EXTENDED PROGRAMME

XI Braga Meetings on Ethics and Political Philosophy

University of Minho, Braga, Portugal (full online event)
June 9-11, 2021

Contemporary Challenges to Citizenship and Democracy

Please use the following link to access the zoom sessions:
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VERY IMPORTANT: PLEASE CHECK LOCAL TIME!!!!

Session 01 - Criticisms of Rawls

[RAWLS session]
9th June, 09h00 - 10h45, GREEN room - Chair: Bru Laín

The quest for recognition and the demands of social justice: a defense of Rawls' liberalism, Lucas Mateus Dalsotto (Brazil)
Keywords: Rawls; Honneth; Autonomy; Social Justice; Liberalism.
Abstract: The question that this text aims to evaluate is the extent to which two objections made by Axel Honneth (1991; 2005) and Joel Anderson (2005) against liberalism create difficulties for the Rawlsian version of this theory. The first objection says that the parties responsible for choosing the principles of justice are too individualistic and that their practical reasoning is largely instrumental. The second asserts that the Rawlsian method of justifying justice through principles undermines the priority of his Kantian formalism by assuming a substantive commitment to a particular conception of the good. These two criticisms support the more general claim that liberal theories do not adequately capture the demands of social justice insofar as they understand the autonomy of individuals in a purely negative sense (i.e., autonomy increases in the same proportion as restrictions on agents' freedom decrease). However, I defend the thesis that these objections fail at least in relation to Rawls' liberalism, since they seem to be based on a misunderstanding of his proposal. With regard to the first objection, I try to show that Honneth and Anderson (2005) seem to be mistaken in the reconstruction of Rawls' ideal of person insofar as they disregard the development of the idea of moral personality in his theory. They confuse the ideas of part (i.e., artificial representative of the citizen) and of moral person. The parties' motivation should not be confused with that of the moral person, since the moral faculties of the rational (original position) and the reasonable (veil of ignorance) are interpreted by two distinct procedures. With regard to the second objection, I seek to argue that Honneth's (1991) objection may be a problem for liberalism but not for that defended by Rawls. The question I believe to be decisive is whether the ideal of mutual self-realization presupposes the acceptance of a particular comprehensive doctrine (religious, philosophical, or moral). I believe that the answer should be negative, for this ideal fully meets the requirements that a political conception of justice should fulfill. If my argument is convincing, one of the conclusions that seem to follow from it is that, although Honneth and Anderson maintain that there is a considerable distance between a liberal approach to justice and an approach based on recognition, I believe that this distance is not as great as they imagine it to be.

John Rawls and the political community, Carolina Matedi Barreira (Brazil)
Keywords: Political Community. Overlapping Consensus. Basic Structure. Public Reason. Communitarianism.
Abstract:
Over the years, the communitarian philosophical movement has been understood as a reaction to liberalism, so that communitarians and John Rawls have been held in opposite places in the academic debates of political philosophy. Therefore, this paper seeks to verify if the communitarian criticisms addressed to Rawls are appropriate or if they are the result of a misunderstanding of Rawls's purposes. For that matter, this research will verify the communitarian works for an answer, notably, in the versions formulated by Charles Taylor, Michael Sandel and Michael Walzer, since these authors can also be included in the liberal spectrum as well. This possibility of misunderstanding is supported by the perception that, despite being understood as opposites, both seek to overcome the utilitarian atomism, understanding the importance of recognizing social contingencies and the sense of belonging of the citizens for the strengthening of liberal democratic institutions. In this sense, we seek to analyze a hypothesis that Rawlsian liberalism and those versions of communitarianism do not contradict each other and, in fact, they have similar goals, even daring to propose that Rawls himself be a liberal communitarian. Furthermore, this paper search to investigate the possible existence of a hidden ideal of community displayed in "justice as fairness", not a comprehensive type, but one that is distinguished for its political character, namely, the well-ordered society. Such a community is established by the ability to form reasonable citizens committed to their social reproduction over time. Aside from the notion of a well-ordered society as an ideal of a political community, will be researched, as well, how an inclusive and strong sense of community can be sustained over time. For that matter, the presentation will be developed through the key points necessary for the understanding of a political community hidden in "justice as fairness", such as: basic structure, overlapping consensus, public reason and the basis of motivation in the person, as they are set out in "Political Liberalism" in order to verify the possibility presented here.

Why Rawlsian Account of Civil Disobedience Fails to Accommodate Global Injustice, Taylor Lau (Hong Kong)
Keywords: Rawls, civil disobedience, global injustice, civility
Abstract: Civil disobedience has been characterized as an informal guardian of the constitutional principles of a domestic democratic association. Seldom it is related to issues at the international or global level. This short article attempts to articulate the moral limits of the orthodox liberal account of civil disobedience against global injustice. The kind of global injustice I address includes structural inequalities and social dispossession with roots in global interconnections. The liberal justice-based civil disobedience operated within the parameters of constitutional democracy, I argue, is unable to accommodate more complex cases of global injustice. As represented in John Rawls's account, the right to civil disobedience is internally constructed in three senses: 1) Civil disobedience is narrowly understood as a response to democratic-deficits, where the nature of injustice involved refers to the government failure to deliver a just constitutional order that determines positive duties and rights. Rawlsian civil disobedience is bounded by a shared conception of justice or "it is difficult to check the influence of self-interest and prejudice" and "convince others our good faith." Removing global injustice, though equally pervasive in sharping life prospects of peoples, is subject to public disagreement. It is only a reasonable political objective supported by sound judgments among other reasonable goals. Within a well-ordered society people recognize a public conception of justice as "a shared basis for citizens to justify one another their political judgments." Civil disobedience on this interpretation is exercised in ways that promotes or restores the agreed conception of justice. Illegal disobedience against more complex global injustice is not justified on a "substantial moral basis" that no citizens can reasonably reject. 2) The status of protesters is confined to citizens in a nearly just society. A criterion of reciprocity is embedded in basic principles of justice constitutive of common political life. Truly it is a demanding requirement of agency for disobedience against global injustice. Disobedient actors might not classify themselves as co-citizens when undertaking the action. The legal status of citizenship co-exists with other identities that individuals select or inherit. In dealing with issues like unfair global trade and green politics, the previous understanding of citizenship is rarely manifest. The general idea is pre-established citizenship limits civil disobedience to cases of injustice which have the blatant effects on the common social or political life. 3)

The aim of disobedience ultimately points to the overall stability of the society, which is closely linked to the idea of political integrity. Political integrity as an institutional morality constitutes a special reason for obeying the law. As long as the law is "the product of legitimate institutions that citizens have an interest in maintaining" , our basic civility requires us to owe respect to those who do not agree with us. My reply is that meaningful participation of democracy needs direct challenges to power. Grounding respect on mere compliance adopts a consensus picture of politics. Rawls here fails to take the emancipatory nature of political conflicts into account.

Session 02 - Human enhancement: ethical challenges and policy alternatives

[GENERAL session]
9th June, 09h00 - 10h45, RED room - Chair: Hugo Rajão

Can we avoid 'authenticity' objections to the use of enhancements?, Cristian IFTODE (Romania)
Keywords: Authenticity, enhancement technology, self-creation, experiment, social validation
Abstract: Concerns about how enhancement technologies would alter or disrupt the 'authentic' personality have been repeatedly raised ever since the large-scale use of Prozac in cases that went beyond any diagnosable disorders, only to make one more outgoing, socially fit, and successful. The use of the latest neurotechnologies such as Deep Brain Stimulation (DBS) for treating anorexia nervosa or optogenetics for erasing traumatic memories faces the same type of concerns. I will present the general pattern of these objections, highlighting the two main assumptions that are being made when the notion of 'authentic' self is embraced: it is either about getting in touch with the 'real me', or about existentialist self-creation of an individual. Nevertheless, these two conceptually opposed versions of authenticity are always finding themselves intertwined in any pragmatic attempt to become authentic: while the discovery of an essential self will always entail a process of (poetic) creation, the existentialist accounts about authentic 'self-choosing' seem unable to abandon the essential reference to an idea of 'revealing' origin and 'original' choice. In the second part of my presentation, I shall put forward a case for a notion of 'experimental' authenticity that avoids the usual objections against enhancement technologies formulated in terms of authenticity threats, without taking a definite stance towards one or the other perspective (essentialist self-discovery or creating oneself anew). The main feature of experimental authenticity lies in the reversibility of enhancement technologies, whether we speak of possible biomedical interventions or traditional 'techniques of the self' (ascetic practices and spiritual exercises of various kinds, 'ritualization' of daily acts, etc.). What is crucial is the possibility of trying new ways of 'being myself' by being allowed, at least in cases requiring medical intervention, to experiment the effects of being on and off some administered psycho-pharmaceuticals, or on and off stimulation through some available neurotechnology. Even in the most controversial case of genetic enhancement, we should be focusing on the available technological possibilities of (temporarily) preventing particular genes from being activated or expressed, rather than strictly prohibiting any sort of attempt at genetic modification of a human being. Nevertheless, I will hold that without acknowledging a social, relational, and dialogical dimension of authenticity and narrative identity, providing critical assessment for all possible 'experiments in living' and acting as a speed restraint device for putting them into practice, the very idea of authenticity loses its value and appeal. Authenticity was never just about uncensored behavior or feeling good in your own shoes, but rather about publicly stating as well as embodying possibilities of living judged as valuable by a community of reference (from close ones and critical friends, to what sociologists call 'the generalized other').

Enhancement, Authenticity, and Reasons, Connor Hocking (United States)
Keywords: Bioethics, biomedical enhancement, authenticity, agency, reasons
Abstract: Some philosophers have proposed that mood and personality could be enhanced through biomedical interventions. A common objection to this proposal is that such enhancements would threaten authenticity. Even if the enhanced agent is genuinely pleased with the result, e.g. they become happier or more outgoing and approve of this change, some object that the person who underwent the enhancement would not be the same, in an important sense, as the person who emerged from it - or in other words, it seems that

the agent's authenticity would be compromised. Proponents of mood enhancement have rejoined that authenticity can be understood not merely as self-discovery but as self-creation, according to which it is a perfectly authentic act to realize a better version of oneself, such as a happier and more outgoing one, as long as the agent undergoing the enhancement chooses to do so with complete autonomy.
This naturally leads to the question of which of the two conceptions, self-discovery or self-creation, better captures the nature of authenticity. As some have pointed out, however, this is quite a difficult question to settle, and most of us find ourselves attracted to both conceptions; others contend that it need not be settled for the present purpose, since biomedical mood enhancement is compatible with both conceptions of authenticity. Even without fully deciding between the two, however, I believe proponents of mood enhancement have a strategic reason to adopt the self-discovery conception in their arguments. Self-discovery is the more intuitive conception, the one most people will have in mind when prompted to think about authenticity. If a proposal for biomedical mood enhancement is to gain broad support - broad enough, for example, to clear any legislative hurdles that might stand in its way - it will need to allay the concern that enhancement threatens the kind of authenticity that most people have in mind.
In this paper, I suggest that one way in which biomedical mood enhancement might be compatible with the self-discovery conception of authenticity is if it enhances the agent's responsiveness to reasons, or reasons-responsiveness. I show that, although this emphasis on reasons suggests that reasons-responsiveness is a primarily cognitive faculty, reasons-responsiveness contains in addition an irreducibly normative component that cannot be enhanced by cognitive means. I propose an alternative means of enhancement that primarily targets affect instead of cognition, which in turn gives rise to lasting insight. I call this alternative means indirect enhancement of reasons-responsiveness.

The case for a Basic Universal Genetic Endowment, Radu Uszkai (Romania)
Keywords: genetic enhancement; CRISPR; UBI; procreative beneficence; liberalism
Abstract: By the late 2018, news broke out that He Jiankui, a Chinese biophysicist who used to work as an associate professor at the Southern University of Science and Technology in Schenzen, created the first gene-edited babies known only under the pseudonyms Lulu and Nana. By the use of CRISPR-Cas9, Jiankui allegedly managed to make the babies resistant to HIV, smallpox and cholera. The so-called "He Jiankui affair" has spurred a considerable ethical debate, with philosophers, scientists and legals scholars focusing on a wide variety of issues, from questions having to do with research ethics, to ones focusing on how we should regulate, in the future, human germline genome editing.
My talk will revolve around one of the policy implications that the use of CRISPR-Cas9 might have in the future, assuming that, by the use of this method, we can "produce" genetically enhanced babies. In a seminal book written 20 years ago, Buchanan et. al. addressed the policy implications that genetic enhancement will have in a liberal society. They famously argued that "a liberal society could decide to devote resources to the continual enhancement of desirable human characteristics - to embark on a process of genetic perfectionism – so long as in doing so it did not compromise its commitment to justice and the prevention of serious harm. Such a policy need not infringe on individuals' reproductive freedom, for example, if it only encourages rather than coerces or unduly pressures prospective parents to use enhancement technologies".
One potential way in which a liberal society might do this could be through what I call a Basic Universal Genetic Endowment (BUGE). I will introduce the concept of BUGE by way of an obvious analogy to a Universal Basic Income (UBI). BUGE will take from UBI the idea that all individuals deserve a basic genetic endowment, broadly understood: all future babies should have access, in a non-coercive manner, to the best possible set of genes which would decrease the probability of certain diseases or make them more intelligent. The responsibility of the state will not extend to other potential genetic interventions pertaining to other types of reasons, i.e. aesthetic ones.
In terms of justifications, I will argue that a BUGE would be justified based on the principle of procreative beneficence: the state should allow all individuals, irrespective of their financial possibilities, to select the best children. A BUGE would also be justifiable within a luck-egalitarian framework (as it would address the negative consequences of the distribution of good genetic traits as a result of brute luck) and within a classical liberal framework, broadly construed (it would lead to less public resources spent on health).

My talk will end with a discussion of the relation between a BUGE and UBI: could a BUGE replace the need for an UBI or should we think of them as being co-dependent?

References:

Buchanan, Allen, Brock, Dan. W, Daniels, Norman & Wikler, Daniel. 2000. From Chance to Choice: Genetics and Justice. New York: Cambridge University Press.

Session 03 - Distributive justice, rights and citizenship

[GENERAL session]

9th June, 09h00 - 10h45, BLUE room - Chair: Daniele Santoro

Do Criminal Offenders Have a Right to Neurorehabilitation?, Emma Dore-Horgan (Ireland)

Keywords: Neurointerventions; Rehabilitation; Offender Rights; Criminal Justice

Abstract: Neurointerventions – interventions which exert direct physical, chemical or biological effects upon the brain – are sometimes administered under the oversight of criminal justice systems for the purpose of reducing offender recidivism and promoting offender rehabilitation more generally. While the use of such 'neurocorrectives' is currently rare, many speculate a wider range will become available in the future. Current academic debate on neurocorrectives has largely proceeded on two assumptions: that the principal motivator for pursuing these interventions lies in their public protection potential; and that their ethical permissibility depends upon whether or not their administration involves an unjustifiable infringement of offenders' rights. Scant attention has been paid to a different though equally important question: whether offenders have a right to be offered neurointerventions that promise to facilitate their rehabilitation.

