterising what is unrealistic about Rawlsian political philosophy can be misleading. Thinking of realism as opposed to 'Ethics First' theorising has encouraged a view of 'realism' as opposed to 'moralism'. Even where the official accounts of realism are more nuanced, very often in practice, the leap is made from a theory seeming moralist to the conclusion that it must be unrealistic and conversely, from a theory being non-moralist to thinking that in virtue of this it is more realistic. I argue that Geuss' critique of unrealistic political philosophy, for the most part, subsists on much more modest premises than a general opposition to moralism.

My paper therefore draws out three main themes for consideration. Firstly, that realism should not be considered as opposed to moralism in general. Though this way of talking captures something of what is wrong with unrealistic political theory, it risks being misleading if it is applied more broadly, as characterising the essence of what is the right or wrong way of going about political theory. In fact, I argue that unrealistic political theories could often equally well be characterised as being unrealistic in terms of their failing to be adequately moralistic or 'Ethics First.' Secondly, I argue that the irrealism of the dominant modes of political philosophy does not lie in their being too moralistic, but rather typically stems from the attempt to offer a distinctively political account of legitimacy. This is important given the prevalence of attempts to advance a kind of liberal realism. Finally, I argue that Geuss' description of an anodyne view that 'politics is applied ethics' (to be contrasted with the objectionable 'Ethics First' interpretation) is actually sufficient to underwrite a heavily moralistic approach to political theorising.

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I therefore briefly sketch out in conclusion what a more moralistic realism might look like. Such a position would start from the realist recognition that societies are characterised by individuals with conflicting moral positions. In place of an attempt to adjudicate a (legitimate, reasonable) political solution to moral conflict, this form of realism would acknowledge *modus vivendi* between individuals with conflicting moral outlooks as all that is attainable. Looking to the role of the political theorist, such a realism would recognise that the theorist is always undertaking *political* acts in theorising but that they are therefore, by the same token, always already engaged in

moral action. Therefore, while it is not obligatory, it is legitimate and also often edifying (in realist terms) for political theorists to engage in heavily 'ethics first' theorising. The realist must look to the actual political effects of this in practice. While such abstract, moral theorising may, in many cases, have objectionable (ideological) effects, it is equally possible and perhaps, in fact, at least as frequent, for a more political, non-moralistic mode of theorising to produce equally objectionable consequences.

Michael Neu

'Teaching Activism'

I have just started working as a university teacher in Philosophy, Politics, and Ethics. Hence, I need to 'educate' my students in these subjects. What does that mean, though? What is my task? Consider four possible answers to this question. (1) The institutionalist view: I ought to educate them in the way in which they happen to be educated at the institution at which I happen to hold a position. (2) The functionalist view: I ought to make sure that my students get a job. (3) The expertist view: I ought to be a cutting-edge researcher and provide them with knowledge about the latest developments in my area of expertise. (If I'm a good enough researcher, I may not have to teach at all.) (4) The relativist view: I ought to provide the students with an intellectual map, but it is their own responsibility to locate themselves on this map. (5) The rationalist view: I ought to provide the students with an intellectual map, but I also ought to tell them where to locate themselves on this map. I shall argue that answer 1 is not an answer at all, answer 2 insufficient and misleading, answer 3 entirely useless, answer 4 wrong as far as its conclusion is concerned, and answer 5 dangerous, but essentially right. There is another, related answer that I shall consider: I ought to be interested in the intellectual growth of my students only, rather than also in their living well. This, I argue, is a false dichotomy. As a teacher of philosophy, politics, and ethics, I ought to be fundamentally concerned with my students living well. I conclude that I ought to educate my students by telling them what is true, *and* by teaching them, indeed showing them, how to live well. I ought to be a teaching activist.

Markus Neuvonen

'Thwarted Ideals and the Institutional Autism in Moral Philosophy'

In this paper I examine a way in which moral philosophy can be understood as a failed project. I track down a metaphilosophical path dependency originating from the turn of the 19th century that has influenced the mainstream ethics in a controversial way. I aim to argue that in light of current scientific understanding about human behavior this path dependency ought to be examined and possibly rectified.

I argue that all normative moral philosophy includes an educational or developmental ideal about what is (morally speaking) an ideal human being. This ideal can be – and often is – implicit or inconsistently formulated. In ancient and medieval ethics this ideal was expressed quite clearly in terms of virtues or appraisable character traits, and ethics was considered more thoroughly an educational and personal enterprise. In contrast, modern normative ethics is more concerned

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about principles by which we evaluate either behavior (deontology) or its outcomes (consequentialism). This comparison underlines how the developmental ideal in mainstream ethics has shifted radically: from a virtuous, heroic individual into a moral calculator preoccupied with logical puzzles.

Historically this shift in developmental ideals hasn't been gradual but rather abrupt, and can be traced back to two massively influential moral thinkers at the turn of 19th century: Jeremy Bentham and Immanuel Kant. While both were ingenious philosophers with enormous

contributions to philosophy in overall, their influence was not only in form of theories but also creating a metaphilosophical path dependency or a design flaw in thinking about morality: by example they set the way future philosophers would think about how moral philosophy ought to be properly conducted.

I argue this design flaw originates interestingly from a supposed psychological feature shared by these contemporaries: it has been argued in retrospect that both had a degree of autistic tendencies. In light of modern psychology and neuroscience, autistic tendencies put one at a handicap in attempts to understand e.g. moral behaviour. To an autistic, moral behaviour is mostly about principles, rules and universalities; empathy and other strong moral and social sentiments play either little or no role at all in ethics. Due to their unparalleled influence to the way of conducting philosophical research and way of understanding the philosophical enterprise, I argue they set out a tradition of simulating autistic thinking in moral philosophy – to a degree it has become a key methodological feature in moral philosophizing.

In this paper I claim that stemming from comparable and similar frustrations and disappointments at this Kantian-Benthamite design flaw, mid-20th century saw both a resurrection of virtue ethics as well as the birth of the discipline of e.g. bioethics as reactions to this “alien” way of understanding ethics. Both schools of thought derive from very similar demand for more “practical” and “personal” moral philosophy – or “ethics in exercise”. Yet neither breaks with the autistic tradition radically enough.

My main conclusion is, the cornerstone for successful, appealing non-autistic moral philosophy lies in taking the rather noncontested commitment to psychological realism more seriously and (perhaps surprisingly) therefore rewinding the ideals of moral philosophy back 200 years to moments before Kant and Bentham, i.e. taking example from e.g. the Moral Sense theorists. This would mean updating our understanding about the human mind and behaviour from naïve ratiocentrism and principlism into more complex and nuanced one, and therefore refocusing moral philosophy from puzzle-solving onto cultivating sentiments and intuitions as a means for personal character development.

Selina O’Doherty

“Seeing the Wood for the Trees” - A Case For The Recognition Of Intergenerational Environmental Rights’

Climate change – which is gravely affected by the practices of current generations – is predicted to have catastrophic consequences on the human security of future generations, in various forms. If these consequential events were carried out by actors directly and deliberately they may be considered human rights abuses, crimes against humanity, violations of international humanitarian law, and breaches of global justice. As many of the predominant theories of justice are founded on ideas of reciprocity, recognition of rights or entitlements (and thus the provision and protection of them) to future generations is a contentious issue. Given that environmental threats and harms are a global injustice, universal recognition of the indeterminate victims of future generations is essential if their environmental well-being is to be secured. However given that environmental harm is accumulative and indirect, in addition to it being an imminent threat as opposed to a current injustice, acting pre-emptively on behalf of future persons, against future harms, proves an extremely complex issue which raises multifarious questions relating to the

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comparative value of ways-of-life, rights of the yet-unborn, the reciprocal nature of justice, the definition of a harm, and the distribution of accountability (with particular regard to intentionality). Drawing on the work of theorists including Hiskes, Feinberg, Howarth, Reiman, and Fletcher, and engaging with the principle of justice and nonreciprocal risk as well as the challenges posed by the non-identity problem, my argument attempts to present a case for recognition of both inter-and-intra-temporal future generations as holding entitlements from

current generations, including the obligation to protect their future human security from environmental risks and harms on humanitarian grounds.

