Second Paper & Presentation Instructions

1. Assignment: Write an essay of 2400-3600 words (~8-12 pages), on some topic from the second or third unit of this course.

(You will also deliver a 15 minute presentation of your paper to the class before the final draft is due, and give feedback to each of your classmates on their own paper presentation.)

2. Due Dates: *Part one: The in-class presentation:* First, you will present your paper in class, during your assigned time slot, between Friday 11/14 and Friday 11/21. (Note: You should also have a completed rough draft of your paper before this time.)

Part two: Peer feedback: You will then provide feedback to each of your classmates on their paper presentations. Ideally, you will do this immediately after each presentation. But, all feedback is due no later than 11:59pm on Monday, 12/1. (These comments will hopefully be of some use to you as you improve and revise your paper for submission.)

Part three: The paper: The final paper is due on Friday, 12/5, at noon. By that time, please upload your paper to Blackboard. (Click *PHIL 403* → *Assignments* → *Paper #2* → Scroll to *Assignment Submission*, and click *Browse My Computer*)

3. Late Penalty: Late papers will be penalized. A paper turned in by 11:59pm on 12/12 receives –10 points (out of 100), and –2 points for each additional 24 hour period.

4. Paper Topic: You may select any thesis you like. The only requirement is that it must deal with some issue from unit two (i.e., the DDA) or unit three (i.e., the DDE). (Of course, it should go without saying that, as a philosophy paper, it must be an *argumentative* paper where you attempt to *persuade* your reader to adopt some position; e.g., defend or refute some view or argument, or offer a solution to some problem, etc.). I encourage you to discuss your thesis with me during office hours, well in advance of your class presentation. (*Note: I offer some suggested topics at the end of this document.*)

5. The Presentations: During your assigned time slot, you will deliver a 15 minute presentation of your paper to the class. You should plan to spend roughly 8-10 minutes presenting your topic, thesis, arguments, objections, etc. The remaining time will then be devoted to audience Q&A. This presentation will constitute 8% of your final grade, which will be based on my assessment of the following three things:

- Clarity

  Your presentation should be as clear and organized as possible. Your audience should be left with a clear understanding of the topic which you intend to write on, your thesis, as well as the major objections, solutions, etc. that you plan to write about.

- Preparedness

  It should be apparent that you have given considerable thought to your paper in advance. Though your paper is still in rough draft form at this stage, make sure that it is not *too* rough. There should be evidence that you have already worked out your objections, solutions, etc., and have become immersed enough in this topic that you can easily respond to questions from the audience, and so on.

- Content

  Finally, a portion of your grade will be based on the actual content of your paper. Have you sufficiently *motivated* the issue that you plan to write about it? (i.e., Why should we care about this issue? Why should I, as a reader, give you a few hours of my life to read what you have to say?) Is your thesis *interesting*? Does it contain elements of *originality*? And, most importantly, is your argument for that thesis *clear* and *persuasive*?

Once again, I strongly encourage you to **practice your talk out loud, in advance**. Ten minutes is NOT a lot of time. Try to boil down your thesis and its defense to only the most essential, easily-digestible elements, and practice just presenting those. (Be sure to time yourself as you do.) Then, based on your time, add or subtract material as needed.

6. Presentation Feedback: For each of the other presentations, you will provide some feedback to your classmates on their presentations. To do this, visit Blackboard. (Click on *PHIL 403* → Then click the link for *Discussion Board (Presentations)* → At the Discussion Board, now select the presentation you wish to comment on; #1, #2, etc.)

At minimum, you must post **at least one comment** (providing thoughtful constructive criticism and/or feedback) **for every presentation** other than your own. But, ideally, you will even enter into a *discussion* with your classmates, spanning multiple comments.

Here are some suggestions:

- Evaluate the presentation's content and provide some constructive criticism. For instance: Was their thesis (or their replies to objections, etc.) *clear* and *persuasive*? Was it *well-motivated*? i.e., was it clear that this is an issue that we, as readers, should care about? (Why or why not? Support your evaluation.)
- Do you have any suggestions for improvement? For example, do you have any ideas about how your classmate might refine one of their examples, or more persuasively reply to some objection? Perhaps there was some portion of their thesis that was under-developed, for which you have a suggestion about how to develop it more carefully?
- Is there some issue that you think should have been addressed, which was not addressed? Or perhaps something WAS addressed that seemed irrelevant to the main thesis? Etc. Discuss that.
- You may also consider providing your own brief summary of your classmate's presentation, from your perspective. What was their thesis? How do they plan to argue for this thesis? And so on. (It can sometimes be very helpful to read someone else's summary of your own work. It can give you a sense of which points stuck out to your audience (and which ones did not), and of whether or not you were understood correctly, etc.)