This paper asks this neglected question and answers in the affirmative. I argue that offenders have a right to be offered neurorehabilitation if they are suitable candidates for it, and my argument is two-fold. I first contend that the arguments which support a moral and legal right to conventional rehabilitation can be extended to support a right to neurorehabilitation. I further posit that a right to neurorehabilitation can (in the case of some individuals) be a derivative right of the right to health.

My discussion is organised as follows. Section 1 delineates three widely recognised grounds of a right to rehabilitation: a) as compensation for the debilitating effects of punishment; b) as a derivative right of the right to hope for renewed liberty; c) and as compensation for systemic injustices that the state has hitherto failed to alleviate. I argue that these three grounds also support a right to neurorehabilitation – that neurointervention might sometimes be both appropriate and necessary for recompensing offenders and for preserving their right to genuine hope. Section 2 further argues that a right to neurorehabilitation can sometimes be derived from the right to health. I posit that some existing and candidate neurocorrectives are plausibly restorative of mental and physical health; and if we accept that people should have the right to access the healthcare they require, then neurorehabilitation might be a form of treatment to which some offenders have a right. Section 3 anticipates and addresses two potential objections. The first disputes whether the right to rehabilitation includes the right to mere symptomatic relief of one's problems or disadvantages (as might be promised in neurorehabilitation). The second contends that neurorehabilitation is a bad option for offenders to have - to the extent that it might undermine their self-respect and make them feel obliged to submit to it - and as such it is not something that should be afforded the protection of a right. Section 4 offers some concluding comments.

Citizenship as recognition for women? Rethinking prostitution, patriarchy, and basic income, Tarine Guima (Brazil)

Keywords: citizenship; patriarchy; recognition; prostitution; basic income

Abstract: Sylvia Walby (1994) asked "how important is citizenship for gender?", and unequivocally responded that "it has been central in the transformation of the forms of gender relations over the last century". For this period, it is meant to be a universalistic concept, acknowledging democratic rights and social and political participation in an egalitarian form. Citizenship is also read in association with the transformations of capitalism, but more than that, we should note the ones that occur with patriarchy. The author argues there is

a transition from private to public patriarchy, which is responsible for the development of gender relations, as the welfare state socializes forms of previously privatized domestic labor.
We can note that citizenship can be built on notions of patriarchy. So, we shall ask ourselves what kind of patriarchy we are talking about. Walby's notion of public patriarchy is often seen as a continuum to Carole Pateman's (1988) theory of the Sexual Contract, in which she uses the term of modern patriarchy. We aim to reconstruct Pateman's notion, in order to understand how it transforms into Walby's notion, the public patriarchy, which corroborates with the problem of citizenship being gendered.
As an analytical example of contemporary issues on this subject, we shall continue our discussion by (re)thinking the problem of prostitution and its relations to citizenship and to the State, as being a result of the patriarchal structure. To Pateman (1999), prostitution is an integral part of the patriarchal capitalism, seen as a private transaction, in which the prostitute sells her body in a subordinate kind of contract. Many liberal feminist authors argue that prostitution is a job as any other and that it should be regulated as to offer rights to the people engaged in it (i.e., Nussbaum, 1999). But Pateman claims that prostitution is the only kind of sale contract in which the body and the self are not excluded from the transaction, as the buyer obtains unilateral rights of sexual use on the prostitute's body. She says, "The story of the sexual contract reveals that the patriarchal construction of the difference between masculinity and femininity is the political difference between freedom and subjection, and that sexual mastery is the major means through which men affirm their manhood" (1999: 60).
Noting these appointments, what can be said, in normative terms, about citizenship for prostituted women? Later on, Pateman (2010) introduces the discussion about the basic income for all citizens as a form of plain citizenship, and for women, specifically. She still claims that sexual structures continue to systematically impede women's citizenship. Can the redistribution remedy suggested by Pateman solve the prostitution problem that she has argued about? What are the limitations and potentialities of the basic income system in this case? Would it provide a plain citizenship to prostitutes? To help responding these questions, we shall bring to the discussion the critical theory author, Nancy Fraser (2007), who theorizes about the redistribution/recognition dilemma, in a way that is sensitive to gender issues.

Natural resources and capabilities, Virginia De Biasio (Italy)
Keywords: Natural resources, capabilities, distributive justice
Abstract: Theories of natural resources justice deal with the correct distribution of natural resources to individuals and communities. Against different approaches that have been used to discuss this issue, I pursue an approach that appeals to the concept of capability. This paper offers an adaption of the capabilities approach for a theory of natural resources justice. The following questions are addressed. How is the concept of capability, which was first employed by Sen in contrast to other metrics of justice, such as Rawls' primary goods and resources, compatible with a discussion precisely on natural resources? How can those two concepts – natural resources and capabilities - be linked together? And why should we care about natural resources, if we are considering capabilities as the distribuenda of a theory of redistributive justice?
I first discuss the seeming dichotomy between resources and capabilities, that goes back to Sen's criticism of Rawls' theory of justice. By endorsing the capabilities approach, I reject views that take the redistribution of shares of resources in themselves as what essentially counts, and I instead argue that resources are relevant only as means to something else. Nevertheless I also argue that, without the provision of some resources, striving to implement access to capabilities for everyone would be pointless. Resources are necessary for capabilities to be in place and for functionings to be actually realised. The conclusion is the following: on one hand, the theoretical divide between resources-based theories and the capabilities approach is relevant, since Sen has shown that a simple focus on shares of resources can be very limiting, considering the plurality and diversity of individuals in society and of their personal endowments; on the other hand, the capabilities approach must however be sensitive to considerations of provision of resources, since these are the "building-blocks" of capabilities and functionings themselves.
I then discuss the link between capabilities and natural resources. Two of my foundational premises are: (1) a decent life (which includes also survival) is morally valuable and this has priority over considerations of other capabilities (as freedoms to achieve different lifestyles); (2) the provision of natural resources to individuals is

necessary for survival and for meeting basic capabilities, and thus for leading a decent life. Rights to access and to use natural resources should be granted to all individuals, since without them survival itself would be at risk. I discuss two ways in which natural resources are essential for capabilities. First, natural resources are essential for survival and for the satisfaction of basic capabilities, and they are thus essential for living a decent life. Second, environmental factors, which include natural resources, but expand to include ecosystems more in general, are one of the elements (or conversion factors, using Sen's terminology) on which all capabilities partially depend.

Session 04 - History and tradition in ethical thought

[GENERAL session]

9th June, 09h00 - 10h45, ORANGE room - Chair: Catarina Neves

The place of the etiamsi daremus hypothesis in Grotius's oeuvre, Szilárd Tattay (Hungary)

Keywords: Hugo Grotius, natural law, etiamsi daremus hypothesis, secularisation, rationalism

Abstract: In the history of legal philosophy certain famous expressions came to have an autonomous existence. This happened to Hugo Grotius's etiamsi daremus hypothesis, too. A relatively short remark made by the "father of international law" in the Prolegomena to his De iure belli ac pacis, saying that "all we have now said would take place, though we should even grant [etiamsi daremus], what without the greatest Wickedness cannot be granted, that there is no God, or that he takes no Care of human Affairs", made a long and unique career in the field of legal thinking.

We tend to dislike commonplaces because even though they are true, they are banal and boring. There are, however, commonplaces which are not even true and can therefore lead us astray. Grotius's etiamsi daremus formula is, again, a perfect illustration of this, for from the 19th century onwards the "impious hypothesis" has been quoted over and over again as a proof that Grotius had already developed a secularised rationalist theory of natural law, rigorously separating jurisprudence from theology. And ever since then, this "truism" usually serves, in turn, to ground the commonly accepted 'secularisation thesis', stating that the non-theological character had in general been the distinctive feature of modern natural law doctrines.

One problem with this chain of argumentation lies in the fact that the 'secularisation thesis' itself is quite difficult, if not impossible to sustain. In reality all the landmark theories of 'modern natural law' produced in the seventeenth century or at the beginning of eighteenth century were theist in orientation – voluntarist (Pufendorf, Locke) and rationalist (Grotius, Leibniz) natural law doctrines alike. Even Hobbes's Leviathan does not constitute an exception to this rule. As regards his notion of "laws of nature", either we are dealing with a theistic doctrine of natural law, or with a secularised but distinctively non-jusnaturalistic conception of morality.

Another, equally serious problem is related to the exact place and real significance of the "impious hypothesis" in Grotius's oeuvre. That will be the object of the present paper. I will argue that (1) often too much importance is attached to this sentence, and it is falsely regarded as a key to the interpretation of Grotius's natural law doctrine; (2) Grotius's etiamsi daremus formula was by no means novel: the supposition of the non-existence of God was a standard point of reference in scholastic natural law theory; (3) Grotius and his contemporaries (especially Pufendorf) were much aware of this fact; (4) the Dutch humanist jurist, who was also a Protestant theologian, took over this medieval platitude merely with the intention of underlying the rationality and the immutability of the moral order; (5) the adoption of the etiamsi daremus hypothesis caused some theoretical difficulties to Grotius, as it implied a hyperrationalist conception of law and morality which seemed to be at odds with his general definition of natural law, aiming at a middle course between intellectualism and voluntarism; nevertheless, he was able to resolve these difficulties.

The Grounds of Gratitude and the Dereliction of Justice, Yann Allard-Tremblay (Canada)

Keywords: Circumstances of justice; right; justice; Indigenous thought; responsibility;

Abstract: In this paper, I argue that intellectual traditions of Indigenous peoples in North America offer a way to conceptualize the right without relying on the circumstances of justice. Instead, I argue that the ways in which they read and interpret our fundamental circumstances to be one that centers harmony and mutual responsibility. In sum, I contend that where Western political theory sees the Circumstances of Justice, these

Indigenous traditions see the Grounds of Gratitude. This opens up a disjunctive avenue for theorizing the right, which leads to the dereliction of justice as the first virtue of social institutions.

In the first part of the paper, I first engage with the circumstances of justice following the standard account generally attributed to David Hume and John Rawls. Following this account, the facts that humans make conflicting claims, that their benevolence is confined and that their natural condition is one of moderate scarcity, entail that justice is both intelligible as a virtue and that it is necessary for peaceful social cooperation. Second, I argue that the ways in which the circumstances of justice are conceived can help to explain the primacy of justice and the priority of the right. Moreover, this explains how this dominant discourse in Western political theory ends up disavowing alternative ways of conceptualizing the right. Indeed, theories that do not recognize something like the circumstances of justice are judged to be implausible or useless speculative fiction. Third, I explain how justice recursively reinforces a supposedly natural disposition to assert and defend our possession and carries this disposition through, under the form of property and rights, into a just society, such that it entrenches entitlement as a virtue.

In the second part, I turn to the Haudenosaunee Thanksgiving Address as an Indigenous tradition that tellingly articulates shared concerns among diverse Indigenous traditions for harmony and responsibility. First, I explain the Thanksgiving Address and the emphasis it places gratitude for all those things that sustain life and society. I explain how this connects with other concepts found in Indigenous studies that emphasize how our individual and social existences are embedded in broader natural contexts. In sum, humans are seen as existing in life-sustaining relationships with others and with the natural world. Second, I argue that in adopting this different starting point, the right—the imperative considerations that ought to guide political conduct and how societies are structured—can be conceptualized in radically different ways. I argue that scarcity can no longer be seen as an objective circumstance and that it is replaced by a concern for harmony and for our responsibilities within life-sustaining relationships. Furthermore, instead of confined benevolence and entitlement, this leads to indebtedness and reciprocity. This ultimately leads justice to be replaced by care and love as the considerations that hold normative primacy. In the last part, I explain why this conception of the right should not be dismissed as useless or utopian speculative fiction.

Reason, Logic, and the Structure of Practical Maxims in Kant's Moral Theory, William Reckner (United States)

Keywords: Kant, Maxim, Logic, Practical Reason, Practical Syllogism

Abstract: The concept of a maxim appears to be fundamental to Immanuel Kant's moral theory. However, the brevity of Kant's explanations of what a maxim is supposed to be, and of what parts a maxim is supposed to include, together with the diversity of Kant's examples of maxims, has led to a proliferation of different approaches to understanding Kant's views on "maxims".

Here, I argue that a new approach to understanding Kant's views on maxims can be excavated from the manifold approaches in the literature, and derived from Kant's views on reason and logic. So I: (1) briefly outline my new approach, (2) sketch out the connections between my approach and those in the literature, and, (3), since Kant regards maxims as a type of principle, explicate Kant's views on action "from principles", through Kant's views on logic and reason.

(1) I hold that, in your maxim, you represent something as requiring a certain action of you, in some fashion. (At least when you are behaving rationally.) In Kant's logical vocabulary, then, the basic structure of a maxim will be a "ground and consequence" structure: the basic structure of your maxim will contain something that you represent as some form of a ground for your action, together with the action that you hold this "practical" ground to require of you in some way. (Not necessarily in the way of an obligation.)

In these terms, a practical ground could be a situation that is supposed to require a certain action. Or a practical ground could be an end, which is supposed to require a certain action as a means to that end. A practical ground, as a situation, could even have the adoption of an end as its purported consequence, together with the action that is supposed to be the means to that end, in that situation.

(2) The literature already contains proposals holding that maxims have an "action, end" structure, a "situation, action" structure, and a "situation, action, end" structure. So my approach can accommodate and systematize all of these proposals. Relatedly, this flexibility allows my approach to handle the aforementioned diversity of Kant's examples.

Another line of interpretation in the literature holds that maxims are to be the major premises in "practical" syllogisms. The basic idea of my approach is that your major premise in such a syllogism would have to state why you take a certain action to be required of you, in a certain way—parallel to how the premises of theoretical syllogisms must have their conclusions as their logically necessary consequences. Which means, I argue, that your maxim must include a practical ground, together with the action that you hold this ground to require of you.
(3) To fully trace my approach back to Kant's views on reason and logic, I argue that the proper analysis of Kant's language of action "nach Principien"—"from principles"—implies that these principles must have the "ground and consequence" structure described above. For Kant connects this language to the logical concept of "derivation" or "Ableitung", which requires grounds.