Shepley Orr and Gry Wester

‘Priority and Justificatory Complexity: The Case of Health as a Special Good’

In this paper we address the question whether health has special moral importance, and if so, what that would mean in policy terms. On the one hand, we take issue both with Norman Daniels’ treatment of this question, as well as with some of the criticisms of his account raised by Shlomi Segall. While we disagree with both Daniels and Segall, we think the question of the specialness of health merits further consideration. On the other hand, we want to make a broader, methodological point, about the need for complexity in the evaluation and justification of policy – but this point really challenges the idea that any good could be special.

In the first part of the paper we consider what implications, if any, knowledge of the social determinants of health has for the view that health is special. One implication of the determinants of health being predominantly social is a challenge to the idea that spheres or policy domains should be kept more or less separate. The health sector has less impact on our health than many other goods that are not primarily ‘health goods’. So it seems we ought to promote health through these non-health spheres.

But this is not a new ‘dilemma’. From the point of view of cost-effectiveness, one could argue that ‘all utilities matter’ and that it would be rather foolish to restrict oneself, as a matter of principle, to consider only sphere-specific benefits and costs. That is not to say that ‘counting all benefits and costs’ is never problematic: there are concerns both of a moral and practical nature. However, what the limits might be, moral or otherwise, to the scope of cost-effectiveness is an issue which is not new, and it is not specific to health. This is where we locate our disagreement with Segall: if there are reasons why health is not special and we should not give priority to health, those reasons are not to be found in the fact that the determinants of health mainly lie outside of the ‘health sphere’.

In the second part of the paper, we challenge Daniels’ account of why health is valuable. Here, we make three points. Firstly, against Daniels’ narrow focus on the instrumental value of health, we argue for an incorporation of a phenomenological or well-being dimension of health. We also suggest that such a dimension has at least three different aspects: pain/suffering, anxiety/depression, and shame/stigma. Secondly, we argue that Daniels’ concept of opportunity is too broad to be helpful in determining whether health really is special. Thirdly, we suggest that we need to differentiate between the importance health has through the different life stages. The more fine-grained and nuanced our conception of health and our reasons for valuing health, the less clear the idea of ‘priority to health’ becomes. We think our discussion points to the need for complexity in evaluation and justification of policy (‘justificatory complexity’). An intervention/policy can have many effects and be valuable for many different reasons.

Marius Ostrowski

‘Who is the Realist Agent? Ontology and the Foundations of Politics’

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The recent ‘realist’ turn in political thought has begun to shift the terms of debate towards a new, power-driven interpretation of the institutions and practices that constitute and shape agents’ experience of politics and society. Taking their lead from the non-idealism of Machiavelli, Weber, Nietzsche, Arendt, and Schmitt, authors such as Bernard Williams, Raymond Geuss, and Chantal Mouffe—and more recently Bonnie Honig, Mark Philp, and Marc Stears—have developed telling critiques of the prevailing conceptions in contemporary theoretical debate of political practice,

institutions, and behaviour in political spaces and contexts.

However, the realist ‘school’ has yet to offer a dedicated conception of the agents who are the fundamental ‘units’ of their theorisations. In other words, they have yet to answer the questions: Who is it that participates in, and is affected by, social and political institutions and processes? Who is it that engages in political thinking and action? What, from a realist perspective, are agents like? Since Hobbes, political theory has largely ceded the task of integrating sophisticated ontologies of ‘the agent’ into accounts of explicitly political phenomena to the moral philosophers of the liberal and Enlightenment traditions. Indeed, many contemporary critical theorists and realists—including Mouffe and Stears—implicitly (or explicitly) adopt idealist ‘insights’ of the importance to humans of dignity, equality, autonomy, and the like, almost without question.

Yet even those who reject such idealist ontologies offer little in the way of a substantive alternative. Either, like Arendt, Shklar, or Williams, they retreat to a narrow essentialism regarding agents’ motivations and capacities, and in so doing, gloss over the sheer diversity and complexity of ‘what agents are really like’. Or, like Geuss, they seek to skirt the issue, arguing that any attempt to ‘pin down’ concrete metaphysical commitments is as liable to abuse and manipulation through power disparities as similar attempts at the ethical level.

I argue that, while realists have good reason to be wary of the contingent, pervasive effects of power on the constitution of individuals’ identity and agency, this does not preclude the construction of an explicitly realist ontology of ‘the agent’ to underpin their subsequent political projects. In fact, given the realist focus on power, and following the critical literature around political recognition, I suggest that ontological analysis is both necessary, and long overdue, to give the realist political project coherence and conceptual independence from the moralistic idealism it opposes. In sketching my version of such an ontology, I seek to incorporate insights from Heidegger and postmodern thought, and to demonstrate how focusing on the metaphysical, rather than the ethical, level of analysis can help realism accommodate some of the major points of radical uncertainty, doubt, and difference within ‘the political’.

Florin Popa

‘Extending the Epistemic Community: Can ‘Multiple Legitimate Perspectives’ Create Reliable Knowledge?’

My proposal considers the relation between distinct requirements underlying the scientific enterprise (validity, relevance, legitimacy) and argues for a revised understanding of how they interact in the production and validation of scientific knowledge.

Traditionally, the hallmark of scientific knowledge was the possibility of validating it (replicating experiments, producing verifiable results, making falsifiable predictions etc.). Validation was understood in terms of epistemic reliability. Non-epistemic components, such as contextual constraints or considerations of relevance and opportunity, were of course an important and unavoidable aspect of the organization of science. But generally they were not thought of as part of the scientific process.

In the last three decades, several proposals to reframe the epistemological and social basis of science were put forward, with a strong focus on the ‘social robustness’ (Gibbons, 1999) and legitimacy of scientific knowledge. Here I consider two related proposals. The first one argues for a

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'new social contract for science'(Gibbons, 1999; Nowotny, Scott, & Gibbons, 2001), while the second one offers a criterion of delimitation between scientific problems where the standard procedures apply and 'post-normal' contexts (Funtowicz and Ravetz 1992; 1993) where procedures of knowledge assessment and validation are supposed to be in need of significant revision. Both proposals advance the idea of extending the peer community and ensuring that science integrates multiple legitimate perspectives in its analysis. At the core, what is proposed is a way of reframing the relation between the epistemic validity and the social relevance of science.

My contribution focuses on a critical analysis of the arguments put forward in this debate, especially the envisaged extension of the peer community and the integration of multiple legitimate perspectives. By focusing on the epistemic and normative assumptions underlying these claims, the strength of various options for reframing of the epistemological and social basis of science can more clearly emerge.

Janosch Prinz

'What is At Stake in the Realist Challenge?'

This paper engages with current contributions to the so-called "realist" debate in political theory and proposes a new perspective for its analysis. After briefly taking stock of hitherto published accounts of realism in political theory and explaining why I will be looking at the debate through the prism of an "ordering perspective" the development thereof will follow.