You get the idea. In short, you are trying to *help* your classmates to write a better paper, to get a better grade on it, and to generally become better philosophers. And, in return for all your effort, you will get 15 sets of help and feedback on YOUR paper, to help you do the same. What a deal!

Your online peer feedback will constitute 4% of your final grade.

7. Grading Rubric: As with the first paper, for the final paper, I will again be looking for three things when I assign grades: (1) Clarity, (2) Critical Reasoning, and (3) Originality.

8. Academic Dishonesty: Also in accordance with the first paper guidelines, any student caught cheating or plagiarizing will automatically receive an F for the course.

(*Note: On the following pages, I have provided some suggestions for paper topics.*)

PHIL 403: Final Paper Topic Suggestions

(1) Examine and Assess Foot's Account of Doing and Allowing

Philippa Foot proposed that the metaphysical distinction between doing and allowing is (roughly) the following: **Doing harm is either initiating a harmful sequence or sustaining a pre-existing harmful sequence**.

Warren Quinn proposed his **Freeze** case as a counter-example to Foot's proposal. (A case where you regularly re-fuel your elderly neighbor's heater in the winter, but on this particular day go rushing off to save five people, and your neighbor freezes to death.) Quinn thinks it is clear that you merely allow your neighbor to die here, but that Foot's account entails that you kill him, since you initiate a harmful sequence.

Jeff McMahan also objects to Foot's view – on the grounds that it entails that you merely allow the victims to die in his **Respirator** and **Burning Building** cases, though intuitively they are both instances of *doing* harm. (Recall that, in Respirator, an enemy sneaks into a hospital and pulls the plug on someone's life-supporting ventilator. In Burning Building, an enemy removes a life-saving safety net just as someone is jumping from a burning building.)

One might also worry that Foot's account does not entail that you DO harm to the one in Trolley Switch by pulling the switch – since, by pulling the switch, you neither initiate nor sustain a harmful sequence, but rather merely *re-direct* a pre-existing harmful sequence.

Another worry is as follows: Imagine that someone is standing on a trap door above a pit of crocodiles. If you release the trap door so that the person falls to their death, are you merely allowing a "pre-existing harmful sequence" (namely, gravity) to play out? If so, does Foot's view really entail that you are merely LETTING this person die, rather than killing them? [*One should note here that Fiona Woollard, anticipating this sort of concern, interprets Foot's view as follows: You DO cause harm in this case, since the so-called "pre-existing fatal sequence" had entirely come to a halt. Thus, by releasing the floor underneath the victim, you really do initiate a harmful sequence. However, in that case, one wonders whether this re-interpretation of Foot is subject to NEW worries. For instance, in Thomson's Violinist case, hasn't the violinist's death by kidney failure "come to a halt"? So, by unplugging from him, aren't you KILLING him according to this Woollard-interpretation of Foot? See footnote of my lecture notes on McMahan for a discussion.*]

Examine and assess Foot's analysis of doing and allowing in light of any or all of the sorts of worries raised above. Does Foot's proposal succeed? Why or why not?

(2) Examine and Assess Bennett's Account of Doing and Allowing

Jonathan Bennett proposed that the metaphysical distinction between doing and allowing is (roughly) as follows: **One *does* harm at time t whenever nearly every description of the ways that they could have acted just before time t DO NOT entail that the harm occurs.** (And one merely *allows* harm whenever nearly every description DOES entail that the harm occurs.)

Bennett himself acknowledged that many believed that his account delivered mistaken verdicts in the following cases:

Immobility: Henry is in a room with a motion detector, which is connected to a bomb's detonator. If he remains perfectly still, in ten minutes a bomb in another room will go off, killing five people. If motion is detected at any time during those 10 minutes, the bomb will not go off. He remains perfectly still. The bomb explodes and five people die.

(Bennett's account entails that Henry *kills* the five by remaining motionless, but some may feel that he merely *lets* them die.)

Kick: A car is rolling toward a cliff with someone trapped inside of it. There is a rock on the ground which will halt the car from rolling all the way to the cliff, but you kick it away. The car goes off of the cliff and the person inside dies.

(Bennett's account entails that you kill the one inside the car, but some may feel that you merely *let* them die.)