Session 05 - Extensions of Rawls theory of justice and of rawlsian concepts

[RAWLS session]
9th June, 11h00 - 12h45, GREEN room - Chair: Bru Laín

The Extension of Justice as Fairness to the European Union, Wolthuis Bertjan (Netherlands)
Keywords: Rawls, Constructivism, Method of Extension, Justice as Fairness, European Union
Abstract: The Extension of Justice as Fairness to the European Union
This paper concerns the extension of John Rawls's theory of 'justice as fairness' (hereafter: JAF). The first subject of JAF is the 'basic structure' of a society. Rawls's theory is 'statist' in this respect. Rawls presupposes, in proper Kantian fashion, that social justice can be distributed only through a society's basic structure, exemplified by a nation state's set of social, economic, legal and political institutions. Soon after the publication of A Theory of Justice, philosophers have applied JAF to the world at large (e.g. Beitz, Political Theory and International Relations, 1979). My claim is that most have not understood the true nature of Rawls's statism and, moreover, that they have not followed a proper method of extension whereby JAF can be extended to cases other than a society's basic structure without disrupting the principles of social justice constructed in the first 'original position'.
In this paper I want to draw attention to the versatility of Rawls's theory by indicating how to extend the theory consistently through a series of original positions. I illustrate this with the case of the European Union. In The Law of Peoples, Rawls has extended JAF to construct principles of international justice that are meant to govern a liberal nation state's foreign affairs policy. But what happens with JAF once a nation state decides to become member of a political union such as the EU? My analysis is that the EU is not a traditional international organisation because it has two classes of subjects: not only these member states themselves but, on an equal level, also these member states' nationals (ECJ case 26-62; TEU Art. 10). The EU's principles of justice differ therefore structurally from a 'law' that applies to 'peoples' only and hence it becomes nessary to develop a third original position. That original position cannot be shaped as a 'mixed' position (Cheneval 2011) whose relation to the two previous original positions remains unclear. The original position has to be constructed so, that the principles of justice that govern the relations between EU member states and EU member state nationals are consistent with previously chosen principles of social justice and international justice. In the paper I indicate how this can be done.
What the paper intends to show is how Rawls's theory of justice is still relevant today, 50 years after its publication, and that this is the case because of its inherent versatility, which it thanks to its inbuilt method of extension. The principles of social justice are only the starting point of Rawlsian constructivism. The method of extension, which can be interpreted from The Law of Peoples, makes it possible to apply JAF to new contexts of justice.

Obligations to Future Generations: Rawls's Just Saving Principle and Conventionalism, Claudio Santander (Chile)

Keywords: Intergenerational justice, intergenerational ethics, just saving principle, social justice, moral conventionalism
Abstract: One of the main problems in the literature on intergenerational justice is to determine the nature of the obligations and the kind of reasons present generations should impose over themselves in order to fulfilling obligations to future generations. Rawls claimed that in the original position, the parties are motivated to agreed on a just savings principle, as a distributive principle that applies between generations, just as the difference principle is a distributive principle applying within generations. (1993, 2001) There has been significant elaboration on how the parties behind the veil of ignorance come to decide on a just savings principle, and how it differs from the difference principle requirements (English 1976; Barry 1977; Wall 2003; Attas 2008, Brandstedt 2018). However, there has been little discussion about the nature of the moral obligations that the just savings principle would impose over citizens in a well-ordered society. The aim of this paper is to identify the deontic structure of the obligations to future generations implied by Rawls's just saving principle, when it is expressed as an institution of intergenerational saving within the basic structure. To do so, I claim that we need to elaborate a conventionalist interpretation of the just saving principle. I argue that Rawls could be interpreted as having a general commitment to a moral conventionalism that holds that social rules impose obligations over persons to act in certain ways and to form expectations to receive a certain kind of treatment once they recognise that such rules derive from just institutions (Melenovsky 2016, 2017, 2020; see Hume 2000 [1739]; confr. Scanlon 1990, 1998; Wallace and Kolodny 2003; Neiswandt 2019).
To show that a Rawlsian conventionalism can more clearly express the normative force of the just saving principle, I argue, firstly, for an interpretation of the just saving principle in the four-stage sequence of the original position once parties lift the veil of ignorance and get access to knowledge about their society and its economy at the legislative stage. Secondly, I argue that the conventional rules to set aside savings to future generations at the legislative stage specifies both 1) rules that schedule a fair intergenerational savings scheme based on reasons regarding economic growth and social and political development and 2) obligations and legitimate expectations that institutions and individuals should impose over themselves in order to observe such savings scheme's rules. Finally, I show how the conventionalist interpretation of the saving principle so elaborated can address two relevant discussions: the non-identity problem in intergenerational ethics and the consideration-representation of future generations problem in intergenerational politics.

John Rawls and the search for a profoundly liberal basis of social unity, Tugba Sevinc (Turkey)
Keywords: John Rawls, justice, social unity, consensus, fraternity
Abstract: SPECIAL SESSION
In this paper, I propose a rereading of Rawls' two major works—A Theory of Justice and Political Liberalism—as two subsequent attempts to "find out the most reasonable basis of social unity available to us," that is, modern liberal democracies characterized by ineradicable value pluralism (Rawls, 1993: 134). Although Rawls does not explicitly speak about his concern for social unity until after Theory, themes like "social unity," "civic friendship," "fraternity," and finding a "common ground" in society are persistently central to his thought. In both works, we can say that Rawls tries to develop a workable and profoundly liberal alternative to national identity views and other substantial proposals. And in both works, I argue, Rawls views justice—that is, the consensus on the fair terms of social cooperation among free and equal citizens—as the basis for social unity and civic friendship. Nonetheless, from Theory to Political Liberalism there is a considerable change in Rawls' understanding of the nature of the consensus (hence the shared ground among citizens) and of who is a citizen.
The main purpose of this paper, then, is to point out that Rawls' account of social unity in Theory is far richer, and not limited to the moral consensus on justice. I argue that in Theory, Rawls holds a hybrid view of social unity, and accounts for two distinct yet complementary sources that hold citizens together and nourish their "sense of togetherness." In addition to citizens' common allegiance to the public conception of justice, in Theory, Rawls relies on a second source: the existence of an ongoing productive cooperation among citizens (1971: 84; Restatement: 60). Thus, Rawls conceives of citizens as co-producers who actively contribute to the social product, thus united through a network of productive relations, ties, and interdependencies in society (Restatement, 50). Rawls' view is more unequivocal in the reformulation of the difference principle as a principle of fraternity, in the basic structure argument (the profound effects of the basic structure on

individuals), in the common asset formulation of natural talents, and in the idea of social union (the orchestra analogy).
I argue that Theory is pivotal, for it is there that Rawls endorses the idea of productive cooperative activity as one of the bases of citizens' unity and considers redistributive justice (the difference principle) as the expression of citizens' fraternity and friendship. Political Liberalism constitutes a withdrawal in two important ways: not only in that Rawls eases the requirement of a moral consensus on justice (instead demanding a political consensus), but also in that citizens are conceived merely as equal participants in wielding the collective power of the state (no longer as joint producers). I argue that by giving up on the idea of citizens as co-producers, Rawls deprives his theory of an important source of unity and solidarity. While Rawls has his reasons for deemphasizing the difference principle, he has not offered any reason for forsaking the idea of productive cooperation as a unity- and solidarity-generating activity in society.

Session 06 - Epistemic challenges to democracy

[GENERAL session]
9th June, 11h00 - 12h45, RED room - Chair: Giuseppe Ballacci

Does overcoming post-truth and denialism present itself as a contemporary challenge to the exercise of citizenship and democracy?, Vagner Gomes Ramalho (Brazil)
Keywords: denialism; post-truth; science; humanistic values; Enlightenment values.
Abstract: Never before in the history of mankind have we been so explicitly and grotesquely related to lies. Likewise, we have never been so close to — as in a dystopia — replacing concepts and values defined with harsh penalties with the most foolish conceptions that place at the epicenter of human understanding anything that comes from passion and feelings. I refer to a particular type of lie, the "post-truth", which was considered by the Oxford Dictionary as the word of the year 2016. Post-truth dwells among us and brings with you disturbing elements whose attentive analysis can help us understand the intricacies of the dispute between science and public opinion that we are witnessing. In Brazil, especially, a country on which the analyses of this work are concentrated, daily public opinion has been influenced by the opinions of the then President of the Republic, who has made an effort to capture the democratic debate through a constant scientific denialism in an institutionalized way. The type of denialism found in Brazil has as its main characteristic the wide use of institutional mechanisms of communication and information to propagate ideas that deny conclusions, values and scientific evidence. In the present work, I propose to analyze how scientific denialism has been institutionalized in Brazil in two ways: a) as a paradigm of government, which has as a consequence the capture of democratic debate and substitution of scientific values by denialism; and b) how the denialist discourse has been enhanced and institutionalized through Brazilian public agents, especially its president, elevated scientific denialism to the category of institutionalized denialism. It should be considered that unlike the historically perceived denialism through the famous conspiracy theories, Brazilian denialism now has in the institutional element a new facet that demonstrates that denialism not fought with education and science tends to gain serious proportions, because, instead of the State fostering education and culture on the Enlightenment bases, provides a disservice to the population and reverses the humanist logic. In an attempt to rescue the values prevailing before the current wave of denialist, I will seek to list some of the Enlightenment values, considering that only through education will we be able to advance positively in relation to the social and economic problems that follow in the midst of institutionalized denialism in Brazil. In view of these facts, this communication proposes to answer whether the overcoming of the post-truth and the business presents itself as a contemporary challenge to the full exercise of citizenship and democracy and how the Brazilian case can serve as a warning to the international community.

Political Knowledge and Public Virtues, Denis Coitinho (Brazil)
Keywords: Political knowledge, ignorance, prudence, civic friendship, moral progress.
Abstract: The aim of this presentation is to reflect upon the scope of political knowledge as a counterpoint to the epistocratic argument defended by Jason Brennan in "Against Democracy" (Princeton University Press, 2017). To this end, I will begin by presenting Brennan's conception of knowledge and ignorance, together with

his interpretation of the nature of politics. I will then investigate the meaning of knowledge and ignorance from the standpoint of virtue epistemology. Following this, I will analyse the very essence of the political domain and consider the public virtues of prudence and civic friendship. Lastly, I will discuss the phenomenon of moral progress, in order to show that tribalism is neither the essence of human moral nature nor a preclusion of political knowledge, and that there is thus no conclusive reason for defending the restriction of public participation in the political process.

In "Against Democracy" (2017), Brennan defends an epistocratic argument by claiming that most voters nowadays are politically ignorant and irrational, and that this ignorance is the cause of decisions which are incompetent, unjust and illegitimate. As such, he maintains that these voters' rights should be restricted, and that a specie of epistocracy should be implemented within the democratic process. This is because the choice of who should form a government is a political decision made through universal suffrage. The main point of Brennan's argument is to show that most citizens are ignorant, apathetic and irrational, in other words they are either Hobbits or Hooligans who make tribal political decisions, thus compromising the whole democratic system (BRENNAN, 2017, pp. 3-15). He proposes a conditional thesis, saying that if epistocracy is indeed better for democracy, then it should certainly be implemented so that political power can be distributed according to individual knowledge or competence (BRENNAN, 2017, p. 17).

This appears to imply that the restriction of universal suffrage would be based on the epistemic criterion of ignorance regarding political matters. The problem is that Brennan does not explain in any detail what "knowledge" and "ignorance" are, nor does he have much to say about the concept of "politics" per se. Although I find it tempting to defend democracy against epistocracy, my objective in this presentation is much more modest. I shall confine myself to investigating the scope of political knowledge and ignorance, while at the same time trying to reflect on what specifically constitutes the political domain. I believe this is important because it seems unjust to restrict the votes of certain people on the basis of such a complex concept as "ignorance". The distinction between what people "know" and "ignore" is in any case somewhat arbitrary, especially in the political sphere, where those citizens who would suffer this type of electoral restriction would probably come from the most deprived sectors of society.

My strategy will be to investigate political knowledge from the epistemology of virtue, specifically analyzing two core public virtues, namely, prudence and civic friendship, in addition to investigating the phenomenon of moral progress.

Strategic Disagreements: A Form of Parliamentary Obstructionism, David Bordonaba-Plou (Spain)

Keywords: parliamentary obstructionism, strategic disagreements, corpus methods, parliamentary debates

Abstract: Parliamentary debate, and the subsequent approval of measures and laws, are critical for today's democracies. However, politics can use different parliamentary tactics to delay legislation on specific issues. Filibustering (see Koger, 2010) is one of the most common and well-known of these tactics. It can be performed in different ways, for example, by making improper use of speaking time or with adjournment motions. A common feature of the different forms of filibustering is that they are explicit, overt practices. However, little attention has been paid to covert forms of parliamentary obstructionism. This work argues that a covert form of parliamentary obstructionism is directly related to parliamentary disagreements, specifically, how politicians present certain disagreements.

The interest in the phenomenon of disagreement has grown during the last years in different areas of philosophy. The focus has been on peer disagreement in epistemology, deep disagreement in ethics, and reasonable disagreement in politics. However, little attention has been given to the idea that one party may present the disagreement as being of one type –e. g. a disagreement on facts– while the other party presents the disagreement as being of another type –e. g. a disagreement on values–. Moreover, one (or both) of the parties may obtain "strategic advantages" (Kappel, 2017, p. 317) in framing the disagreement in a particular way, e. g., transferring responsibility to external agents or not allowing the resolution of the disagreement. If this happens, we face a situation that I will deem "strategic disagreement."

The aim of the work is threefold. First, to show that strategic disagreements are a covert tactic of parliamentary obstructionism. Sometimes, politics delay legislation on particular issues in parliamentary debates by presenting the disagreement in a particular way. To this end, I will examine two corpora created with debates

of the Spanish and Chilean parliaments to examine if there are cases of strategic disagreement where one of the advantages obtained is precisely to delay legislation on a specific issue. I will look for expressions that seem good candidates for marking strategic disagreements, e.g., "the debate is not" or "the discussion is not about." Then, I will examine the context in detail to determine if one of the parties obtains a strategic advantage and if this advantage is related (and how) to a delay in legislation in a specific subject. Second, analyze what types of issues are often the target of strategic disagreements when used to delay legislation. Third, to highlight that strategic disagreements suppose a severe threat to the proper functioning of democracy as it makes it difficult not only to legislate on different matters but also to reach an understanding between different political forces.

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Session 07 - Metaethics, moral psychology and moral cognitivism

[GENERAL session]

9th June, 11h00 - 12h45, BLUE room - Chair: Daniele Santoro

The Reason to Be Angry Proportionally, Michael Bruckner (Austria)

Keywords: Metaethics, moral psychology, fittingness, emotion, anger

Abstract: The main goal of this paper is to propose a novel solution to the Eternal Anger Problem in moral psychology. Suppose I have previously betrayed you and now you are fittingly angry at me. The Eternal Anger Problem starts with the assumption that what makes your anger fitting is the fact of my past betrayal. Its challenge is to explain how your anger can ever stop being fitting, given that the fact of my past betrayal will forever persist. The solution I propose, which I call the Proportionality Account, meets this challenge in two steps.

The first step is to note that the very concept FITTING entails that your anger will become unfitting as soon as it becomes disproportional. This is based on the observation that it would sound conceptually confused to assert that your anger will remain fitting after becoming disproportional (just as it would sound conceptually confused to assert that someone will remain a bachelor after marrying).

The second step is to show that your anger can become disproportional due to sheer increase in duration. This, in turn, follows from two assumptions.

The first assumption is that your anger can become disproportional due to sheer increase in intensity. This is both antecedently plausible and implied by our folk practice of appraising anger. For example, note that the following appraisal sounds perfectly felicitous: "You have every right to be angry at me, but take it down a notch!"

The second assumption is that duration and intensity play the same role in determining proportionality. As long as no relevant disanalogy is in the offing, accepting this may simply be required by parity of reasoning. It is also required by transcendental reasoning: intensity cannot be a determinant of proportionality unless duration is one, too. My argument for this is that intensity and duration are compoundable, just like the width of an hourglass and the time it takes for the sand to run through are compoundable (narrow neck: long duration; wide neck: short duration).