The goal of the ordering perspective is to differentiate the manifold positions that can be found within the realist debate and to clarify what is actually at stake here. This especially matters for assessing the value of the aforementioned debate for challenging the dominant liberal-normative ways of doing political theory (as many of the realists claim).

The ordering perspective falls into two main aspects which are further elaborated in the paper: *First*, the critical stance toward liberal-normative political theory. I will distinguish three levels of intensity of the criticism, enhanced by a fourth meta-category: First, there are those who propose revisions within the framework of liberal-normative PT; these revisions can also be understood as extensions or applications of that framework. Secondly, those who aim to reform liberal-normative PT by changing its understanding of politics and of itself as a theory. Thirdly, there are those who reject the whole framework of liberal-normative PT. Fourthly and finally there is a meta-category which consists of those who aim to rethink how to do political theory but hold that the debate, as they view it, is set up in a mistaken way; e.g. that the juxtaposition of realism with idealism is mistaken.

The *second* main aspect of the ordering perspective will consist of the analysis of the way in which the term realism is being filled with specific (political) meaning. This analysis connects with the question of how to reorient political theory posed above and underscores how important the question of ideology and reflexivity is for assessing other facets of what is at stake in the debate. The following meanings of 'realism' will be further discussed: The realism as a module view, the (politically innocent) methodology version, realism as virtue ethics for/ethos for assessment of political conduct, and realism as a political vision (rather than a methodological question). The paper will then put together the differentiated positions on the critical stance and on the meaning of realism into more comprehensive 'realist positions'. The conclusion of the paper will be that only a position that is both radically critical and regards realism as a political vision can be a challenge to liberal-normative political theory.

Stephanie Rinaldi

'Reasonable Pluralism and the Requirements of Justice'

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In David Estlund's recent article *Human Nature and the Limits (If Any) of Political Philosophy* he claims that a feature's status as a characteristic of humans by nature can never be the source of a constraint on the content of justice. In this paper I dispute Estlund's claim and argue that features of human nature can in fact 'block' requirements. A requirement is blocked when we refrain from requiring its fulfilment as a matter of justice. My claim applies to any theorist who allows their theorising to be constrained by the circumstances of justice. Human nature is requirement-blocking for these theorists because the fact of reasonable pluralism (FoRP) constrains the content

of justice. The constraint is apparent once we acknowledge the FoRP because any reasonable conception of justice must then be sufficiently stable. The FoRP is amongst the circumstances of justice and, I argue, a feature of our human nature.

Estlund rejects the claim that perfect justice should be constrained to stable theories only. Rather, he thinks that stability ought to constrain only when we are considering principles of institutional design and not principles of justice. This disagreement between Estlund and I reflects a wider disagreement in the ideal and non-ideal literature over the relevance of different types of facts to principles of justice. Resolving this disagreement is beyond the scope of this paper (I don't reach any conclusions over what real justice requires). However, within ideal theory, and without requiring that Estlund be committed to an entirely constructivist approach, I argue that my claim regarding the circumstances of justice can still be maintained. This maintenance is based on the idea that unstable principles fail to conform to the circumstances of justice and thus fail to continue to qualify as principles of justice even in the highly idealised sense.

Anat Rosenthal

"Doing the Best we Can?" Considering the Ethical Implications of Providing Healthcare in Limited-Resource Settings'

Following a national policy shift towards universal access to antiretroviral therapy (ART) in Malawi in 2004, hospitals and clinics around the country had undergone major changes to enable public and private systems of care to support the provision of ART. As part of this process new clinics were opened, new roads were built, and new cadres of healthcare providers were trained to provide services for patients who were previously without care. Although HIV care in the country underwent a dramatic transformation with the introduction of antiretroviral therapy, in the absence of systematic primary care services in most areas, antiretroviral therapy is often provided within a limited array of healthcare services.

In these resource-limited circumstances, the provision of antiretroviral therapy brought new sets of healthcare delivery challenges to bear on both patients and healthcare professionals. From managing the consequences of the decision to initiate treatment without accurate clinical information or the temporary closing of under-staffed clinics, to the failures to monitor patients' adherence to medications or the inadequate provision of treatment for side effects or other associated infections, healthcare providers are constantly struggling to make decision that might put their patients at risk. Accordingly, the professional constraints associated with working in an environment characterized by very limited resources, and the difficulties stemming from the provision of what is known to be sub-standard care, confront healthcare providers with complex ethical dilemmas on a daily basis.

Much like healthcare providers, HIV positive patients who were left untreated for many years, are now encouraged to get tested and treated in a healthcare system that until recently was unable to care for them. Moreover, even following the shifts in policy and resource allocation the same healthcare system is still struggling to provide adequate services thus exposing patients to the risk of intermitted care and unwanted, and socially harmful, disclosure.

Drawing from fieldwork in an antiretroviral clinic in rural Malawi, this paper discusses the daily ethical implications of providing and receiving care in the context of a massive antiretroviral therapy rollout, while claiming that in order to provide care we must better understand the

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challenges and successes of this process, and their impact on the lived experiences of both patients and healthcare providers.

Paul Reynolds

‘Moral Pedagogy and Professional Practice: Some Conceptual Reflections’

In this paper I want to sketch the conceptual grounding for a developing research project. The neo-liberal hegemonic project for the individuation, privatisation and atomisation of social life prescribes the way in which state and civil society develops subservient to market logics and elitist principles. The impact on public discourse and services has been to fundamentally reshape, dismantle or diminish the scope, character and conceptualisation of the public and what it is to constitute public, democratic and ethical social relations, practices and principles, which can suffuse the life world and develop a regenerative politics. Nowhere is this more apparent than in the transformation of hitherto public or part public institutions such as higher education, health and social care.

Focussing on intellectuals and professionals as particular (but not exclusive) roles that have some degrees of power, status and repositories of capital to mount resistance, this project looks at systems, practices and discourses of constituting, regulating and reproducing the professional, including accreditation, professional training and professional development. It identifies cycles of discourse that close off and reinforce the ideology, prejudice and pathology of current orthodoxies, and alternative open generative, subversive discourse that enables critical thinking, reflexivity, and the promoting of solidarity and the connection between ethical and practice problems and the broader political and ideological roots to them. At present, the latter is principally instantiated as a rhetoric in otherwise closed processes of making and remaking the professional. This project explores the extent to which it is possible to inculcate critical thinking, resistance, independent judgement and politicised awareness and solidarity in those processes through engagement with the process of making and moulding professionals. Can Continuing Professional Development (CPD) become more than 'updating' and a site of catharsis and collective endeavour? This project wants to explore the extent to which such interventions are possible and can meaningfully produce change, at a localised level or more generally.

Raffaele Rodogno

‘Ideal And Non-Ideal Theory: What Is At Issue?’

In light of the current discussion in political philosophy (Rawls, Murphy, Mills, Swift, Feinberg, Roybens, Stemplowska, Gilabert, Valentini, Sen, Simmons, Sreenivasan, E. Anderson, B. Williams, Geuss), I argue that what is at issue between ideal and non-ideal theorists are different answers to the following question:

To what extent, if any, and at which theoretical juncture should empirical facts be allowed to determine the content of normative claims about (political) action?

I also argue that three distinct answers to this question currently curve out the metatheoretical landscape:

Pure Idealism. Any theory of justice must begin with an *entirely* fact-free ideal theory where principles are formulated. Non-ideal theory avails itself of these principles as the normative basis of the empirically informed rules of regulation, which it issues.

Impure Idealism. Any theory of justice must begin with a *largely* fact-free ideal theory where principles are formulated. Non-ideal theory avails itself of these

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principles as the normative basis of the empirically informed rules of regulation, which it issues.

