

Risky Ethics

Week 8: Risk as a Harm

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Overview.

We can morally object to actions which impose a risk of harm on individuals for a variety of reasons. One objection is that the imposition of a risk of harm is itself a harm – this claim is sometimes called the *Risk Harm Thesis* or the *Harm Thesis*. Thomas Rowe argues that on either an objective or subjective understanding of probability, a risk of a harm cannot be a harm itself (2021). H. Orri Stefánsson responds to Rowe by demonstrating that his argument against the Harm Thesis fails if we adopt a plausible third account of probability (2024). Kritika Maheshwari argues that both preference and interest based justifications of the Harm Thesis fail (2021).

Thomas Rowe on Objective Risks and Subjective Risks

1. What are *pure risks* and what reasons might we have to find imposing pure risk ethically objectionable?
2. What is the *Risk Harm Thesis* (RHT)? Why is it significant?
3. Let's remind ourselves, what is the distinction between *subjective* and *objective* accounts of probability? Are there different subjective and objective accounts one might wish to adopt?
4. What is Joel Feinberg's account of harm? What is the distinction between *welfare* and *ulterior interests* that he draws? To which does RHT apply?
5. What is John Oberdiek's subjective account? How does it connect to Joseph Raz's account of autonomy?
6. What is the *Interference Objection* and the *Russian Roulette Aggressor* case? Rowe claims that "a subjectively imposed risk is unable to set back an agent's interests because a mere subjective risk of harm cannot itself interfere with the interests of the victim in order to set these interests back" (p. 697). What does he mean by this? What responses are available?
7. What is Clair Finkelstein's objective risk account? How does risk of a harm constitute a harm on Finkelstein's account?

8. What is *Deadly Bingo* used to show? What is the *Timing Objection*?

H. Orri Stefánsson's response

9. Under what conditions does Stefánsson agree that Rowe's two arguments work well? What is the alternative account of probabilities that Stefánsson suggests undermines his argument?

10. How does the ideal reasoner account of probability undermine the *Interference Objection*?

11. How does the account fare against the *Timing Objection*? Why is it that, on this account, if a perfect predictor could predict number 13 was not going to be drawn, then Adam faced no objective risk?

Kritika Maheshwari on the Constitutive Claim

12. What is the *Constitutive Claim*? How does it compare to the *Contingent Claim*?

13. With respect to Finkelstein's preference-satisfaction account, the frustration of which two preferences are candidates for what makes risk constitutively harmful?

14. What problems does Maheshwari suggest for the first of these candidates? How many of these problems are problems for preference-satisfactions accounts themselves?

15. What problems does Maheshwari suggest from the second of these candidates?

16. How does Maheshwari contrast *interests* with *preferences*? Is this plausible?

17. Why does Maheshwari believe that autonomy – in Raz's sense – is not a welfare interest? Why does autonomy, understood in a Razian sense, undermine Oberdiek's proposal?

18. What are Maheshwari's larger criticisms about relying on autonomy in a justification for the *Constitutive Claim*?