My foregoing argument for the Proportionality Account entails that your anger can become unfitting due to mere time lapse. Thus, we need not worry that it will remain fitting forever and the Eternal Anger Problem has lost its bite. On this basis, I contend that the Proportionality Account is at least a satisfactory solution to the Eternal Anger Problem. I argue further that it is also ceteris paribus preferable to its alternatives.

The dominant family of extant solutions, which I call Expansive Solutions, solve the Eternal Anger Problem by positing special, fittingness-revoking events (e.g., the resolution of a problem that my betrayal has caused, the restoration of the co-valuation of our relationship, the completion of your process of emotional repair). Since the Proportionality Account solves it in terms of mere time lapse instead, it remains independent of such

contentious assumptions. Moreover, since independence of contentious assumptions has theoretical virtue in tow, I contend that the Proportionality Account is ceteris paribus preferable.

The later Wittgenstein and metaethics: Rethinking the debate between moral cognitivism and moral non-cognitivism, Jordi Fairhurst (United Kingdom)
Keywords: Wittgenstein, Moral Cognitivism, Moral Non-Cognitivism, Metaethics
Abstract: It is a widespread view (e.g., Lovibond 1983; McDowell 1998; Loobuyck 2005; Brandhorst 2015) that the later Wittgenstein is committed to moral cognitivism (hereinafter MC). Namely, Wittgenstein holds that moral sentences are in the business of (i) making truth-apt assertions and (ii) expressing beliefs. Moreover, moral cognitivists (e.g., Lovibond 1983; McDowell 1998) have resorted to Wittgenstein's work in order to sustain their position against moral non-cognitivism (hereinafter MNC). The aim of this paper is twofold.
First, it argues that Wittgenstein is not committed to MC. On the one hand, for Wittgenstein moral sentences are not used to make truth-apt assertions. Wittgenstein explains that moral sentences are primarily used to expresses certain attitudes, sentiments and feelings which replace and extend natural reactions of approval and disapproval (LA: Part I §§5-7; MWL: 318-333; AWL: §31-32). Thus, moral sentences are used expressively, not to make truth-apt assertions about the world. As Wittgenstein puts it: "An ethical proposition is a personal act. Not a statement of fact" (PPO: 85). Accordingly, Wittgenstein explains that saying that an ethical judgment is true amounts to "making the same ethical judgement. It does not mean that I have looked to see if it fits 'what is really there'" (Wittgenstein, Rhees & Citron 2015: 29). On the other hand, for Wittgenstein moral sentences do not express beliefs. The attitudes expressed by moral sentences are evaluative responses that approve or disapprove certain actions, conducts, behaviors and so on. Namely, moral discourse provides evaluative responses of approval and disapproval with some way the world is, not a cognition of how the world is. Thus, ethics is concerned with attitudes and not beliefs.
Second, this paper shows that Wittgenstein's later work does not yield an adequate basis for MC (or MNC), but rather provides us with a better way of understanding this metaethical debate altogether by remaining true to Wittgenstein's metaphilosophical pronouncements.
The standard approach to this metaethical debate is marked by the assumption that moral discourse is semantically uniform and that, consequently, it can only be adequately explained by one true global theory. This has resulted in a stalemate between competing theories with no clear path to a satisfactory resolution. This paper outlines a novel Wittgensteinian approach to the metaethical debate between MC and MNC which overcomes the limitations of this standard approach. Against the standard approach, it argues that it is mistaken to assume that moral discourse is semantically uniform. Moral discourse is a complex phenomenon that cannot be reduced to a common genus of semantic features. The mistake of the existing MC and MNC theories, then, is not that they say nothing helpful about moral discourse. It is rather that each theory claims to explain everything essential about this phenomenon. Accordingly, within my Wittgensteinian approach I propose to rectify existing MC and MNC theories by restricting them to local descriptions that clarify the semantics of particular instances of moral discourse, thus allowing us to move away for the existing stalemate and work towards a better grasp of moral discourse.

Session 08 - Virtue, lying and trust

[GENERAL session]
9th June, 11h00 - 12h45, ORANGE room - Chair: Catarina Neves

The notion of habituation between Aristotle's Nicomachean Ethics and Politics, Angelo Antonio Pires de Oliveira (Brazil)
Keywords: Character - Virtue - Moral Education - Ancient Philosophy
Abstract: What is the relationship between Aristotle's Nicomachean Ethics (NE) and Politics? That is a long-standing issue with important philosophical implications for our understanding of both works. In my presentation, my primary goal is to shed light on how our understanding of the concept of habituation in the NE II has been obscured because of the interplay between the two works. There is a widespread tendency in the interpretation of the NE to take the idea of upbringing as point of departure for the discussion of

habituation. In these interpretations, habituation is formulated in terms of the training of character that takes place in the childhood. Burnyeat's paper Aristotle on Learning to Be Good and Sherman's book The Fabric of Character are two prominent examples of developmental accounts that take habituation in this way. In my presentation, I will discuss how the connection between NE and Politics contributed to lend support to the association between upbringing and habituation and why it should be challenged. There are two questions that should be kept apart when we approach NE II: how do we acquire virtue of character? And: what is the best way of acquiring virtue of character? The answer for the first question is through habituation; for the second, through a good upbringing. In my view, NE II deals primarily with the first question and, on some occasions, Aristotle expresses his views on the second. Strikingly, in the Eudemian Ethics (EE), Aristotle gives no sign of having the second question in mind. In the EE, habituation is investigated without any reference to the idea of upbringing. That situation might be arguably seen as an evidence that Aristotle kept these two notions apart. But then why are there references to the second question in the NE? Here we come to the closing chapter of the NE. Unlike the EE, the NE has many references to the Politics and its closing chapter is famously known for making a transition from the NE to the Politics. In that chapter, most of Aristotle's philosophical concerns are related to how to morally educate the citizens. This discussion is deeply connected with Politics' two last books, a place where Aristotle discusses the best possible education in the best possible circumstances. In these two books, Aristotle discusses how to take advantage of every circumstance to foster virtue. Due to the link between the NE and the Politics, I will argue that the references to upbringing in the NE announces Politics' educational program in books VII and VIII. The lack of a link between the Politics and the EE is the reason why the notion of upbringing is completely absent in the investigation into habituation in this book. The remarks about upbringing in NE X.9 are already embedded in Politics' investigative agenda and should not be seen as claiming that a good upbringing is a necessary requirement for virtue. In the Politics VII and VIII Aristotle is committed to the second question put above; in the NE, to the first.

Trust, Roles and Gift Relation, SuddhaSatwa GuhaRoy (India)

Keywords: Trust; Social Roles; Internal and External Goods; Gift Relations; Normative Expectations

Abstract: Word: 564 (text) + 78 (bibliography)

In the philosophical canon trust is understood to exist in a closed truster-trustee dyadic arrangement. An assumption of a specific kind of society – a society with no shared understanding of norms and values – seems to underpin many theories. Trust is understood to be governed by the norms of trust and trustworthiness (Jones, 2017, pp. 102-107), social norms and standards having nominal or at best indirect influence, say, in the form of sanctions (Hardin, 1996, p. 38). Such an understanding of trust would find it hard to explain two aspects of our practice of trusting. Firstly, it would not be able to explain why betrayals in some such dyadic arrangements leave an impact on the whole of society. When professors betray trust of their students by taking advantage of the latter's vulnerability, it not only rattles the entire academic community, but also sends shockwave across society. If trust is a private arrangement between two parties, the trusters alone must feel let down, not the entire society. Secondly, the canonical understanding will find it hard to account for the differential importance of trust in different social relationships. Usually, trust in partners is assumed to be more intense and valuable than, say, trust in professional or civic relationships. If trust is one universal phenomenon then it must operate uniformly, and have the same standing in all social relationships.

This paper recognizes the two above-noted aspects as important to the practice of trusting, and wishes to offer a framework to analyze trust which would be able to explain these aspects. Only part of the story is told by the various accounts of trust which define the psychology of trust in abstract, as the interaction occurring in a stand-alone truster-trustee arrangement unaffected by social context, shared values and norms. Contra that, I wish to study the social relationships in which trust interactions are embedded. This would help understand not only how trust must function in ideal circumstances, but more importantly how it does so under real social and political conditions. The nature of relationships in which trust interactions occur, and the norms governing those relationships contribute to determining the nature of trust. It is because such an interaction occurs– between norms of relations and those of trust – that we find variations in the nature of trust across different relationships and different societies.

To understand trust in context of social relations, we need an understanding of various social relations. I turn to a view of the society where social actors are recognized as occupants of social roles, or recognized positions

in a social division of labour (Seligman, 1997, p. 7). In that structural view of society, social relations are understood as role-relations, governed by norms of the various roles. Our trust in people, therefore, takes place as we understand them qua their roles in the role-relations.
The first section offers a new understanding of roles and role-relation following MacIntyre's (1981) notions of internal and external goods. The second section suggests the advantages of recognizing roles in the practice of trusting. The third section discusses the assumptions and implications of role-based framework of trust. In the last section I anticipate and answer a potential objection. The conclusion demonstrates (i) why trust is not just a stand-alone dyadic arrangement, and (ii) how to account for the differential significance trust has in different social relationships.
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Entrapment, Temptation, and Virtue Testing, Daniel Hill (United Kingdom)
Keywords: entrapment, temptation, virtue testing, lying, deception
Abstract: We address the ethics of scenarios in which one party (the 'agent') entraps, intentionally tempts, or intentionally tests the virtue of another (the 'target'). We classify three types of act: entrapment, (mere) intentional temptation, and (mere) virtue testing. Our classification is, for each kind of act, of itself neutral concerning whether the agent acts permissibly (and the extent to which the target is culpable). We summarize our account (from REDACTED) of the concept of entrapment. We then contrast entrapment with intentional temptation and with virtue testing. We explain how an agent can intentionally present a person with an opportunity to act in a way believed to be impermissible, but without intending that the person take up the opportunity to act in this way. Procurement involves both intentions. While entrapment, temptation, and virtue testing all involve the former intention, only entrapment necessarily involves procurement.
We then explain why acts of entrapment are more ethically objectionable than like acts of (mere) intentional temptation by presenting a new moral objection to entrapment that we call 'the objection from moral alliance'. According to it, acts of entrapment are typically morally faulty at least partly because an agent that entraps someone thereby becomes morally allied (in a manner that we explain) with the target's impermissible act in procuring it. Moral alliance does not occur to the same degree in mere intentional temptation or mere virtue testing. We suggest that this is analogous to the way in which lying is typically more ethically objectionable than a like act of mere deception: the liar is more thoroughly allied with the falsehood asserted than the mere deceiver. We do not suggest that entrapment (or lying) is always morally impermissible, or that every case of entrapment is more ethically objectionable than every case of mere intentional temptation or mere virtue testing.

Session 09 - Rawls, political economy and the pursuit of a just economic system

[RAWLS session]
9th June, 14h00 - 15h45, GREEN room - Chair: Bru Laín

The Difference Principle and State-led Growth, Lukas Fuchs (Austria)
Keywords: Difference Principle, Innovation, Growth, State, Justice

Abstract: In the past two decades, political philosophers have debated whether economic growth is a suitable strategy to achieve social justice and in particular the Difference Principle (DP). Rawls's DP states that "[s]ocial and economic inequalities are to [...] be to the greatest benefit of the least-advantaged members of society" (Rawls 2001: 42-43). According to Rawls, the DP is one of the principles of justice adopted in the original position that help choose between different economic and social institutions for the basic structure. The vast literature on the DP has mostly operated under the assumption that the institutional arrangements that are legitimated by this principle are taxation and redistribution. However, recently theorists have argued that the pursuit of long-run economic growth - as opposed to redistribution - is the most promising strategy to maximise the long-term prospects of the least well-off. Brennan (2007) and Tomasi (2012) both claim that long-term growth, provided it is distributed equally, would ensure that the life prospects of the least advantaged in society are better than those in a similar society with a stagnant economy.

The stakes in this debate are high. For liberal egalitarians (such as Rawls), the DP has been the most powerful weapon against opponents of public interference in economic affairs. If the "Right-wing Rawlsian critique" by Brennan and Tomasi (2012) is right and the most effective way to aim at the difference principle is via growth, redistribution (or predistribution) may require a different theoretical justification. What's more, Brennan and Tomasi combine these normative arguments with the empirical claim that the best way to pursue high growth rates is to allow a laissez-faire market-centric economic regime, with low levels of taxation and without policy instruments to ensure widespread distribution of property.

This paper is a reply to this recent critique by Brennan and Tomasi. I will argue that - given their own normative commitments - they should prefer state-led growth, with strong inclusion of political and social institutions, as opposed to market-led growth. Section 2 reviews the current dialectical situation in the debate between Brennan, Tomasi and their critics. Section 3 argues that innovation-led growth is the kind of growth that is attractive to the least well-off in society. Section 4 maintains that state-led economic development is more likely to produce this kind growth, citing recent literature in political economy. Section 5 concludes.

Distributive Justice and Efficiency beyond Capitalist Rationality, Pierre-Etienne Vandamme (Belgium)

Keywords: Rawls; distributive justice; efficiency; priority; rationality

Abstract: Rawlsians and prioritarians both assume that there is a single right trade-off between distributive justice and efficiency. More than that, they hold that a just distribution is one that takes into account efficiency considerations. This article rejects both claims. The second claim (that justice includes efficiency) has famously been argued against by G. A. Cohen (2008). The purpose, here, is to show that firmly distinguishing distributive justice from efficiency, as suggested by Cohen, helps accommodating our intuitions when comparing societies with strikingly different cultural values and modes of economic organization. Some actual or imagined societies might legitimately reject the difference principle because they (including the least well-off) prefer to sacrifice some efficiency for the sake of equality and community for example. This choice could stem from a less (very western, or capitalism-shaped) maximizing rationality. Yet it is this narrow understanding of rationality, inspired by rational choice theory, that probably brought Rawls to the difference principle (although he ended up rejecting that foundation). The alternative defended in this article consists in acknowledging a plurality of morally acceptable combinations between justice and efficiency – ranging from strict equality to Parfit's (2002) principle of priority (and including the difference principle). It maintains Rawls' (1971) early constraint of a veto right for the least well-off yet allows for a wider diversity of rationalities, more in line with Rawls' (1999) later concern with respecting a diversity of political cultures. By so doing, the article offers a double contribution. First, it contributes to decolonizing Rawlsianism by showing how it (often) relies on an ethnocentric conception of rationality. Second, it completes G. A. Cohen's conception of justice, which does not offer guidelines to articulate justice and efficiency.

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A Pluridisciplinary Argument In Favor of a Variety of Just Political Economy Regimes, Mathis Porchez (France)

Keywords: Rawls Political Economy, Liberal Socialism, Property-Owning Democracy, Comparative Political Economy, Comparative Advantage

Abstract: In his Theory of Justice (1971) and his Restatement (2001), John Rawls argues that two different political economy systems respect the requirements set by his two principles of justice, that is what he calls a Property-Owning Democracy and Liberal Socialism. In other words, he argues that there is a variety of political economy regimes which are just, and thus that there is not one but several equally satisfactory routes toward the achievement of justice. Besides providing some more details on how these two regimes would work, he does not however explicitly develop any argument which could justify such a claim. Furthermore, in the growing literature on Rawlsian political economy, political philosophers have started to directly challenge it by trying to show that one specific political economy system fares better than the others. As an illustration, Holt (2017) holds that the only viable and just political economy system is LS, Thomas (2016) claims that it is POD, and Schemmel (2015) that the Swedish Universal Welfare State (UWS) is the one policymakers should try to implement to make their institutions just.