Non-Idealism. Ideal theory, i.e., largely or entirely fact-free theorizing about the ultimate principles of justice is a misguided and unnecessary part of any theory of justice

I argue that these alternatives are in turn, at least in part, the result of different structures of practical justification, with the respective metaethical stances that these entail. In particular, I

argue that while *Pure Idealism* adopts a largely theoretical model of justification (i.e., practical normative theories are in the business of uncovering *a priori* and *universal* truths in ethics, politics, etc.), justification for the other two positions is understood in more pragmatic terms and involves aims such as reaching agreement about the principle of justice (Rawls) or securing legitimate order (Williams). Despite this commonality, these last two positions are dramatically different with regard to the extent to which they respectively let empirical facts determine the content of normative claims. The structure of justification, then, will not on its own be able to capture all the nuances of the metatheoretical landscape. It seems that the substantive, pragmatic aims initially chosen by each type of theory will be necessary to complete the picture. The question, then, is whether these choices are the result of irreconcilable premises or whether a *rapprochement* is indeed possible.

Andrew Sabl

‘Strategy: Where Political Theory Meets Real Politics’

This paper will discuss *strategy* as a concept and category that illuminates both political theory and real politics and builds bridges among them.

The paper starts by distinguishing three dimensions along which an inquiry can be called realist. One is iconoclastic or anti-Platonic, and rejects the idea that any idea or concept could refer to something perfect and eternal as opposed to something created for human purposes. A second is anti-theoretical, and calls for getting beyond scientific or philosophical categories to grasp at real things or events. A third is anti-moralistic; it denies in particular the need to appeal to regulative ideals in order to orient action or render it meaningful, and often holds that such appeals prevent, rather than enabling, good or proper action.

Machiavelli was arguably a realist on all three dimensions. His continuing fascination for realists derives partly from that. But only the third, I submit, is necessary to qualify a theory in a sense that has meaning for contemporary political theorists. In fact, we theorists necessarily build conceptual frameworks (though practical politicians and journalists may spurn them) and can seldom avoid slipping into a bit of Platonism, try as we may to avoid it. Realism in political theory, then, consists of adding to anti-moralistic realism a theoretical framework that aims to make sense of the world and to orient action without appealing to moral ideals as the fundamental source of political understanding and action regulation. Realism entails little theoretical content except a basic empiricism, an attention to facts and to the actual conditions and circumstances of politics (and even that may be controversial, either in principle or in application). That means that there are many different realisms, corresponding to diverse theoretical commitments. A Schmittian realist takes sovereign decision to be fundamental; a Geussian one will use the categories of critical theory; an “agonistic” one will defend contestation of constructed identities, and so on. These various realists will not agree regarding facts, let alone theory.

The paper then discusses one kind of realism: a species of *liberal* realism that focuses on individual agents and their strategic decisions and is committed to respecting democratic procedures and the rule of law (as constraints, not necessarily aspirations). It makes three main points. First, normative political theory continues to do a poor job of addressing questions of scale and collective action. Following Bernard Williams’ admonition that political theorists should identify their intended audience and how that audience can make use of theory’s insights, we

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should acknowledge that in politics some people have much more influence over likely outcomes than others to the extent that they control the agenda or have access to material, political, or symbolic resources that give them some likelihood that their actions will influence others'. (Such people may be called leaders—whether their status as such reflects formal rank, the informal, self-fulfilling confidence of a group of followers, or something in between.) For political theory to distinguish between the obligations of leaders and those of ordinary citizens is not elitist in a pernicious sense but rightly acknowledges real inequalities of power. Second: collective action

theory stresses that both ordinary actors and to some extent leaders do not normally choose political *outcomes*: they can only choose *strategies*. The Scottish Enlightenment's theme of unintended consequences has not had the influence in political theory that it deserves because its importance lies here: what needs to be explained is not unintended consequences but *intended* consequences, because actions tracking intentions in a collective context is a rare result and almost an accidental one. The weakness of so-called ideal theory becomes evident when we realize this: ideal theories imply that each citizen should pursue "correct" principles if that citizen is convinced of their correctness, even if no one else acknowledges them. A strategic perspective on these matters tracks a democratic one: political theory is relevant when there is some prospect that many people can be brought to move in the same direction. Third: the sense that realism is immoral results from the possible but completely optional (and illiberal) doctrine that *only* strategy matters, that strategic insights are sufficient for deciding what ought to be done. That people have reason to achieve their ends whatever they are and at any cost is a doctrine with substantial textual warrant in Machiavelli and perhaps a few other realists—but realism in general has literally no reason to endorse such a position, and realists committed to liberal democracy should not.

Gottfried Schweiger

'Recognition, Poverty and Social Critique'

Despite the increasing popularity of Axel Honneth's recognition theory across philosophy and the social sciences, there is almost no philosophical literature on the relation between recognition and poverty from this perspective. In this paper I want to open the debate on the relation between poverty and recognition and discuss it in the light of some recent developments in the wake of the economic crisis. My focus lies on poverty in the context of modern welfare states, but I will also engage in some questions that are relevant to all forms of poverty on a global scale. My interest lies in three questions.

First, whether and how the recognition approach can contribute to the understanding of poverty. This concerns conceptual but also empirical questions and targets the ability of the recognition approach to propose a valid theory of the social world. If the recognition approach wants to contribute to new knowledge about poverty, this can either demand engaging in social theory or it can demand engaging in empirical research, and whilst both should be combined they are quite different, and it is also obvious that there are certain limitations to what different disciplines can and should do. As my contribution targets a philosophical and conceptual level, I cannot engage in detail with questions that are concerned with measuring poverty, using different methods of empirical research or how the gathered data have to be analysed. I rather want to focus on two different directions. The first one reflects on a certain concept or approach to poverty or on certain knowledge about poverty and the poor produced using it. The second one aims to develop a so-called recognition-based concept of poverty which incorporates some aspects of other concepts but nonetheless stands alone.

Second, I am interested in whether and how the recognition approach can help us to understand what is wrong about poverty. This means asking about the normative or ethical competence of the recognition approach in regard to poverty. I think there are three general aspects which constitute the moral harm of being poor, which are shared by relative and absolute forms of poverty but each in a different manner. First, poverty is morally harmful and wrong if, and

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insofar as, it is the result of processes of misrecognition. Second, poverty is morally harmful and wrong if, and insofar as, it is experienced or connected with such experiences of misrecognition that may ultimately make it impossible to live a good life in the sense of realizing oneself. Third, poverty is morally harmful and wrong if, and insofar as, it violates embedded normative claims that are immanent within these societies or that have been legitimately requested from them.

Third, the recognition approach claims to transcend theory and research but also affect social and political practice. So the question arises as to whether and how it can help to design or

implement poverty reduction or poverty alleviation practices and policies. Poverty politics or any public institution cannot provide all that is needed for recognition and this should not be tried if it can be avoided. The recognition approach does not opt for a superstate monster that assigns everyone the right dose of recognition at the right time. But neither does it mean that poverty politics is only about money or the provision of food and shelter and a TV for the free time of unemployment. Poverty is always a systemic failure and sustainable changes for the better of the poor always affect the whole society.

In discussing these three, I aim to show that the recognition approach can in fact be a valuable and important contribution to poverty research, poverty politics and emancipatory social practice. But still many questions concerning the relation between poverty and recognition remain unsolved and need further reasoning. And the recognition approach or recognition-theoretical research will probably not be the single best answer to all questions surrounding poverty.

