

Risky Ethics

Week 4: Contractualism

Emma J. Curran

Overview.

T.M. Scanlon's contractualism is a popular non-consequentialist moral theory. It, however, faces a range of problem when applied to decision-making under risk. Recent debates have centred around whether contractualists ought to adopt an ex-ante or ex-post assessment of complaints under risk. Johann Frick (2015) shows that ex-post contractualism is overly risk sensitive, whilst Mike Otsuka demonstrates that ex-ante contractualism is insensitive to the moral importance of knowing *someone* will die, even if we don't know who it might be (2015).

Contractualism

1. What is Scanlon's contractualism? Under what conditions are actions right?
2. What does it mean to 'reasonably reject' a principle? What is the 'greater burden principle'?
3. What are the two restrictions made use of in Scanlon's contractualism? What are the justifications for each?

Johann Frick's Argument

4. What are the four features of the 'social risk' cases that Frick discusses? (p.178-9)
5. What does Frick mean by 'probability' and 'chance'? What is their relationship to 'credence' and 'rationality'? (p.182)
6. What is the "Argument from Irrelevant Information" that supports ex-post views?
7. What is the "Argument from the Single-Person Case" for ex-ante contractualism? (pp. 187-88) How does it differ from Harsanyi's veil of ignorance argument for utilitarianism?
8. What is Mass Vaccination (Knowable)? What does Frick claim is ex-ante contractualism's assessment of this case?
9. What are the three arguments Frick considers for the claim that lack of knowledge of the identities of the luckless children is morally irrelevant (pp. 195-201).
10. What is Scanlon's concern about ex-ante contractualism? How does the decomposition test apparently overcome it?
11. What are statistical victims? What does Frick say about them?

Mike Otsuka and Discounting

12. Why does Otsuka believe we should Sacrifice Known Limb over Sacrifice Unknown Life (dust)? How does Otsuka's view of objective and epistemic probability differ from Frick's?
13. How does Sacrifice Unknown Life (dust) differ from Sacrifice Unknown Life (wheel)? How does Otsuka believe we should treat them differently? To what extent should we prefer one over the other?
14. In what way does Otsuka believe we should treat Sacrifice Unknown Life (dust) and (wheel) similarly? What are his reasons for believing this?
15. What is the open-counterfactual objection that Otsuka considers? How does he respond to it?
16. Consider the following case. According to Otsuka, what are the ex-ante and ex-post claims for each option?

Dose Distribution. We have five doses of medicine for a deadly disease. Bernard has the disease. If we give him the medicine, he will almost certainly recover to full health, if we do not give him the medicine, he will almost certainly die. Caspar, Donald, Elizabeth, Frances, and Gerald are each at a one-in-five risk of developing the disease. We can vaccinate each of the five against the disease using one dose of the medicine, making it such that no one will develop the disease. How do we distribute the medicine doses?

- (a) How do the complaints change if we know that exactly one of the five will develop the disease?
 - (b) How do the complaints change if we know that there is a 0.6 probability that exactly one of the five will develop the disease?
17. How does discounting by the improbability of the complaint occurring help us overcome the problem of social risk?

Further Tie-Breakers

18. What are the two types of prevention paradoxes that John describes (2014)? What is the ex-ante assessment of them?
19. Why might ex-post theories be better positioned to value the interests of those in the future?

-