The questions I will address in this presentation are as follows: are Holt, Thomas, Schemmel and others right in maintaining that there is necessarily one political economy system which is better than alternatives? Is there not a convincing reason on the basis of which we can defend Rawls's thesis in favor of a variety of just political economy regimes? These are important questions, since if we demonstrate that Rawls's claim is warranted, this will then have a significant impact on how we study Rawls's political economy. Rather than debating about which system is best, it will imply that political philosophers (and political economists) should instead focus on identifying a range of different but just political economy institutions. I will provide positive answers to both questions and by the same token argue for such a methodological change. My argument will more precisely consist in assessing the implication of having a best political economy system. Assuming that every country ought to implement a specific political economy system and that they succeed in implementing it, we will be able to identify one issue that such a unique route toward the achievement of justice might raise: according to classical theories of comparative political economy and international economics, it might not allow the worse offs to maximise the amount of wealth they get and thus conflict with Rawls's difference principle. In turn, such a possibility, I will argue, provides us with a good reason to start rehabilitating the idea of a variety of just political economy regimes.

Session 10 - Human rights, the international world order and just war theory

[GENERAL session]

9th June, 14h00 - 15h45, RED room - Chair: Hugo Rajão

Proportionality in Cyberwar and Just War Theory, Fredrik D. Hjorthen (Norway)

Keywords: Cyberwar; Just War Theory; Proportionality; Ideal theory; Non-ideal theory

Abstract: Defensive and offensive cyber-operations can bring about significant harms but can also provide several seemingly reputable benefits. Which harms and benefits should be viewed as relevant when considering whether to launch cyber-measures? In this paper, we consider this question. This question matters because it is central to determining whether cyber-measures should be launched. If many of the potential benefits are excluded, cyber-measures may be permissible only in a limited number of cases since there will be fewer opportunities for them to be proportionate. By contrast, if several potential benefits are included, cyber-measures may be more likely to be proportionate and could therefore potentially be permissible in many more instances.

Several just war theorists argue that there are restrictions on the sorts of harms and benefits that should be included in proportionality assessments about the justifiability of going to war. Most notably, when weighing up the potential harms and benefits of the decision to resort to war, economic and material benefits should not be included. This is what we call the 'Restrictive View'. On a leading version of this view, only the goods

relevant to just cause count towards proportionality calculations. In the context of the cyber realm, the Restrictive View would hold that only certain types of goods are relevant for thinking about the justifiability of launching a cyber-response and not, for instance, economic gain or technological advances.
By contrast, in this paper we defend what we call the 'Permissive View'. This holds that all potential goods and bads should be included in proportionality decisions about cyber-measures, even those that appear to be trivial. We argue that the various harms and benefits should be given different weights, according to their agent-relative and agent-neutral features. In doing so, we argue that the Permissive View also applies to regular wars, to the extent that kinetic military operations, pace several prominent just war theorists, should also be assessed by all potential (weighted) effects, even those that appear to be frivolous.
We argue further that this has broader implications for the ethical frameworks governing cyberwar. Existing accounts largely revolve around two questions: first, whether cyberattacks provide just cause for coercive responses, including kinetic warfare and cyber-responses; and second, whether cyber-measures should be governed by just war theory or a new theory for cyber-operations. We will argue that proportionality assessments are central to these two questions. In response to the first issue, we argue that just cause for a coercive response ultimately depends on proportionality assessments. On the second issue, we argue that there is a more plausible alternative to the two leading camps, which holds that cyber-measures should be governed by the underlying principles of just war theory, but there should still be a new theory for cyber-operations. We argue that this theory should include a non-ideal approach to proportionality, so that, in practice, certain goods are viewed as relevant, even though, ideally, all goods are relevant.

Postscripts, Preambles, and the World We Fight For, Kyle Fruh (United States)
Keywords: Just War Theory, jus ante bellum, environmental restoration, jus post bellum
Abstract: Jus post bellum has emerged as a late but welcome addition to just war theory, filling out an appealing symmetry that countenances justice in going to war, in the conduct of war, and in the aftermath of war. But whether this symmetry is complete or whether just war theory is better understood to include yet another domain is still up for debate. In this paper we argue that just as the vision of justice advanced in principles of jus post bellum has echoes that reach back through the conduct of war and the decision to go to war, there are still earlier states of affairs in which those echoes are similarly audible. Following others who have pursued related questions, we address this new domain of just war theory as justice prior to war, jus ante bellum.
Whether just war theory can be so extended without being emptied of its distinctive value is contested, yet we contend that elaborating a just war theoretic conception of jus ante bellum contributes an important avenue for moral criticism of military activity in times of peace – without reducing to either jus ad bellum considerations, on the one hand, or broader questions of just governance, on the other.
One important emphasis throughout is on the way in which military activity, including the activity of fighting wars, impinges on human welfare through its effects on the environment. Environmental considerations have risen to a new prominence in just war theory, not least because of the importance of environmental restoration in jus post bellum discussions. They are one important way in which various aspects of just war theory are connected. We argue that the connections extend through just war theory, from the postscripts of war back not only to the first shots fired, but to war's preambles.
We proceed according to the following structure: First, we review some key aspects of recent work on jus post bellum with an eye toward connections between aspects of jus post bellum and established areas of just war theory. Next, in parallel fashion, we continue adducing connections between established areas of just war theory to argue for the extension of just war theory into a new domain, jus ante bellum. Then, we consider other, independent reasons to favor the creation of jus ante bellum and speculate about the various shapes it might take. We conclude by considering two different ways in which jus ante bellum could be distinguished from broader considerations of just governance.

Unjust lending and human rights violations, Cristian Dimitriu (Argentina)
Keywords: Sovereign Debts; Human Rights; Unjust lending; Financial System

Abstract: My paper explains some of the conditions that make lending unjust. One of such conditions is that lending contributed to human rights violations. Thus, a full account of what contributing to human rights violations through lending means needs to be developed. That is, I will explore what exactly counts as contributing to human rights violations, and how exactly the lending system is contributing to such violations. This issue is crucial, as knowing these conditions will provide us with a clear standard to assess the legitimacy of the current financial system.
Although there has been a lively discussion about what counts as human rights violations (See Nickel, James; Nozick, Robert; O'Neill, Onora (2005) and O'Neill, Onora (1996); Pogge, Thomas (1994) (2000), 2002, 2008, 2005a, 2005b, 2005c, 2007; Shue, Henry; Patten, Alan; Ashford, Elizabet; Cruft, Rowan; Gilabert, Pablo) this discussion has never been applied specifically to international lending. A notable exception is Making Sovereign Financing and Human Rights Work (See Bohoslavsky, Juan Pablo and Černič, Jernej Letnar, 2014), but they address the issue from a legal, and not a philosophical, perspective.
In order to achieve my goal of making clear the connection between lending and human rights, I will defend an account that explains when the lending system can be considered to contribute to human rights violations. Under such account, I will show that a clear causal connection has to be established between the specific loan itself and those human rights deficits, so that we can confidently say that the loan contributed to these violations. Additionally, I will show when exactly such causal connection exists. Finally, I will show when a human right deficit generates an obligation to address it, and by whom. Human rights deficits are morally problematic but, unless we endorse a radical interpretation of utilitarianism, they do not generate a constant and ongoing obligation to eliminate them
Tentatively, the account of human rights violations that I will develop will assume that the following conditions will have to be met: public officials violate the human rights of citizens if (i) citizens have a valid claim to X (where X is something they are entitled to), (ii) public officials are the agents who are specifically responsible for ensuring that the right to X is not violated (iii) there is a clear causal connection (by action, and not by omission) between incurring the loan and depriving citizens of X, and (iv) it is not optional or discretionary for public officials to be responsible for the deficit of X.

Session 11 - Migrants, border control and global justice

[GENERAL session]
9th June, 14h00 - 15h45, BLUE room - Chair: Catia Faria

Direct and Structural Injustice Against Refugees, Bradley Hillier-Smith (United Kingdom)
Keywords: Refugees; Migration; Structural Injustice; Direct Injustice.
Abstract: The dominant philosophical approach to understanding Western states' moral obligations towards the 26 million refugees worldwide is the Duty of Rescue Approach. According to this approach, Western states are innocent bystanders, overlooking the humanitarian crisis of refugee displacement unfold, and these states have duties to rescue refugees from this situation, at least if they are able to do so at little cost to themselves.
However, this dominant approach is fundamentally limited insofar as it fails to recognise that Western states adopt a variety of policies and practices in response to refugees, such as border violence, detention, encampment and containment. These practices result in significant harms and extensive human rights violations for refugees. The states that adopt these practices are far from innocent bystanders.
In light of these practices, Serena Parekh's recent normative analysis, in The Ethics of Forced Displacement (2017) and No Refuge (2020), has thus challenged the dominant approach and suggests that refugees endure extensive harms as result of Western state practices, including the harms of containment and encampment and the prevention of refugees from accessing adequate refuge. These harms, Parekh argues, are an injustice against refugees.
In this paper, I explore how we ought to understand this injustice against refugees. I contest Parekh's claim that the harms that refugees endure as a result of Western state practices ought to be understood as a structural injustice – an unfortunate, unintended unjust outcome resulting from structural processes. Instead, I contend that these harms are and ought to be understood as a direct injustice against refugees – an unjust outcome directly resulting from specific and avoidable policies enacted by unconstrained actors. If these harms

are indeed direct injustices, then Western states are certainly not innocent bystanders but are directly committing a grave injustice against the world's displaced.

Could refugees live anywhere they want?, Leonardo Barros da Silva Menezes (Brazil)
Keywords: refugees; responsibility-sharing; justice; legitimacy; matching quotas.
Abstract: In this article, I develop, within the terms of the recent New York Declaration, an account of the shared responsibility of states to refugees and of how the character of that responsibility effects the ways in which it can be fairly shared. States located near displacement generating states, typically poorer countries of the global South, find themselves with the highest proportion of refugee claimants because they are accessible. The resulting inequalities between states, which are cemented in place by migration control measures operated by Northern states to contain refugees in their regions of origin, mock the idea of refugee protection as a common responsibility of the "international society of states" (Owen, 2012).
Initially, I provide a normative map of how theorists have sought to formulate a just distribution scheme of such "burdens" (refugees) in a way that is more sensitive to the integrative abilities of particular states - e.g., level of GDP, size, and political stability (Gibney, 2015; Miller, 2016; Carens, 2013 - respectively). Paying attention to such factors would result in a distribution of refugees across states quite different from the current one and one that might supposedly be more just. I advance by contrast some critical reflections on each of these criteria, and expand such debate to a context of global justice. In doing so, I proceed through two distinct, but inter-related, steps. Firstly, I move beyond the question of the general obligations that states owe to refugees to consider ways in which refugee choices and refugee voice can be given appropriate standing with the global governance of refuge. Secondly, I offer an argument for the normative significance of refugee's reasons for choosing states of asylum and linked this to considerations of a refugee matching system and to refugee quota trading conceived as responsibility-trading. Before substantiating such an argument, I analyse the global governance of refuge through the lenses of global politics, asymmetries between developing and developed countries and the effects of power on the institutions and practices of refugee governance. In other words, I hold that the inclusion of refugee voice in relation to the justification of the norms of refugee governance must be politically sensitive to the global terrain in which those norms are given practical expression.
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Border Control: The Right and The Wrong, Yuan Yuan (China)
Keywords: Immigration justice, state legitimacy, moral permission, immigration amnesty
Abstract: Assume that a legitimate state has a qualified right to decide whether to admit a would-be migrant, for example, when the migrant's fundamental human rights are not at stake. When a state operates within this right, there remains a further question of whether its specific migration laws are morally justified. A crucial question arises: When a state imposes unjust immigration laws within its right, are would-be migrants and its citizens obligated to comply?
Javier Hidalgo argues that citizens and would-be migrants are justified to disobey unjust immigration laws. In contrast, Caleb Yong argues that they are justified to break only illegitimate immigration laws, and unjust laws—within reasonable limits—could be legitimate. Despite their disagreement, Hidalgo and Yong share the assumption that citizens' and would-be migrants' obligations to obey a state's migration laws stand or fall together. I reject this assumption and further demonstrate that migration laws' divergent normative power over the citizens vis-à-vis would-be migrants constitutes a key to grasp the intricate moral landscape of migration.
Drawing on the Kantian conception of legitimate authority, especially as elaborated by Arthur Ripstein and Anna Stilz, I argue that within reasonable limits, a state's migration laws authoritatively settle how the citizenry should act as a unified agent respecting border control. While the citizenry has to make univocal decisions

about migration laws, the citizens are always divided regarding the laws' justice. Assume that the state has enacted a reasonable migration law with a due procedure that respects every citizen's fundamental status as equal interpreters of justice. Even if a citizen disagrees with the law and her private moral judgment is valid, she ought not to act upon her private judgment to disobey the law.

In contrast, a state's legitimate migration laws lack similar authority over would-be migrants. States and would-be migrants are in a state of nature regarding border control because no common authority exists to adjudicate their disagreements. Disagreeing parties in the state of nature are each entitled to act according to their good-faith judgments about justice. Granting that a state's qualified right to border control is also a feature of its external sovereignty, its legitimate migration laws at most impose a pro tanto obligation on non-citizens to comply. Suppose that a would-be migrant has been refused admission. Nevertheless, she correctly judges that a state's migration laws are unjust, and her weighty reasons to enter outweigh her pro tanto obligation to comply. Since she is entitled to act upon her judgment, which is also correct, she is morally justified to enter the state with certain unlawful means.

In sum, my account reconciles a state's moral prerogative to enforce its legitimate migration laws with would-be migrants' moral permission to enter unlawfully defying unjust laws. To conclude the paper, I argue that the fact that many migrants did no wrong when they entered unlawfully suggests an attractive re-conceptualization of immigration amnesty. Namely, immigration amnesty is a mechanism where a state corrects the injustice of its migration policies, rather than an encouragement of lawlessness.

Plenary session 1

Moral Independence Revisited: A Note on the Development of Rawls's Thought: 1977-1980 and Beyond

Samuel Scheffler (New York University, USA)

9th June, 16h15 - 17h45, GREEN room - Chair: João Rosas

Keywords:

Abstract: Some commentators have expressed puzzlement about the influence a short paper of mine ("Moral Independence and the Original Position") may have had on the development of John Rawls's thought after the publication of A Theory of Justice in 1971. The issue arises because Rawls said in the Introduction to Political Liberalism (published in 1993) that my paper had played a role in the evolution of his views, yet readers have found it difficult to understand how or why it did so, since there is no evident connection between the content of my paper and the factors Rawls identifies elsewhere in his Introduction as having been responsible for the major differences between Theory of Justice and Political Liberalism. The question is of interest only insofar as it may help shed light on the complex evolution of Rawls's thinking during the period between 1971 and 1993. That evolution is the topic of this paper. By examining some of Rawls's published and unpublished lectures from the late 1970s and early 1980s, and drawing on correspondence I had with him during those years, I try to provide some context for his remarks about my paper and, more importantly, to refresh people's memory of the issues that were on Rawls's mind during that period. This may help to illuminate the position he eventually arrived at in Political Liberalism and some of the motivations for it. It may also help combat a certain tendency to anachronism: a tendency to read the finished doctrines of that book back into his earlier thought.