Keywords: recognition; poverty; misrecognition; moral harm; Axel Honneth

Ann Singleton

‘What is an Academic to Do in the Face of UKBA Rules on Student Monitoring?’

There is a wealth of anecdotal evidence that academics and non-EU students have been increasingly affected by reporting requirements imposed on them by colleges and universities wishing to protect their UKBA licence-holder status. Universities have become increasingly dependent on non-EU fee-paying students and this places them in a compromised position in relation to UKBA rules, which aim to reduce immigration to the UK.

The picture, however, is not uniform across the country. UKBA guidelines appear to be interpreted and implemented unevenly from institution to institution. It is not clear whether the difference in practices reflect the varying degrees of ‘security’ the institutions hold in relation to their ‘grade’ of licence, to variations in local UKBA guidelines, or whether it is attributable to the variance as the guidelines are interpreted by different university administrators. The issue has been brought into focus by the UKBA’s decision, in September 2012, to remove trusted licence holder status from London Metropolitan University. The timing of the removal of the licence was after the 2012-2013 intake cohort of students had arrived in the UK and paid their fees.

The situation involves conflicting policy priorities at national level and highlights ethical dilemmas for academics.

Why is there no effective rebuttal of the intrusion of UKBA rules into the work of academic institutions? Is it because academics are disinterested, feel powerless to resist, that there is general agreement that there is no option, or that the notion of academic independence is now defunct?

Dalija Snieškienė

‘The Relationship between the Social Worker’s Ethical Code and Professional Practice in Social Care Institutions in Lithuania

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In the Soviet era only medical doctors had their code of ethics. Other professions had to follow the Code of ethics of communism builder. Discussions about ethical codes for other professionals as instruments for self regulation and quality security of services started after the reestablishment of independent state in 1990.

The beginning of social work as a profession is 1995, when the first group of social workers was graduated in Lithuania. Social care institutions for children and mentally disabled were developed during Soviet time, but workers in these institutions did not get any special preparation to take care for the people in need. The training of the practitioners who worked in these

institutions started only in 1997. Code of ethics for social work profession was developed in 1998, but articulation of professional values and virtues was important part of education.

The goal of the paper is to present an overview of four studies on how social workers use and interpret code of professional ethics in social care institutions for children and mentally disabled.

R. Domarkaite (2005) findings from her study were developed using quantitative and qualitative methods with social workers in social care institution for mentally disabled. Eighty respondents answered to (21 social worker and 59 assistants of social worker) from 131 distributed questionnaires. Majority of social workers (85 %) were familiar with professional code of ethics and only 50% of assistants' of social worker), majority (81 %) of social workers believed, that rules of institution correspond with professional ethics, and their values correspond to societal values (92%). But only 57 % of social workers' and 83% of assistants of social workers answered, that these service users' have the rights to services. When answering to the closed question social workers expressed strong believe, that they follow the code of ethics, but when began to find the answers to the practical cases, they mentioned code of ethics only in the case with dilemma about confidentiality.

The results of qualitative study (S. Didjurgiene, 2007) about administration of social services in the institution, based on 9 in debt interviews open, that social workers did not talked about code of ethics at all. They pay more attention to their own values and attitudes, than other values.

The results of qualitative study conducted by B. Cibirkaite (2011) at the day care centers, based on 6 semi structural interviews and R. Gapšyte (2010) study at child care institutions, based on 8 semi structural interviews show, that majority of social workers do not pay big attention to the professional code of ethics, and much more follow their own values and organizational or societal believes. These findings could be interpreted as underdeveloped social work profession itself, the continuation of culture of fear and at the same time irresponsibility, low knowledge about Human rights and notion of economization in social services.

Matt Sleat

'Legitimacy in Realist Thought: Between Moralism and Realpolitik'

Realists recognise that individuals disagree just as much about the most fundamental normative questions of politics, such as the just principles of distribution, the limits of freedom and toleration, and so on, as they do moral or religious matters. In such a context of disagreement the first question of politics must be how *any* set of principles or terms can legitimately regulate our shared political association, that is to say have authority over those subject to them. In seeking to develop more realistic criteria for legitimacy, contemporary realism has sought to situate itself between two alternative positions. The first is a form of political moralism which derives the conditions of legitimacy from moral values and principles that are external to and have antecedent authority over the political sphere. Realism, in contrast, wants to give greater autonomy to politics as a discrete sphere of human activity. In doing this, however, it must avoid making politics a fully amoral sphere in which moral judgements and values have no place because that would undercut the possibility of differentiating politics from violence which is required to keep distance between realism and *realpolitik*, by which I mean the reduction of politics to violence by making the *de jure*

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right to rule equivalent to the *de facto* ability to do so. 'Might is right', as the famous slogan goes. Realism attempts to distance itself from *realpolitik* by accepting the centrality of power to politics without reducing politics to power. Its strategy for doing this is to insist that there are normative conditions for legitimacy that distinguish politics from successful domination, though these are not universal but more specific and contextual in both their origin and normativity. Yet in appealing to these normative conditions, realism must avoid collapsing into a form of political moralism. So legitimacy cannot simply depend on the ability to rule, but neither can it be derived from moral conditions that are external to the political. A central question in the research agenda for realist

political thought, therefore, is whether it is possible to develop a stable and compelling theory of legitimacy that occupies this middle ground between *realpolitik* and moralism.

The central aim of this paper is to help develop a realist theory of legitimacy through the question of whether realism can plausibly and consistently occupy this position between moralism and *realpolitik*, focusing most attention on the conditions in which the demand for legitimation arises, the autonomy of the political and the role of morality, and how a realist theory can generate (non-universalist) conditions of legitimacy. Throughout my argument will be that, despite some recent criticisms, this position is both available to realism and a likely fruitful basis upon which to develop a realist alternative. However, through this engagement with moralism and *realpolitik* I also want to highlight the inevitability of what I take to be a necessary limitation of political realism, that political rule demands or requires the use of coercive power that is (at best) imperfectly legitimated. This inherent limitation to realist legitimacy has several important ramifications for the future development of political realism, most notably in blurring the distinction between politics and successful domination that has been at the heart of several contemporary influential realist accounts, and in drawing attention to the fact that judgements regarding legitimacy remain part of the contest of politics and cannot fully escape the relations of power that stand in need of justification. In the end, while realism is significantly different from *realpolitik*, recognising these should remind us of the centrality of power to politics and the moral difficulties imbued in political rule.

Gillian Smith

'Ethics and Social Practice'

In 'Theory, Practice and "Teaching" Professional Ethics', Gideon Calder describes ethics education as 'a process which cannot be reduced to outcomes in some neatly delimited way'. For the professional, gaining an understanding of ethics in practice can enable navigation through the uncertainty in practice; ethics education is not teaching-by-rote a series of rules or right answers for resolving conflicting demands, needs and expectations, or to successfully avoid crisis points. Rather, a grasp of the complexities and subtleties in ethical theory can equip the professional with the ability to respond and adapt by expecting the unexpected in practice, disclosing connections between ethical theory and individual practice experience.