Cancel: Your banker mistakenly thinks that you wanted $10,000 to be withdrawn from your account and sent to famine relief. They've already drawn up the check and are about to mail it. You stop them before they reach the mailbox and prevent them from mailing it.

(Bennett's account seems to entail that you *kill* some famine-stricken people, though intuitively you merely let them die.)

But, there are some additional interesting problematic cases too. Warren Quinn offers the following:

Reverse Immobility: Like Immobility, but this time the bomb will only go off if it DOES detect motion. Henry purposely waves his hand to make the bomb go off. Five people die.

(Bennett's account entails that Henry merely lets the five die in this case, though intuitively he has killed them.)

Frances Howard-Snyder raises the following case (in his 2002, "Doing vs. Allowing" – from his and Woollard's SEP entry here):

A. Sassan: Sassan is preparing to assassinate Victor. Unbeknownst to Sassan, Baxter is watching him from another rooftop. If Sassan fails to kill Victor, Baxter will do the job instead. But, Sassan does shoot Victor, so Baxter never fires a shot.

(Bennett's account seems to entail that Sassan merely *lets* Victor die, though intuitively Sassan has killed him.)

Can Bennett's account be salvaged? Perhaps modified in some way so as to avoid these objections? Examine and assess his account of doing vs. allowing.

(3) Assessing Some Other Author from Unit Two

The above are just a couple of examples. You might also present and assess any of the other authors from that unit – e.g., Quinn's DDA, McMahan's account of withdrawing aid, or Vance's account of strong vs. weak allowing, and so on.

(4) Offer a Solution to the Problem of Closeness

The Sophisticated Terror Bomber might try to claim that he only intends to make the civilians **appear dead**, and that he intends to accomplish this goal by blowing them to bits. Of course, he knows that blowing them to bits will cause them to die. But, so he claims, he does not *intend* their deaths. If they somehow came back to life months after being blown to bits, the terror bomber would be quite happy. Therefore, their deaths were merely a foreseen side-effect of achieving his goal.

Philippa Foot says that blowing someone to bits is "too close" to that person's death for one to plausibly claim that they intend the one but not the other. Essentially, she's proposing that:

Closeness: If an agent intends A, and A is "too close" to B, then they also intend B.

But what does it mean for two events to be "too close"? Offer your own account of closeness that successfully prevents the Sophisticated Terror Bomber from being able to say that he does not intend any harm. (But, keep in mind that your account of closeness should not be SO strong that it *also* prevents the *Strategic* Bomber from being able to claim that he does *not* intend any civilian casualties.)

Alternatively: Examine and assess *Fitzpatrick's* solution to the problem of closeness. Recall that Fitzpatrick argues that closeness is **constitution**. Namely, if you intend A (e.g., blowing some people to bits), and A *constitutes* B (e.g., the deaths of those civilians; and it does seem that blowing someone to bits *constitutes* their deaths), then you also intend B. Does Fitzpatrick's proposal succeed? Why or why not?

(5) Examine and Assess Quinn's Modified Doctrine of Double-Effect

In order to avoid the problem of closeness, Quinn rejects the traditional DDE in favor of a modified version, which states, roughly:

Quinn's DDE(R) – It is much worse, morally, to **deliberately involve someone in a harmful scenario** than it is to cause the same amount of harm in a way that does NOT deliberately involve them in a harmful scenario.

For instance, the Sophisticated Terror Bomber may claim that he merely intends to blow the civilians to bits, but that he does not intend to harm them. However, this attempt to evade the conclusion that he intends to harm them doesn't work on Quinn's version of the DDE. For, on Quinn's version, the terror bomber still deliberately intends to involve the civilians in a scenario (namely, making them appear dead by blowing them to bits) which harms them. Therefore, Quinn's DDE(R) entails that even the *Sophisticated* Terror Bomber intends to harm the civilians. Problem of closeness *solved*!!

However, David Lewis presents a potential problem case for Quinn's DDE(R). Call it the **Very Sophisticated Terror Bomber**, where a terror bomber only needs to explode some bombs a few hundred feet above a town, so that it appears from a distance as if the bombs have been detonated within the town itself. (See footnote 6 of the Quinn reading.) Alternatively, Fitzpatrick offers a version (on pg. 612), which we might call **Terror Bomber (Civilians Returned)**, where a bomber plans to bomb an EMPTY town in order to demoralize the enemy (who doesn't realize that the town is empty) into surrender. However, at the last minute, the population of civilians returns. The bomber drops the bombs anyway, killing everyone in the town.