Session 12 - Democracy, the just economy and the foundations for a stable social union

[RAWLS session]

10th June, 09h00 - 10h45, GREEN room - Chair: Leonardo Menezes

The Economic Principle of Political Liberalism: A Comparison of Rawls and Sugden, Paolo Santori (Italy)
Keywords: Rawls, Sugden, Principle of Mutual Benefit, Political Liberalism, Second Principle
Abstract: In his 2018 book, The Community of Advantage, economist Robert Sugden sets out his principle of mutual benefit. This paper inquires the role that Sugden's principle occupies in Rawls' Political Liberalism, i.e., if it would be chosen by contracting parties in the original position and what the implications of the agreement would be. The outcome integrates Rawls' and Sugden's systems, proposing a new economic principle for political liberalism as: 'Social and economic inequalities are to satisfy two conditions: first, they have to be attached to positions and offices open to all under conditions of fair equality of opportunity; second, they have to be progressively reduced, extending, as much as possible, the opportunities of mutual benefit to all.'

Democratic equality and Rawls's criticism of welfare state capitalism, Juan Antonio Fernández Manzano (Spain)
Keywords: Capitalism, democratic equality, principles of justice, welfare state
Abstract: Throughout his intellectual career, Rawls outlined the main characteristics of a well-ordered society and came to the conclusion that not every political-economic system is compatible with justice as fairness. Starting from the principle of democratic equality both as the interpretive key of the principles of justice and as connector that unites the egalitarian requirements of the second principle of justice with the democratic ideal of the first, Rawls will try to clarify the characteristics that a political framework would need to have in order to be able to curb the tendencies of liberalism towards undemocratic inequality. Although the principles of justice are not adhered to any specific political or economic system, this does not mean that they do not implicitly carry a certain ideal of social institutions and a concept of public good. In a first analysis, in his 1971 Theory of Justice, Rawls makes an initial distinction between the two prevailing models taken as ideal types: the model of public ownership of the means of production, with greater weight of the public sector, and the model of private property of the means of production or property-owning democracy, where the public sector plays a minor role. It will be in the revised version of the Theory of Justice, 1999, when Rawls points out the differences between property-owning democracy and welfare state capitalism. In Justice as fairness. A restatement, 2001, Rawls will broaden the cast of possibilities and take into consideration five political, social and economic systems: laissez-faire capitalism, welfare-state capitalism, state socialism with a command economy, property-owning democracy, and liberal socialism. The dividing line will be established between the first three models, incapable of realizing the principles of justice, and the last two, compatible with them.
This work carries out an analytical study that traces the different stages of this process, reconstructs and interprets the main arguments by which the welfare state is discarded and sustains, against some interpreters (Vallier, 2015; von Platz, 2020), the solidity of the conclusions that lead Rawls to declare the incompatibility of every known form of capitalism to satisfy the requirements of justice, even when capitalism sets itself the goal that no one should fall, whether by accident, illness, loss of employment or misfortune, below a certain quality threshold of life.
Those who interpret Rawls as a social democratic defender of the welfare state or those who try to defend, supported by arguments in a Rawlsian key, a capitalism with a human face are not aware that Rawls's critique of capitalism is deeper than is usually recognized.

From Rawls to a New Social Contract, Paula Mateus (Portugal)
Keywords: social contract, reciprocity, cooperation, ideological narrative, distributive justice
Abstract: Rawls chooses to inscribe his theory of justice in the social contract narrative, although no new contract has been concluded around him when he writes. He could be thinking of the great revolutions, taking the contract as a relatively close real event, or at a more distant one, or even foreseeing a future social and political act. But he wasn't. For Rawls, the social contract is a purely hypothetical decision-making device, unmatched by any real agreement.
We will see that, besides the asymmetries, Rawls' political theory received some important legacies from Hobbes, Locke and Rousseau. From Hobbes he kept the thesis that the contract involves the expectation of reciprocity between individuals. From Locke, Rawls seems to have withheld the idea that, although the right to property is a natural one, it is up to the government to stipulate the terms in which it can be exercised, notably

by preventing monopolies, which both philosophers saw as politically damaging. With Rousseau he shares the reconciliation between freedom and government: the one who participates in decisions and exercises his citizenship submits to the General Will – the true sovereign – which is also his will, acquiring civic and moral freedom.
Some of the premises of the social contract tradition appeared in the idea of an Original Position: a) the contract does not define any design of the good; b) the contract cannot be a negotiation, but an act where free and equal persons choose the constituent lines of the society in which they want to live; c) although humans are 'calculating' advantages and disadvantages, they admit restrictions on their behavior, respect for the rights of others and the advantage of cooperation – they are rational, but they also have a sense of social justice. Others inheritances are less explicitly in the idea of society as a fair system of cooperation, which seems to gain prominence in Rawls' theory until Justice as Fairness, the Restatement.
Now, just as Rawls outlined his idea of social contract from this tradition, not repeating it, it is also urgent today to draw a new social contract, looking at Rawls as a source of inspiration. We will argue, as Rawls does, in favor of the thesis that the basis of the contract should be the idea of society as a fair system of cooperation between free and equal individuals and that the contract should promote the greatest constellation of freedoms possible and equal opportunities. However, we will defend a dated social contract, that is, a contract designed to respond to the demands of today: inequality, poverty, insecurity. The urgency of the contract is directly related to the destructive potential of these problems, political, socially, and economically. And we will also defend a contract that is not merely hypothetical, but a universalist moral narrative, an ideological formulation capable of breaking down traditional barriers between left and right, conservatives and liberals, and proposing new distributive concerns.

Session 13 - Problems of political legitimacy and authority

[GENERAL session]
10th June, 09h00 - 10h45, RED room - Chair: António Baião

Hierarchical Group Agency and Legitimacy: The Delegation Theory of Legitimate Political Authority, Ludovica Adamo (Italy)
Keywords: group action; authority; legitimacy; Bratman; Shapiro
Abstract: Recently, the theory of action has started focusing on large-scale, joint activities, namely, those activities that members of large-scale groups perform together toward common goals. Drawing on Michael Bratman's (1993, 2014) account of shared agency, Scott Shapiro (2011, 2014) sees states as hierarchical, large-scale groups, where an authority plans for its subjects. However, his account does not address normative questions, such as the one concerning the legitimacy of political authorities. When, if ever, is it legitimate for states to plan for their subjects?
In this paper, I adapt Shapiro's programme to answer this normative question concerning the legitimacy of political authority. By analysing political societies as instances of large-scale, hierarchical group agency, I present the delegation theory of the legitimacy of political authority. This theory argues that political authorities are legitimate when they a) provide their subjects with adequate plans that respond to reasons, and when b) the subjects delegate their planning powers to the authority.
Firstly, following Bratman (2007; 2018), I explain how individual practical reasoning functions. I highlight that agents form plans and intentions that motivate them to act in the pursuit of their goals. Intentions and plans motivate individuals to act by giving them reasons for action. I, then, argue that plans and intentions help individuals to respond to reasons by organising and coordinating their conduct.
Secondly, I focus on the legal case, namely, the case of agents who, qua members of political societies, act together in the pursuit of common goals under the state's direction. As Shapiro (2014) notes, states can plan for their subjects, where these authoritative plans organise and coordinate the subjects' behaviour to make them act as the authority ordered. Coordinating group members' behaviour in political societies is essential to achieve social order, ensure the population's safety and promote justice among other things. This large-scale co-ordinational activity seems to require complex institutional arrangements that states are better suited to carry out than individuals.

However, from the need for large-scale, social coordination, and from the fact that states can better achieve that coordination, it does not follow that it is legitimate for them to do so. Agents can plan their conduct, but they are (largely) prevented from doing so when subjected to authority. When, if ever, is that legitimate? We can acknowledge the importance of social planning and follow it, but that alone would not give us an obligation to obey the state's laws that stem from that social planning.
I argue that for the authority to be legitimate and for the subjects to have an obligation to obey its laws, a) the authority needs to provide adequate plans that respond to reasons and b) the subjects need to delegate their planning powers to the authority. The last part of the paper explains what counts as an adequate plan. It also shows what delegation amounts to and how, from a practical reasoning's perspective, it is built in the subjects' adherence to the law. The paper aims to answer a normative question about authority through the theory of action.
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Tacit consent revisited, Matej Cibik (Slovakia)
Keywords: Legitimacy, consent, Locke, authority, right to rule
Abstract: Though historically important, the notion of tacit consent plays little role in contemporary discussions of political legitimacy. The idea, in fact, is often dismissed as obviously implausible. Our ambition in this article is challenge this assumption. After considering the inadequacies of Locke's original conception of tacit consent, as well as the problems of the rival accounts of political legitimacy (especially the hypothetical consent theories and the Weberian social-scientific approaches), we develop a new, non-Lockean conception of legitimacy based on tacit consent. In short, we hold that if the inhabitants of the state have free access to information and ample options to display active dissent towards their government, yet choose not to do so, then they tacitly consent to the government, thus making it legitimate.

Session 14 - Moral responsibility, autonomy and equality (I)

[GENERAL session]
10th June, 09h00 - 10h45, BLUE room - Chair: Anthony Vecchio

Cynicism, Irony, and Solidarity: Moral Responsibility and Social Engagement in the Philosophy of Richard Rorty, Spyridon Kaltsas (Greece)
Keywords: Rorty, neo-pragmatism, cynicism, irony, solidarity, moral responsibility
Abstract: The main aim of this paper is to explore the conceptual relation between moral responsibility and social engagement in the neo-pragmatism of Richard Rorty in the light of the critique of cynicism. My main argument is that, although Rorty does not develop a theory of cynicism, his theory does indeed presuppose the critique of cynicism as a practical project. In this context, I argue that: a) the central problem of Rorty's neo-pragmatism is neither the epistemological problem of skepticism nor the question of relativism, but the moral-practical task of countering cynicism without presupposing an emphatic concept of truth or a theory of social critique; b) Rorty is unable to elaborate an adequate critique of cynicism because of the rigid distinction between private irony and public responsibility.
My presentation is divided into two main sections. In order to establish my position, I will first undertake a reconstruction of Rorty's thought in the light of Peter Sloterdijk's argument in the Critique of Cynical Reason. Sloterdijk's treatment of the subject provides an explanatory framework for the description of cynicism as the prevailing form of consciousness which permeates our culture and pertains to the structural discrepancy

between the empty formalism of noble ends and the inevitable cynicism of means. According to Sloterdijk, cynicism is the inevitable outcome of any universalist project or liberating aspiration and undermines the possibility of critique itself. However, Sloterdijk's understanding of cynicism appears to rely on the antinomy between the cynical subjection to the current relations of power (Cynicism) and the plebeian, sarcastic rejection of the dominant culture (Kynicism).
In the second section of my paper, I will try to further elucidate my argument by arguing that, in contrast to Sloterdijk, Rorty's neo-pragmatism centers on the need to rethink the possibility of freedom and understand anew the moral-practical dimension of our common future after the collapse of foundationalism and the demise of essentialist thinking. Rorty seeks to rethink the possibility of social engagement through moral responsibility as a public, intersubjective end without accepting neither the authoritatian pretensions of essentialist metaphysics nor the post-modernist cynical disengagement from the needs of society. However, Rorty is unable to provide an adequate explanatory framework for the development of a detailed and coherent critique of cynicism. The possibility of social engagement is undermined by the irreconcilable distinction between the essentially private projects of ironist self-creation and the public end of moral responsibility to others. I conclude by arguing that the critique of cynicism requires a theoretically informed criticism of social oppression and institutional cruelty through the reconstruction of a process of mediation between individual autonomy and social solidarity.

Social Norms and the Limits of Moral Responsibility, Katharina Naumann (Germany)
Keywords: Over-Demandingness, Supererogation, Social Norms, Moral Responsibility, Non-Ideal Theory
Abstract: It seems that morality, at least sometimes, can be quite demanding: it comes with certain costs for an agent, not the least because moral obligations can potentially conflict with her own interest, her well-being or projects. And even though we might often find it quite appropriate that moral demands should take precedence in such cases of conflict, this is not always the case. Sometimes we seem to assume that there should be some limits to that, we then consider certain moral obligations to be unreasonable due to their excessive costs for the agent. Against this background it is often claimed, that it is one condition of adequacy for moral theories, that they must not make excessive demands on us. In my talk I will (1.) challenge this claim by showing that standard overdemandingness objections, despite their intuitive appeal, do not constitute a convincing argument against moral theories for at least two reasons: They have trouble justifying how the line between costly and too costly actions can be drawn and they need to make room for the supererogatory, that is for a category of actions being morally good but not required, which cannot be easily justified, again despite its intuitive appeal. I then (2.) take a step back, and propose a more general reason, why arguments of this kind cannot be convincing: that is the case, I argue, because they assume that excessive demands must be due to the concept of moral obligation a moral theory proposes, and thereby neglect the ambivalent role social norms and expectations play in generating as well as perceiving something as (non-) obligatory. I will illustrate this point by comparing on the one hand the compliance with the numerous constraints we are all currently facing due to the Covid-19 Crisis and on the other hand the noncompliance regarding necessary action with regard to the climate crisis. Against this background I will finally argue (3.) that whether a given moral theory is too demanding rather has to be assessed with regard to what it holds us responsible for, that is whether praise, blame, guilt and forgiveness are fairly distributed given the social circumstances we live in. Thus, to solve the problem of overdemandingness one should not focus on adjusting ideal theories of moral obligation but rather seek to propose a nonideal theory of moral responsibility.

Excuses and their Role in our Responsibility Practices, Alexander Edlich (Germany)
Keywords: Excuse; Moral Responsibility; Blame; Conciliation; Responsibility Practices
Abstract: I will discuss the role of excuses in our responsibility practices and argue that there is a specific reactive stance fitting to excused action, namely conciliation. To do this I will rely on a distinction between excuses and exemptions: an agent is exempted when moral demands (in general, or those salient in a particular case) are not applicable to her because she lacks relevant capacities. Exempted action is not an instantiation of moral agency and not within the scope of reactive responsibility practices at all. Excused

actions are actions performed by morally competent agents that violate moral demands all things considered but are nonetheless not blameworthy due to excusing conditions.
The first aim of my paper is to vindicate the plausibility of excuses which amounts to showing that some conditions make blaming an agent unfitting although she performed a wrongful action. I will use examples of emotional strain, provocation, and extremely burdening moral demands. While I remain neutral regarding the plausibility of full excuses, I will show that partial excuses are widely acknowledged and figure centrally in our responsibility practices by mitigating which agents we view as worthy of blame, without mitigating wrongness of action. My discussion builds and expands on Kelly's (2013) account of excuses, but I will depart from it regarding the normative implications of excuses: whereas Kelly can be read as arguing that excuses override blameworthiness and make blaming the agent all things considered inappropriate, I argue that excuses make blame unfitting.
This opens space for the second aim of my paper. I will argue that excused wrongdoing has a specific place in our responsibility practices. That is to say that there is a sui generis reactive stance uniquely fitting towards excused wrongdoing and importantly different from blame. I call this stance conciliation. Conciliation can be understood as an attitude that seeks to mend the relationship where it has been fractured by wrongdoing. This contrasts with blame, which has been characterised as a form of moral anger (Wallace 1994) and a way of protesting wrongdoing (Hieronymi 2001, Smith 2013). Blame is confrontational and puts the blamer in opposition to the blamee. Conciliation is not oppositional but rather an attitude that seeks to engage both parties in a joint attempt to come to terms with the wrongdoing by mutual understanding and resetting the terms of the relationship. Whereas, in a Scanlonian framework of moral relationships, blame consists in adapting one's relationship with the wrongdoer in light of the wrongdoing, conciliation aims at maintaining the relationship despite the wrongdoing without ignoring or trivialising the wrong done. I will argue that conciliation is also different from forgiveness and from the attitude we take towards undesirable but not wrongful behaviour. As such, conciliation is uniquely fitting towards behaviour that is wrong but excused.
This shows that excuses and conciliation have an important place in our responsibility practices alongside wrongdoing and blame. Excuses block blameworthiness but not responsibility, and the fitting way to hold excused agents responsible is a conciliatory stance.