Taking this position as a starting point, this paper draws a link between teaching professional ethics, and reflective practice as continued professional development. Donald Schön describes reflective practice as necessary to bridge the gap between what is tidy in theory and messy in practice. This reflective practice takes the form of reflection-in-action and reflection-on-action. With reference to current models of reflective practice as an unstructured exchange between small groups of professionals laying difficult practice experience open to critical analysis, particularly in the work of Jan Fook and Fiona Gardner, and using examples of ethics education which fit such reflective models, most notably a series of workshops addressing ethical issues in professional practice run by University of Wales, Newport in conjunction with Newport City Council, I argue that teaching ethics can function as a kind of reflection-on-action by drawing out the implicit ethical issues in everyday practice. What is common to both approaches is the provision of space for discussion and the exchange of experiences not limited to a quantifiable

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outcome. Drawing this link brings into focus how it is that these reflective spaces can help to vocalise experience and examine personal action; to acknowledge how much is (unavoidably) unsaid in practice; and to accept anxieties and doubt as part of a continuous practice process. These spaces are maintained by limiting a tick-box learning culture and a top-down mapping of theory onto practice, but also by recognising that effective ethics education is not an isolated classroom experience but an on-going reflective process.

Kai Spiekermann

‘Causal and Moral Additionality for Carbon Offsetting’

States, firms, and individuals can “offset” their greenhouse gas emissions by buying offset certificates, paying for the assurance that a quantified number of emissions will be avoided on their behalf in a suitable emission mitigation project. True offsetting can only be achieved when the mitigation project conducted is “additional”. More precisely, it is required that the mitigation project is the difference-making cause for the relevant emission reductions. Difference-making has two dimensions of tracking: we expect the project to reduce greenhouse gas emissions when it is present (positive tracking), but we also expect that without the project no reduction takes place (negative tracking). The described causal relation must be sufficiently robust, and we must demand that it holds over very long time periods, which is both practically demanding in its implementation and epistemically demanding in its assessment (Anderson 2012). Some authors distinguish between different types of additionality. Bumpus and Liverman (2008, p. 135-6), for instance, mention environmental and economic additionality. The former demands that the greenhouse gas emissions are reduced compared to the baseline, the latter that the project would not have been an attractive investment without the payments for the offset. While the relationship between these various forms of additionality is not entirely clear, progress could be made by distinguishing more carefully between the different counterfactual baseline scenarios and by clarifying reliable methodologies for assessing these counterfactuals.

Apart from clarifying the notion of causal additionality, however, there is a second issue that has attracted much less attention: to endorse the practice of offsetting from a normative perspective, I will argue that we should not only demand that the offsetting project is *causally* additional, we should also demand that it is *morally* additional. Moral additionality requires that there is no other relevant agent who is under a moral obligation to perform the project. Moral additionality is violated if offsetting projects are offered by agents who are themselves both able and morally required to bring about emission reductions, but instead choose to sell these emission reductions as carbon offsets to others.

To see that moral additionality can come apart from causal additionality, consider the following scenario. A profitable chemical company in a developing country producing refrigerants is taking part in an offset scheme, receiving payment for their reduced release of HFC-23, a highly potent greenhouse gas. It may well be correct that the offset is a causal difference maker: the presence of the mitigation project reduces emissions, and the absence would have led to more emissions (across a range of suitable close counterfactual worlds). But it remains an open question whether this company would have been under a moral obligation to reduce their emissions anyhow. Since HFC-23 is a highly potent greenhouse gas, its release will make future suffering and premature deaths more likely, providing (at least) a *pro tanto* reason for not emitting it. In addition, as the existence of the offsetting project reveals, the company has a more costly but certainly feasible way of avoiding these emissions. Under these conditions it is plausible to maintain that the company is under a moral obligation to avoid the HFC-23 emissions themselves. Thus, while the offset is *causally* additional, it is not *morally* additional, and the buyer of the offset discharges his obligation to mitigate by paying for an activity that the offsetting company was already morally obliged to perform anyhow.

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The issue of moral additionality can be applied more generally to non-ideal partial compliance settings whenever a principal instructs an agent to perform morally required (but not agent-relative) obligations on his behalf.

Marc Stears

‘Political Theory and Westminster Politics’

This paper analyses recent efforts on the part of political theorists to contribute to the ideological renewal of the major political parties in Britain. It asks in what circumstances those efforts succeed, what constitutes that success and what lessons, if any, can be learnt for both scholarly and political practice in future.”

Demetris Tillyris

“Learning How Not to be Good”: Machiavelli and the Standard Dirty Hands Thesis’

‘It is necessary to a Prince to learn how not to be good’. This quotation from Machiavelli’s *The Prince* has become the mantra of the contemporary Dirty Hands (DH) Thesis; despite all its infamy, it features rather proudly in most conventional expositions of DH, including Michael Walzer’s seminal analysis. In this paper, I shall register a doubt as to whether the current portrayal of DH - the recognition that in certain tragic circumstances the action-guiding demands of morality and politics part ways so that an innocent course of action is impossible - fully captures the terrifying implications of Machiavelli’s message.

The argument I wish to advance does not involve a mere exercise in the history of political thought. Rather, I want to argue that the standard DH thesis, by virtue of its failure to take Machiavelli’s advice into an earnest consideration, not only fails to live up to its purported capability to grapple the complexity of political ethics but it also collapses to very idealism it seeks to evade. Put bluntly, something is amiss with the current DH perspective.

The paper is divided in three sections, each of which contributes to the general worry I wish to register about the standard DH thesis. In the first section, I suggest that the current conceptual structure of DH is inadequately ‘static’ or ‘episodic’ and makes little sense if situated in the real context of political life. In the second section, I argue that the conceptualization of DH as a paradox of action is not enough - it neglects how moral character enters politics and jeopardizes its existence. Finally, and in conclusion, I surmise that we need to reconsider what it means to have DH in relation to certain on-going practices such as politics.

S. Joshua Thomas

‘We Regret to Inform You That Your Theory of Health has a Pre-existing Condition, or: Biostatistical “Health” and The Ethics of “Evidence”’

Biomedical ethical debates overwhelmingly, if not exclusively, cut at the level of ethical theories and principles. The discipline is characterized by disputes such as which ethical theory is better suited than its competitors to respond to certain biomedical problems, how satisfactorily particular moral principles capture the relevant moral phenomena of a given clinical interaction, the procedural specifics of moral problem-solving in various medical settings, and the like. In other

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words, the debates are all on the side of ethics, albeit applied ethics. What does not get taken up as a focus of debate is the ethical implications for medical practice of our operative theory of health. Despite the sharp differences between the various contenders in ethical theory, they all hold the common assumption that the nature of health is something more or less given, settled, and out of play for ethical examination. Put more pointedly still, most, if not all, bioethical theories take for granted the prevailing biomedical model of health as the governing background assumption characterizing the setting in which their ethical skirmishes play out. But why should this be so? A kind of “back door” bioethics project, this paper aims to demonstrate that the very way in which we conceive of health from the theoretical position ineluctably brings with it significant ethical consequences from the outset, so that our theoretical framing of health is always already an ethical

enterprise with profound moral implications for medical practice and the daily lives of those concerned with living healthily. Applying a Deweyan analysis of the operational and existential nature of ideals, the paper traces out, concretely, how the prevailing biomedical evidence-based ideal operates to engender undesirable – and avoidable – consequences in practice. This analysis suggests that the persistent failure of biomedical ethics to examine the ethical dimensions of the very conception of health itself is an egregious ethical oversight, which it is incumbent upon biomedical ethics to address.

Simon Thompson

‘Hate Speech as a Collective Harm’

There is a vigorous ongoing debate about the legitimacy of hate speech. For some, it is an unpleasant but necessary price to pay in order to ensure that the right to freedom of expression remains effectively protected. For others, there are good reasons to deny at least some acts or types of hate speech the protection given to other forms of expression.

One way of bringing some clarity to this debate is to make a distinction between what consequentialist and non-consequentialist arguments about hate speech. Consequentialist arguments suggest that the normative status of an act depends only on the consequences of that act. Non-consequentialist arguments suggest, by contrast, that an act’s normative status is to be determined solely by assessing its compatibility with justifiable moral norms.