Both the VERY sophisticated terror bomber, as well as Fitzpatrick's "civilians returned" bomber, can claim that they don't deliberately involve the civilians in a harmful event! So, it seems that Quinn's DDE(R) entails that they do NOT intentionally harm the civilians. Yet, intuitively, we want to say that both of these bombers DO intentionally harm civilians. Quinn replies that his view DOES entail that the VSTB intends to harm the civilians. Yet, it is difficult to see how this could be the case.

Examine and assess Quinn's DDE(R). Can it successfully avoid the difficulties raised by the Very Sophisticated Terror Bomber case, or Fitzpatrick's Civilians Returned case?

You may also wish to consider the following objection, from Kaila Draper (from her book, *War and Individual Rights*, 2015):

Trolley (Large Man in Vehicle): There is a trolley headed toward five people. The only way to stop it is to push a small car in front of the trolley. Unfortunately, there is one large man trapped inside of it. By itself, the weight and bulk of the car would have been enough to stop the trolley without anyone inside of it. You push it in front of the trolley. The car is totaled (killing the man inside), but the five are saved.

Here, it seems that you do NOT deliberately involve the large man in a harmful event. (Right??) And yet it seems odd to think that killing him in this case is not morally equivalent to killing him in the original Footbridge case.

[Note that Trolley (Large Man in Vehicle) *also* seems to be a problem for the traditional DDE, since it seems that you do not intend harm to the man inside of the car as a means to an end, but rather, merely foresee that he will die as a side-effect of rolling the car in front of the trolley.]

(6) Examine and Assess Thomson's Alternative to the DDE

Intuitively, there is a moral difference between Organ Harvest and Trolley Switch. Namely, it is morally wrong to kill one to save five in the first case, but not in the second. Many propose that the explanation for this difference is the Doctrine of Double Effect: In Organ Harvest, you are intentionally harming the one innocent patient as a means to saving the five. But, in Trolley Switch, you are not. But, Thomson rejects this explanation due to apparent counter-examples such as Looping Trolley (where the DDE entails that it would be wrong to kill the one to save five, though intuitively it is *not* wrong).

Instead, Thomson argues that it is only morally permissible to kill one to save five in cases where one **makes a pre-existing threat harm fewer rather than more**. For instance, in both Trolley Switch and Looping Trolley, there is a pre-existing threat (namely, the trolley), which you re-direct from five onto one. Meanwhile, in Organ Harvest, by killing the one innocent patient you generate a *new* threat. This is impermissible.

Unfortunately, Trolley Footbridge presents a major complication for Thomson here. For, it seems as if, by pushing the large man off of the footbridge in front of the oncoming trolley, you are ALSO merely making it such that a pre-existing threat harms fewer rather than more – so pushing him is therefore apparently permissible, according to Thomson's proposal. (Yet, intuitively it is *impermissible* to push him.) Thomson then takes great pains to explain the wrongness of pushing the large man—appealing to rights violations in order to reach the desired verdict.

Examine and assess Thomson's proposal. (Note: If you choose this topic, I would recommend, in addition to the assigned 1985 paper, also reading her original 1976 paper, "Killing, Letting Die, and the Trolley Problem".)

(7) Examine and Assess Kamm's Doctrine of Triple-Effect

Like Thomson, Kamm also grapples with the fact that the DDE seemed like a promising explanation of the moral difference between cases like Organ Harvest and Trolley Switch… until the Looping Trolley case came along.

Kamm argues that a modified Doctrine of Double-Effect (which she calls the Doctrine of **Triple** Effect) achieves the desired verdicts: namely, it entails that one acts wrongly by killing the one to save five in cases like Organ Harvest and Trolley Footbridge, but not in Trolley Switch or Looping Trolley.

Michael Otsuka argues that Kamm's argument fails to render one's killing of the one in Looping Trolley as non-intentional. He does so by identifying what he sees as an important moral difference between cases like, on the one hand, Kamm's Party case and his **Six-Behind-One** case, and, on the other hand, cases like Looping Trolley. Namely, in the former cases, one can still achieve your primary goal without using anyone as a means to an end, while in Looping Trolley, you cannot.

Examine and assess Kamm's Doctrine of Triple Effect. Does it succeed in achieving its purpose? Why or why not?

(8) Examine and Assess Thomson's Turnabout

Late in her career, Judith Thomson rejected her original proposal, and instead argued that killing one to save five is *always* wrong – even in cases such as Trolley Switch and Looping Trolley. (Recall that she argues for this conclusion by way of proposing her **Three Option case**.) Present Thomson's argument and critically assess it.