Session 15 - Climate change, natural resources, global justice and sustainability

[GENERAL session]
10th June, 09h00 - 10h45, ORANGE room - Chair: Catarina Neves

Global Egalitarianism and Natural Resources, Alex McLaughlin (United Kingdom)
Keywords: Global egalitarianism; natural resources; climate change; fair shares; responsibility
Abstract: The uneven global distribution of natural resources is a source of concern for those who seek to address inequalities between countries. According to resource exceptionalism, such is the importance of natural resources that they can act as a distinct currency of global justice. The claim that holdings of natural resources should be equalised has been associated in particular with left-libertarians, the early work of Charles Beitz, and has recently been revived in debates about climate justice. Contemporary global egalitarians, however, have levelled a powerful objection against resource exceptionalism. Their claim is that natural resources are not special in the way that has often been assumed. Rather, natural resources are important in the way that they confer advantage and, as such, we should judge the distribution of natural resources in light of a more general egalitarianism. The correct distribution of natural resources, these egalitarians claim, is therefore the one which 'equalises' background advantage.

In this paper, I show that this plausible claim is at odds with a more widely held conviction about responsibility for natural resource use. This principle, which I call the Fair Share View (FSV), claims that the burdens associated with the overuse of a natural resource should track agent's responsibility for exceeding their fair share. Given widespread current and historical overuse of natural resources, the FSV is an important principle of conservation. But I show that the account of equality that global egalitarians have recently

advocated cannot be squared with this principle. As a way of resolving this tension, I argue that egalitarians must revise their view. I claim that egalitarian criticisms of resource exceptionalism have been overdrawn, and I facilitate a reconciliation by revealing the underappreciated ways resource exceptionalism is compatible with a fundamental principle of distributive equality. This paper therefore offers a revisionary perspective on recent debates about global justice, suggesting that two views conventionally understood as incompatible can, and should, be endorsed at the same time.

In Section I, I draw out the tension between global egalitarianism and the FSV. Specifically, I show that the FSV is widely held and intuitive, and it is not vulnerable to the criticisms levelled at resource exceptionalism by global egalitarians. In Sections II and III, I argue that global egalitarians cannot defuse the tension I identify by endorsing an account of complex fair shares. Although this initially looks a promising avenue, complex fair shares are vulnerable to a number of powerful counterexamples. Section IV begins the reconciliation. I show that global egalitarians have not been clear enough in their claim that resource exceptionalism is incompatible with a fundamental principle of distributive equality. In fact, depending on our precise specification of the value of distributive equality, there are a number of conceptual possibilities for incorporating a version of resource exceptionalism. In Section V, I provide substantive content to this claim. I argue that natural resources are special in the way they implicate relationships that egalitarians should care about, and in the way they support and encompass the global economy.

Sustainability beyond future needs, Kalle Grill (Sweden)

Keywords: Human needs; Sufficientarian; Future generations; Value pluralism; Continuation of humanity

Abstract: In the academic debate on sustainable development, it has generally been assumed that there will be some future generations and that they will be more or less like us. Based on these assumptions, the debate has focused on what sort of capital and how much should be preserved for future generations. However, it is far from certain that there will be any future generations, or that they will be like us. By lifting these assumptions, we are forced to consider the value of sustainability more broadly.

Sustainability arguably involves needs in some sense. For example, the Brundtland report says that economic development is sustainable only if it does not compromise the ability of future generations to meet their needs. This condition, however, can be met in two devious ways, which were not anticipated by the report. First, if we ensure that there are no future generations, their ability to meet their needs will not be compromised. Future generations do not, after all, have a need to exist. Second, if we ensure that future generations have very modest needs, their ability to meet them is not so easily compromised, even with very limited capital or resources.

In light of these devious scenarios, we might conclude that sustainability is only one in a plurality of values, which must also include something like the existence of sentient beings over time, or the continuation of humankind in particular. However, acknowledging such a value does not avoid the conclusion that the immediate termination of humanity might be sustainable, even if unfortunate in other respects. Such a conclusion is, I believe, inconsistent with our intuitions about the value of sustainability. I therefore propose that we modify our concept of sustainability to avoid classifying the devious scenarios as sustainable, in part by accommodate a plurality of values within the concept of sustainability.

A core value of sustainability is the avoidance of unmet human needs. This value is sufficientarian on the individual level and in one sense absolutist or maximist on the collective level - no level of unmet needs is sustainable. We should certainly welcome degrees of sustainability, such that a future is more sustainable (or less unsustainable) the less it contains of unmet needs. Other values of sustainability may also be sufficientarian. For example, population size may need to stay above a few hundred million people at each point in time in order to contribute fully to sustainability at that time. If future generations should be like us in some sense, or preserve our ambitions and values, there may be a threshold of sufficient similarity. Similarly for values like biodiversity and wilderness, which may be given thresholds of sufficiency and contribute by degree below the thresholds. Other values of sustainability should arguably be maximist, such as the value of the continuation of humanity - the more generations a future contains, the more sustainable it is. Together, these values provide an ideal of sustainability worth striving for.

Session 16 - Public reason, value pluralism and the justification of authority

[RAWLS session]

10th June, 11h00 - 12h45, GREEN room - Chair: Leonardo Menezes

Legitimate Authority, Reasonable Consent, and Revolution, Ezekiel Vergara (United States)

Keywords: Legitimate authority, revolution, consent, reasonableness, ethics

Abstract: According to canonical writings in the ethics of warfare, a legitimate authority is required for a conflict to be justified. In recent years, though, many ethicists of warfare have argued the legitimate authority requirement should be jettisoned. As a result, a paucity of scholarship has been produced regarding legitimate authority. However, in spite of this scholarship, it remains a question as to (1) whether a legitimate authority is required in political revolutions and (2) what would characterize a legitimate authority in revolutions. In this paper, I attempt to answer both of these questions. I push back against jettisoning the legitimate authority requirement and instead argue that a legitimate authority is only needed in offensive, not defensive, conflicts. Once this is established, I argue that consent serves as the basis of legitimate authority in revolution, refuting other potential characteristics. Ultimately, I argue that by retaining a consent-based legitimate authority, one respects the autonomy of individuals and does not lapse into paternalism. With consent as the basis of legitimate authority, I then examine how consent functions in the revolutionary context, including, but not limited to, how much consent is required to sanction a legitimate authority and what type of consent is needed to sanction a legitimate authority. I posit that in order to address these concerns, one ought to appeal to the Rawlsian notion of "reasonableness," which provides revolutionaries with flexibility but preserves the intuitive value of consent. Finally, I address the problem of multiple legitimate authorities in revolution and how such a problem can be resolved ethically.

Normative theories of constitutional democracy. From rawlsian political liberalism to Dworkin's moral reading of the constitution., Valerio Fabbrizi (Italy)

Keywords: normativism; constitutionalism; political liberalism; dualist democracy; moral reading

Abstract: This proposal aims at contributing to the discussion about John Rawls' political liberalism, as one of the most important and enlightening versions of contemporary democratic theory. Thus, the intention is to present this paper in the Special Session organized to celebrate his work.

The publication of Political Liberalism, in 1993, had the merit to revitalize the normative paradigm, by resolving – at the same time – many of the weaknesses observed in The Theory of Justice (1971). Against the background of the question of "how is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical and moral doctrines?" John Rawls builds his model of a well-ordered society as the prerequisite for a liberal-democratic constitutional regime.

Thus, this paper engages the normative account of democratic theory by taking John Rawls' liberal-democratic account of constitutionalism as its starting point. The Rawlsian normative account will be deeply examined, firstly addressing the liberal principle of legitimacy and the overlapping consensus and then discussing public reason paradigm and the role of the Supreme Court within dualist democracy.

Furthermore, the second section of the paper will explore two normative non-rawlsian accounts of liberal-democratic constitutionalism, such as those defined by American legal scholars Bruce Ackerman and Ronald Dworkin. Here differences among Rawlsian, Ackermanian and Dworkinian constitutional paradigms will be presented, to offer arguments in defence of the first one over the latters. It will be explained why Rawlsian political liberalism is alternative, although similar, to the Ackermanian dualist model of democracy and to Dworkin's foudationalism. Both Ackerman's arguments for "unconventional adaptations" and "landmark statutes" and Dworkin's "moral reading of the Constitution" are two radically anti-rawlsian normative accounts, but they differ from each other for many reasons: Ackermanian dualism does not accept any moral implications or implicit or explicit entrenchment for fundamental values. Indeed, Ackerman refuses both the "historical" entrenchment proposed by Rawls and the foundationalist and moral version defended by Ronald

Dworkin. This paper will investigate all the three versions of normative constitutionalism, by mainly focusing on Rawlsian political liberalism and its critics.

Was Political Liberalism Necessary After All? On the Irrelevance of Public Reason to Political Legitimacy, Giulio Fornaroli (Italy)

Keywords: Political legitimacy; Rawls; basic structure; public justification; public reason.

Abstract: What motivated Rawls's turn in Political Liberalism is, according to the usual narrative, a discomfort regarding the way in which the problem of the authority of the state had been previously addressed. Specifically, Rawls comes to believe that the authority of the state can only be justified by appealing to reasons "all citizens [...] may reasonably be expected to endorse," which, under conditions of pluralism, prevents any comprehensive account of justice (such as Rawls's own justice as fairness) from lending support to the authority of the state.

In this paper, I intend to demonstrate that the turn towards public justification, which inaugurated contemporary public reason liberalism, does not help solving the problem of legitimacy. Maybe other reasons offered in support of public reason (such as those derived from mutual respect within the political community or reasons of stability) are valid and compelling but, if I am right, theorists concerned with legitimacy do not have to rely at all on a model of public justification.

I define the problem of legitimacy, in line with the literature, as consisting in how to justify the authority of the state. I then define authority, again in line with the literature, (Raz, Enoch, Perry, Renzo) as the power to impose duties on others, or to create, at will, commands that are presumed to be action-guiding. Legitimate authorities not only claim to have the power but possess it unequivocally. Legitimate authorities produce genuine reasons for action.

Once we understand legitimacy this way, we see that focusing on the reasons the state offers to justify its authority is no solution at all. For the state may attempt to justify its authority by offering public reasons but that does not suffice to demonstrate that the state has produced genuine reasons for action. A reason offered by the state can be public (i.e., in the terms of contemporary scholarship, shareable, accessible, intelligible, etc...) without being a genuine reason for action that citizens ought to conform to. Or, in a slogan, just because you did me the courtesy of justifying your norm in ways I can understand, it does not follow I should accept you have the authority to impose the norm on me.

What, on the other hand, can demonstrate that the state does possess legitimate authority? That can only depend, I suggest, on the impact that the authority of the state produces. Specifically, I suggest that an authority is legitimate if the normative conditions that the authority creates help citizens in their aspirations to act justly and take responsibility for their ends.

If my account of legitimacy as normative impact is correct, Rawls's introduction of the idea of the basic structure in A Theory of Justice plays a much more significant role in solving the problem of legitimacy than any of his later reflections. If a state wants to justify its authoritative imposition of norms, I conclude, it has to show that at least its basic structure is organized for the citizens, not in the sense that it makes their lives overall more enjoyable but that it makes easier and less burdensome for them to behave justly towards one another and adopt choices for which they can be called responsible.

Session 17 - Liberal democracies: tendencies, pathologies and potential solutions

[GENERAL session]

10th June, 11h00 - 12h45, RED room - Chair: António Baião

Random Selection, Incentives-Based Capture and Class-Specificity, Vincent Harting (Chile)

Keywords: Oligarchic capture, lottocracy, class-specific institutions, solidarity, democratic legitimacy

Abstract: Political theorists are increasingly sceptical about the democratic potential of purely election-based systems of political institutions. While the reasons explaining this tendency are manifold, one outstanding worry is that these systems produce too strong vulnerabilities on the part of representatives to be captured by

economic elites, whereby the former use their "…position to advance the interests of the powerful, rather than to create policy that is responsive or good" (Guerrero, 2014, 142). Champions of electoral democracy commonly claim that oligarchic capture can be fought through external mechanisms of accountability (i.e. different from the selection process for appointing representatives or their particular profiles, such as anti-money in politics legislation), but others think that elections as such importantly cause this problem. For, among other things, the powers and independence held by elected representatives, as well as their identifiability ex-ante incumbency, create great incentives and opportunities for the wealthy to exercise influence through various strategies. This has led authors to endorse 'lottocratic' methods of selection instead, whereby representatives are appointed on a random basis from a relevant population and then frequently rotated (e.g. Abizadeh, 2020; Gastil & Wright, 2019; Guerrero, 2014; Landemore, 2020). Doing so, it is argued, would help to solve the oligarchical tendencies of electoral democracy and better realize egalitarian forms of popular rule, inter alia because "…representatives [would] not [be] reliant on wealthy supporters for [achieving] their positions" (Landa & Pevnik, 2020, 4).

Yet there are also good reasons to relax our hopes on the anti-oligarchic prospects of lottocratic institutions. For even granted that influencing randomly-selected representatives would be more difficult for the wealthy, representatives under nonideal circumstances would still reasonably face great incentives for deviating from responsive or good democratic outcomes – e.g. the wealthy could generate a reputation of rewarding those who act on their interests with future jobs, instituting a "…strong personal interest in catering to the needs of wealthy and powerful groups" (Landa & Pevnik, 2020, 9). Lottocratic democratic innovations would, thus, only change the "…strategies that [wealthy elites] employ to exercise unequal influence" (Idem), not their ability to do so. Call this the problem of incentives-based capture (PIC). This paper reflects on how lottocratic assemblies bestowed with significant formal decision-making powers could better avoid PIC. Focusing on internal solutions to PIC (i.e. directly related to the very process of random selection and rotation and the specification of the profile of suitable candidates), I argue that selecting members only from economically disempowered sectors of society could be beneficial to that end. Drawing on recent 'plebeian' approaches in democratic constitutional theory (e.g. Arlen, 2019; Arlen & Rossi, 2020; Bagg, 2021; McCormick, 2011; Mulvad & Stahl, 2019), I shall expand on the currently under-developed, but fundamental, claim, that people coming from those sectors are more likely to produce the necessary bonds of class solidarity and executive interests underpinning reluctance to follow wealthy-generated incentives. In turn, I will hold that formally excluding the wealthy from some political institutions is an attractive move outweighing important challenges related to their democratic legitimacy.