In this paper, I concentrate on the case for rather than against hate speech regulation (although this will inevitably involve some consideration of the case against). In other words, I examine the arguments which may be given for thinking that at least some instances or types of hate speech may be criminalized. And I attend exclusively to the consequentialist reasons which could support the case for regulation. That is to say, I only consider the arguments for regulation which claim that it may be justified in virtue of its consequences.

With these two restrictions in mind, the question that I ask in this paper is this: how convincing a case can be made for the regulation of hate speech on purely consequentialist grounds? My claim is that some acts of hate speech – which do not fall under the remit of other sorts of legislation – may be regulated if they would otherwise contribute to a climate of hatred in which harms to members of specific groups are more likely to occur.

I defend this claim by suggesting that the damaging effects of a climate of hatred are best understood as a type of collective harm. Building on this idea, I go on to argue that hate speakers bear a collective responsibility for the creation and maintenance of that climate. I then suggest that a collective harm principle provides the right normative guidance when deciding how to enforce that collective responsibility.

Cristian Timmermann

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‘Gradual Improvements or Structural Reforms: Different Strategies to Align Intellectual Property Regimes for Sustainable Development’

A wide range of proposals to alleviate the negative effects of intellectual property (IP) regimes is currently under discussion. In some of them a radical restructure of the way innovations are incentivized is plead for. Many groups however have taken the task of drafting proposals that make wide concessions in order to be politically feasible – Thomas Pogge’s Health Impact Fund a well-known and heavily criticized example. While the Universal Declaration of Human Rights clearly states that human rights should be secured progressively and not independently, some objects secured by human rights are more willingly given up than others. Lowering the global disease burden is a priority target in most of the proposals currently under discussion, while other

fundamental interests, like the right to participate in the advancement of science and a democratic establishment of research agendas are often seen as targets that can be set aside. As a consequence, contributive justice and the right to self-determination are suddenly undermined and perceived as an impediment to secure wider access to essential medicines.

Intellectual property can conflict with human rights in multiple ways. However patent holders have considerable liberty in how to license out their inventions; responsible licensing behaviour can reduce harm significantly. Despite this, some conflicts are unavoidable, especially when there are no alternatives to an invention, or when people are dependent on the research output and postponed access has a catastrophic result. Economic incentives are often at odds with a more democratic drafting of research agendas or generally with keeping scientific enterprises more open.

After identifying the different concessions five major proposals to alleviate the negative effects of IP make, I will describe the main arguments made to support such a decision. Here it becomes important to distinguish between the different ways a human right is violated, ignored or demoted. While some parties would only consider deliberate interventions to qualify as a human rights violation, other groups aim at eliminating any impediments for people to enjoy the freedoms guaranteed by human rights law. Restraints that discourage people to enjoy some rights due to high avertable risks or simply just demotivate in pursuing certain freedoms due to the excessive undeserved advantage others enjoy, should according to the latter be removed. To finalize, having shown which rights those concessions violate, I will rank them according to three different criteria: basic needs, the human rights framework and the rights of future generations.

Luca J. Uberti

‘Good and Bad Idealizations in Political Theory’

This article criticizes Laura Valentini’s criterion for distinguishing good and bad idealizations in normative political theory. I argue that, on an attentive reading of her criterion, all ideal theories she discusses must be written off as incorporating bad idealizations. This fact makes Valentini’s criterion trivially implausible, for it is argued that there are good idealizations that succeed in promoting the action-guiding goal of ideal-theory. Upon rejecting an attempt to salvage the idealizations that Valentini marks off as bad, I develop an alternative criterion for demarcating good and bad idealizations. The criterion holds that the standing of a theory’s idealized assumptions depends on whether the stipulated idealizations can be feasibly realized in the non-ideal world, and thus on whether the principles that the theory generates can be made relevant for real-world practice. I also claim that the feasibility criterion better reflects the function of idealization in promoting action-guidance. Unlike Valentini’s criterion, the feasibility criterion yields the result that both Rawls’ theory of domestic and international justice incorporate bad idealizations.

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Keywords: Idea/Non-ideal Theory, Idealization, Action-Guidance, Methodology, Rawls

Sridhar Venkatapuram

‘Global Health Justice and International Economics’

Positions taken regarding global justice can be understood as being on a spectrum. At one extreme, there is the position that there is and cannot be such a thing as global justice as there is no overarching institution capable of consistent enforcement of rights and obligations across national borders. And implicit in such a position is that justice exists only within national borders where

there is a putative agreement of rules of social cooperation. On the other side of the spectrum is the cosmopolitan position that national borders have no moral significance, and all living human beings have equal moral worth, with the same moral rights and responsibilities. Against this background spectrum of positions, global health inequalities, particularly the inequalities in life expectancies across countries, have motivated increased amount of interest in global justice mostly as an easy entry point, and sometimes, as the most important issue in global justice. Those who are aware of the social determinants of health literature are leagues ahead of those who still are still working with the understanding that health justice means healthcare justice. In this paper, I direct my discussion toward those who are familiar with the social determinants of health literature. I will argue that social determinants of health research is not new, and it has been undertaken for decades outside of epidemiology for decades. And the most important research about social determinants of health outside of epidemiology comes from development economics. While most of this literature is about socio-economic policies within countries, I will highlight a glaring lack of supra-national economics (international economics) research related to health. For example, in the burgeoning literature on trade and health, there is a growing understanding how trade (imports and exports) affects the health of domestic populations. However, there is very little literature on how a trans-national economic actor impacts health in different countries. As a result, there is little evidence to show the harms of an international economic actor. This lack of evidence of causation of harm stands in stark contrast to the more easily ascertainable evidence of increases in capital or GDP through economic activity. I will then argue--based on my previous argument for every human being's moral right to the capability to be healthy--for the moral obligation for doing international economics research on health harms.

Elizabeth Victor and Laura Guidry-Grimes

‘The Persistence of Agency through Social Institutions and Caring for Future Generations’

Philosophical accounts of duties to future generations have traditionally attempted to justify duties from the perspective of the future generations on the receiving end of our current actions; that is, they take a recipient-oriented perspective. We contend that we do in fact have these duties, but our standpoint is that of current moral agents—not future ones. Our focus in this paper is twofold. First, by showing how Michael Bratman's theory of planning agency is compatible with a theory of relational autonomy, we aim to lay out the groundwork for understanding the role of intentions and plans in the self-governance of relationally autonomous agents. Second, we aim to establish that we have obligations to future people that are similar in kind to obligations we have to current people. In this way, our account begins to fill out the story of responsibility to future generations without referring to sets of nonexistent persons, but rather only to ourselves, our practical identities, and practical reason.

Modifying Michael Bratman's account of intentions and planning theory of agency, we argue that current moral agents, *as planning agents*, must plan for the future to act practically in the present. Moreover, understanding *ourselves* as relationally autonomous implies that those

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plans for the future will involve building affiliative bonds and caring for others, both of which will require a deep recognition of the limitations of our social situatedness. Because of these bonds, coherent intentions will often reflect other-regarding concern. If we collectively would not endorse policies that would cause great harm to currently existing people, then it would be inconsistent for us, as planning agents, to institute policies through our social institutions that will have these effects for future people. Practical reason demands that we not be blatantly inconsistent in our plans; intending harms for the future that we would not intend for ourselves undermines our planning agency.

We conclude by grounding responsibility to future others by the way we *program* our social institutions. Social institutions are made up of different collectives that help to coordinate between individuals and social groups to solve distribution problems, supply goods and services, and enable

individuals to live fulfilling lives. Additionally, the collectives that make up social institutions are a fundamental part of the process of socialization, which define in part the major social structures that function to normalize behaviors and, consequently, act as a structuring process in our ability to be autonomous agents. Social institutions as such perpetuate our collectively endorsed joint-intentions, and these intentions must be coherent and consistent if we reason practically as planning agents. Given the constraints on practical reasoning, our intentions for future generations should not contradict our intentions for current generations. We explore several contemporary bioethics examples to elucidate our account, including one ethical aspect of the human germ-line genetic modification (HGGM) debate and the social security policy debate in the United States.

Keywords: Identity, Agency, Future Generations

Kalle Videnoja

‘The Contestation of What?’

Liberalism is the prevailing ideology in western conception of law, politics and economy. The liberal principles of individual freedom and rationality are seen as universal. Yet, liberalism goes not uncontested. This paper is limited to agonistic critique of liberalism. Such criticism stresses the conflictual nature of all politics. According to these arguments, liberal values are not universal but a product of an hegemonic ideological power. That is, if one places a legal system into its political background of liberal democracy, law can be seen but as a vehicle for bringing hegemonic norms into force.

Agonism views the concepts of justice, liberty, human wellbeing, or equality, as always essentially contested ones. People can never arrive at a conclusive meaning of such concepts. According the agonistic critique, liberalism fails to perceive that the universal norms it puts forward are but a manifestation of hegemonic ideological power. Agonism is both, a descriptive and a normative project. It, however, falls short on descriptive power. Also, as a normative project agonism falls into a contradiction with its own point of departure. In epistemological absence of any natural law, agonist idea of law must ascribe to a purely positivist understanding of law. Yet, as normative doctrine, pluralism is understood, in agonistic view, not only as an empirical matter of fact but also as a normative concept. In practice this means that agonistic legal order ought be sensitive to legal pluralism. The normative goal of agonism is to turn enmity and antagonism into political adversary and agonism. In this sense, agonism vindicates an ethically substantial, not just positivist, understanding of law. As a relational concept, agonism necessitates a minimum-universalist ethical or rational standpoint, the possibility of which is something agonism was questioning in the first place.

Agonism’s internal contradiction can, though, be resolved through pragmatic analysis of law’s rhetoric. Agonistic critique is directed against and, thus, always embedded in a liberal paradigm. I’ll be using a conceptual distinction between concept and conception in order to analyse the rhetoric of agonism within a liberal paradigm. Even though agonism fails in providing a new

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perspective on baselines for law and politics, agonistic critique is, as a rhetorical device, able to contest some thick evaluative concepts, and liberal conceptions, providing new understanding on underlying premises of liberal ethos.

Daniel Weinstock

‘Social Determinants of Health and Distributive Justice’

In this paper I build on work done previously in order to determine strategies that might integrate the social determinants of health thesis into theories of distributive justice while avoiding two

extremes. The first extreme, which I call SDH absolutism, would make the distribution of all goods largely or exclusively dependent upon their impact upon health, The second, which I will call SDH immunisation, would immunize theories of distributive justice from the SDH thesis in one of two ways. Either, as in Michael Walzer's work, by considering that goods should be distributed according to the meanings they have in particular cultures, or, as in the work of many contemporary theorists, by pitching the distributandum of theories of distributive justice at such a level of abstraction that they become immune to the integration of the empirical claims at the basis of the SDH program. I will consider the capabilities approach as one possible way of solving the conundrum, but will find it lacking because it fails to deliver a workable conception of health upon which to build an overall theory of justice that is sensitive, but not reducible to, duly circumscribed health considerations. As a way forward, I will consider the kind of health-specific hypothetical contractarian device developed by Ronald Dworkin in *Sovereign Justice*.

Dagmar Wilhelm

‘The Myth of National Solidarity – Towards a Critical Theory Conception of Social Solidarity’

Nationalist philosophers and politicians often conceive of the special bond between citizens and the special duties they have towards each other in terms of “national solidarity”. Solidarity is then seen to be in conflict with cosmopolitanism. Focusing on social rather than institutionalised solidarity and drawing on historical analyses of the origin of the ideal of solidarity, paradigm cases of social solidarity and some conceptual clarifications (of the attitudes, goals and moral obligations incurred), I will argue that the values and demands underlying the concept of solidarity are not compatible with “national solidarity”. National solidarity is shown to be a myth (in the Critical Theory sense of the notion). Solidarity “proper”, on the other hand, plays an important emancipatory role in political life but is only possible within a theoretical framework of cosmopolitan values.

The paper consists of two parts. Part one will argue that social solidarity is only possible from a normative standpoint, i.e. there cannot be a political realist grounding for social solidarity (as opposed to institutionalised solidarity which can have and often has realist underpinnings). In doing so, the kind of normative basis involved will be clarified, and I will examine what implications the normative aspects of solidarity have for the practice of solidarity (using Axel Honneth’s brief account of consumer solidarity as example). The second part will apply the conceptual findings to the notion of “national solidarity” and revisit the apparent tension between solidarity and cosmopolitan values, such as universality, equality and autonomy. In the end a concept of social solidarity will have emerged that meets explanatory demands by accounting for actual cases of solidarity but that is also normatively and practically informative.

Fabio Wolkenstein

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‘Mobilising Passion towards Democratic Designs: Parties and Partisanship in Democratic Disagreement’

Pluralism, be it of values, perspectives, or ethnic groups, is often said to be a key feature of the post-industrial societies we inhabit. Political theorists who are committed to democratic self-rule in a pluralist age provide us with different normative propositions, notably deliberative democracy and agonistic pluralism. At the heart of both deliberative and agonistic theories of democracy seems to be a commitment to the liberal-democratic ideals of liberty and equality. While deliberative democratic theories often argue that all human beings are free and equal as reason-giving, reason-demanding, and reason-deserving beings, Chantal Mouffe emphasises that a ‘certain amount of consensus’ on the values of liberty and equality is required to transform enemies

into legitimate adversaries. If a minimal condition of democratic contestation in pluralist societies is an (however conflictual) agreement on the validity of these principles, from what channels can such agreement be expected to flow? It is the purpose of this paper to make a modest suggestion regarding the role of political parties in fostering a positive conviction of the ideals at stake among the citizens of a given polity. It takes a compound perspective on democratic disagreement, avoiding both the reason-centred social ontology of deliberative theories and the seemingly unquestioned celebration of political identities suggested by agonistic pluralists. Rather, the paper advances an ideal-typical understanding of political parties as cross-temporal political projects that are underpinned by a specific interpretation of the *common good*, which involves defined goals that deserve to be pursued, inspired by a preferably *equal* consideration of values and interests, aiming to benefit *all* members of the political community. Allegiance to these principles implies a sensitivity to the normative force of liberty and equality, maintained by *party identification* and partisan commitment. Likewise, this sensitivity can be strengthened through partisan *narrativity* and the ‘grammar’ of partisanship. Communicating principles, argues the paper, is a narrative act, rather than a matter of reason-based persuasion; one that is perhaps more strongly linked to the immediacy of personal experience than grounded in abstract ideas. Identifying these grounds of ethical partisanship has the happy effect of reorienting the way we think about democracy toward the conditions of everyday democratic practice, thereby showing the productive functions parties, properly conceived, can perform in fostering allegiance to the principles of liberty and equality. Thus, concludes the paper, parties and partisanship are not only fundamentally compatible with democratic self-rule in a pluralist age, they are indispensable to it.