Personalization of politics and single-person rule, Paulina Barrera Rosales (Mexico)

Keywords: personalization of politics, single-person rule, tyranny, despotism, dictatorship, caesarism, charismatic leader

Abstract: This paper will address the contemporary phenomenon of the personalization of politics and posits that this complex phenomenon may be studied in political theory by identifying and juxtaposing current regimes with the different figures of single-person rule. These figures, namely the tyrant, the despot, the dictator, as well as the more recent caesarist and charismatic leaders, have been mostly -though not always- considered examples of "bad government" or disnomia. In a similar way, current regimes are usually understood by their critics as undergoing a crisis or even labeled as non-democratic. The first section of my paper will focus on the existing literature on the personalization of politics from different disciplines. The critical analysis of the literature will be helpful to propose a redefinition of the concept of personalization of politics, to identify its connections and differences with similar and correlated phenomena, as well as with a broader and more diffuse issue in contemporary political regimes: concentration of power. The second section will locate the figures of single-person rule within one of the classic debates in Western political thought, which contrasts the "rule of law" with the "rule of individuals". It will also include a brief reconstruction of the figures listed above building upon the work of classic authors in Western political thought. Both positive and negative opinions of such figures will be taken into consideration. The third and last section of my paper will address the possible connections between the figures of concentrated power elaborated by classical and modern political culture and contemporary political systems. It is not the intention of this paper to provide an

assessment on whether or not contemporary regimes are democratic. Rather, I will suggest that some elements of these figures may offer categories that allow for a better understanding of contemporary regimes.

Ethical Consumerism, Democratic Values, and Justice, Brian Berkey (United States)
Keywords: ethical consumerism, justice, democracy, markets, Waheed Hussain
Abstract: It is widely believed that just societies would be characterized by some combination of democratic political institutions and market-based economic institutions. Underlying the commitment that many share to the combination of democracy and markets is the view that certain normatively significant outcomes in a society ought to be determined (at least largely) by democratic processes, while others ought to be determined (at least largely) by market processes.
Because there are moral limits on what the state can do to shield democratic processes from the influence of market power, a society's ability to fully realize both the values that justify market-based economic structures and the values that underlie our commitment to democratic processes depends on agents acting within democratic processes refraining from supporting excessive restrictions on market action, and on economic agents voluntarily refraining from exercising their legally available market power in ways that undermine democratic values. While much of our concern might reasonably focus on the ways in which very wealthy individuals, corporations, or the capitalist class might exercise their extensive market power in ways that undermine democratic values, it is not only the wealthy and powerful that can employ market power in ways that are inconsistent with democratic values. Waheed Hussain, for example, has argued that certain consumer choices that are available to the wealthy and non-wealthy alike can involve an impermissible use of market power that violates core democratic values. Specifically, he claims that ethical consumerism campaigns, such as organized boycotts, in which participants employ market power with the aim of bringing about social change, must meet a rather strict set of conditions in order to avoid impermissibly violating core democratic values.
My central aim in this paper is to defend an alternative to views like Hussain's about the limits of the permissible use of market power that aims to influence social outcomes that we generally think ought to be determined largely by democratic processes. I argue that Hussain's view involves an overly narrow conception of the means by which social change consistent with core democratic values can be brought about, and articulate an alternative, less restrictive view. Importantly, my view shares with Hussain's the requirement that agents employing market power in the course of pursuing social change within societies with sufficiently well-functioning democratic processes do so in a way that is consistent with core democratic values. I suggest that the appeal of more restrictive views like Hussain's likely has its source in a widely held but mistaken view about the relationship between requirements of justice, institutional policy, and the behavior of agents within institutional constraints.
If my argument succeeds, then we ought to accept not only that organized boycotts are permissible, and consistent with core democratic values, in a wider range of cases than views like Hussain's allow, but more generally that the employment of market power in pursuit of social change within well-functioning market democratic societies can, within fairly broad constraints, be a democratically legitimate means of promoting justice.

Session 18 - Moral responsibility, autonomy and equality (II)

[GENERAL session]
10th June, 11h00 - 12h45, BLUE room - Chair: Anthony Vecchio

The Basis of Children's Moral Equality, Giacomo Floris (Italy)
Keywords: children; moral equality; moral inferiority; self-respect; friendship
Abstract: The question of the basis of human equality has recently gained increasing interest. Much of the literature, however, has focused on examining what grounds the equal moral status of persons, typically understood as fully competent adults (Carter, 2011; Christiano, 2015; Rawls, 1971). Relatively less attention, instead, has been devoted to the question of the equal moral status of those human beings that are not fully competent adults, such as severely cognitively disabled human beings and children. This paper aims to contribute to fill this gap by providing a novel justification for children's equal moral status with respect to one another.

The paper is structured as follows. Section 2 introduces a liberal conception of moral status whereby the possession of moral status entails being a right-holder.
Section 3, first, illustrates the objections that standard views of the basis of moral equality face. Second, it discusses Ian Carter's influential account of persons' moral equality. According to Carter, persons' equal moral status is grounded in a duty of opacity respect to refrain from looking at the variations in the degree to which persons hold the relevant agential capacities (Carter, 2011). While the opacity respect view provides a promising justification for persons' moral equality, I contend that it does not have the theoretical resources to account for children's moral equality because either children are not entitled to opacity respect, or opacity respect is not a basic requirement of what is owed to them.
Section 3 then concludes that the basis of children's moral equality is to be found in another form of respect – what I call positive respect – which consists in providing children with those social conditions that facilitate the acquisition of a proper and stable capacity for moral personality. In brief, this is because unequal consideration and treatment is a significant obstacle to the provision of some goods that are necessary to obtain the capacity for moral personality and, as such, is incompatible with the fulfilment of the duty of positive respect.
The positive-respect-based argument for children's moral equality is elaborated in sections 4 and 5. Section 4 argues that moral inferiority is detrimental to the development of a robust sense of self-respect, the possession of which is a prerequisite for holding a proper and stable capacity for moral personality. Therefore, the avoidance of moral inferiority is a fundamental social base of a child's sense of self-respect.
Section 5 contends that moral superiority is also a significant obstacle to the cultivation of a proper and stable capacity for moral personality because it precludes, or at least obstructs, children's access to those social conditions that favour the formation of integrated friendships, which are essential to children's development into well-adjusted adults capable of moral personality.
Section 6 concludes by addressing two objections so as to clarify and strengthen the argument.

Choosing for our future selves. The moral requirements of diachronic self-regarding morality, Eleonora Viganó (Italy)
Keywords: Self-regarding morality, diachronic intrapersonal conflicts, future self, prudence, open present
Abstract: Our lives are a constellation of diachronic intrapersonal decisions, namely decisions that involve ourselves – not other individuals – and have consequences on our later selves. Such decisions are diachronic as they involve the individual's earlier and later selves and belong to self-regarding morality, which concerns one's relationship with oneself and its normative element is prudence, i.e. the care for oneself. Self-regarding morality is a fundamental part of everyone's life, and decisions belonging to that can highly alter the course of one's life. An example of diachronic intrapersonal decision is the choice between moving to another country to look for more and better life opportunities in an unfamiliar environment, on the one hand, and staying in one's home country, which is a familiar environment one is used to, but it has less life opportunities, on the other hand.
Notwithstanding the relevance of diachronic intrapersonal decisions, the agent's relationship with herself has been overlooked in moral philosophy, as morality has been mainly interpreted as interpersonal (i.e. regulating the relationships among persons) and other-regarding from Kant onwards. Only recently, after the publication of Paul's book "Transformative experience" (2014), scholars have started discussing diachronic intrapersonal decisions, especially the ones that change how an individual experiences being who she is, i.e. the decisions that change her as a person, such as having a child.
Diachronic intrapersonal decisions are challenging for the individual facing them for two reasons. First, they are made at a point in time of the individual's life in which it is not possible to know whether her future self will agree on the decision. Second, diachronic self-regarding decisions impact on the individual at a later time, but the latter cannot have a say in the decision taken by the individual's earlier self, who has to decide for both.
In this contribution, I will firstly identify and analyze the morally relevant features of the individual's present and future selves in diachronic intrapersonal decisions. These are (I) the asymmetry of decisional power between the individual's present and future selves (i.e. the present self's decisions influence the future self but not vice versa), (II) the present self's objective ignorance of the future self's identity, existence, and condition, (III) the indeterminacy of the future self's identity and existence, (IV) and the strong causal connection between the present and future selves. Then, from the morally relevant features of the individual's present and future

selves, I will derive the normative requirements of diachronic intrapersonal conflicts. These requirements are the present self's diachronic intrapersonal responsibility to the future self, the present self's duty to preserve the future self's agency, and the future self's right to an open present and veto power.

Patient-Regret, Lisa Hecht (Germany)
Keywords: regret; responsibility; being a reason; lesser evil justifications
Abstract: In this paper, I introduce the idea of patient-regret. Like agent-regret, patient-regret is an emotion that is appropriate in reaction to one's involvement in a bad outcome. However, the kind of involvement differs for those two types of first-personal regret. A person feeling patient-regret is not causally responsible for a bad outcome but she (or her wellbeing) was a reason for someone else, justifiably or unjustifiably, bringing about a bad outcome. Patient-regret is reasonable because it fulfils the same valuable functions as agent-regret.
First, I argue that patient-regret is appropriate if one was a reason for another person acting on a lesser evil justification. Consider Ann who is at high risk of getting seriously ill with a dangerous virus. In order to protect Ann's life, her government introduces a strict lockdown. Because of the lockdown, Bob loses his business. It is appropriate that everyone feels sad about Bob's loss but Ann is especially involved in this bad outcome. In what sense is she involved? The lockdown is justified as the lesser of two evils because of the benefits to Ann's wellbeing and the wellbeing of others in her position. Ann has control over whether or not her wellbeing constitutes a reason for the lockdown. I here follow Jonathan Parry who argues that one may not justify one's action by appeal to other people's good if those people refuse to be benefitted."(Parry 2017, 362). By declaring, that she does not want the government to institute the lockdown for her sake, Ann can take her wellbeing out of the cost-benefit equation. The government has to consider whether even without Ann's wellbeing counted in, the benefits still outweigh the costs. In this sense, Ann has control over whether her wellbeing is part of the justification for the lockdown and so Bob's loss.
Second, I argue that is appropriate to feel patient-regret even if one, against one's will, was the reason for someone's unjustified action. Consider Christine who badly needs a spare part for her old-timer. Her admirer irreparably damages Don's old-timer in order to get the needed spare part even though Christine told him not to Again, I build on Parry's argument to explain why it is appropriate for Christine to feel patient-regret is appropriate. Parry notes that we are intimately connected to our own good just as much as we are connected to our bodies (Parry 2017, 374). Agent-regret is appropriate when our body brings about a bad outcome without us being at fault. Hence, if we are as intimately connected to our own good as we are to our bodies, then we are connected to bad outcomes that others brought about appealing to our good even if the action was against our will. This explains why it is appropriate for Christine to feel patient-regret about Don's damaged car. For her admirer, her wellbeing was a reason to damage the car. He involved her against her will in a bad outcome.

Session 19 - Reasonableness, public reason and the overlapping consensus

[RAWLS session]
10th June, 14h00 - 15h45, GREEN room - Chair: Leonardo Menezes

Civic Friendship vs. Public Reason, Andrei Bespalov (Russia)
Keywords: justice as fairness; political liberalism; public justification; Rawls; reasonable disagreement
Abstract: For the Special Session celebrating John Rawls
According to Rawlsian political liberals, it is sufficient for civic friendship that citizens fulfil the requirements of public reason: they should publicly support only those legal provisions that are justifiable on the grounds of liberal political conceptions of justice, such as Rawls's justice as fairness. I will argue that when Rawlsians' own notion of civic friendship is defined clearly, it demands more political solidarity than is required by liberal political conceptions of justice.

On Leland and van Wietmarschen's (2017) Rawlsian account of civic friendship, it exists when citizens "want to help one another through participation in political life." Elaborating on this idea, Leland (2019) argues that civic friends

(1) "non-instrumentally value and participate in fair social cooperation for mutual benefit," and

(2) they are "disposed to find their own contribution to such benefits to be a source of satisfaction, to find others' contributions to be targets of appreciation, and to trust one another in political contexts."

The condition (1) is necessary for civic friendship when citizens adhere to incompatible doctrines of the good. On the standard Rawlsian view, all reasonable citizens value fair social cooperation as a practical realisation of the value of reciprocity, which they all embrace insofar as they are willing to treat each other as free and equal persons. However, treating each other as free and equal persons is not specific to friendship, it may well characterise the relations of mutual toleration or mutual respect. Hence the additional requirement that citizens be willing to help one another through participation in politics, or Leland's condition (2).

I contend that liberal democratic citizens cannot be reasonably expected to fulfil the willingness to help condition. The condition implies that reasonable citizens have no significant disagreements about the laws and policies that they should prefer. But mere reasonableness does not by itself point towards the best laws and policies, for in many cases there may be multiple reasonably acceptable policy proposals, which, nevertheless, conflict with each other. Therefore, as reasonable citizens exercise their rights to vote and to hold political office, they may well engage in a partisan political contestation, in which they cannot be reasonably expected to be willing to help their opponents.

As it turns out, the commitment to public reason — i.e. readiness to support only those legal provisions that are justified on the grounds of liberal political conceptions of justice — is compatible with engaging in a robust political competition with one's compatriots. Accordingly, social cooperation on fair terms specified by liberal political conceptions of justice is possible even when citizens do not actually help, nor do they want to help each other through participation in politics. Thus, the commitment to public reason is insufficient for civic friendship, and furthermore, legal provisions aimed at maintaining civic friendship cannot be publicly justified.

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Rawls Overlapping Consensus: Moral Reasoning and Moral Sentiments, Luís Lóia (Portugal)

Keywords: Justice, Constitutional Consensus, Overlapping Consensus, Public Reason, Moral Sentiments

Abstract: In A Theory of Justice (1971), Rawls aims to rationally deduct the principles of justice that free and moral people, in an Original Position under a Veil of Ignorance, i.e., under conditions of equality and impartiality, would adopt to form a just society that they would like to live on. The rational strategy of maximizing the minimum of the best possible outcome would lead them to choose the same principles in a practical reasoning exercise similar to a Kantian formalisation. Although conceived as a rational deduction, the choice of the principles of justice requires a consensus about the same basic conception of justice since we must consider that there are different comprehensive conceptions of it. As Rawls states: Political argument appeals to this moral consensus. That means that is not possible to accomplish such a task within a political strict consensus. We must reach an overlapping consensus grounded in conditions of reciprocity. We then must inquire in what conditions this overlapping consensus may be reached. In A Theory of Justice, Rawls does not deal with the question, in fact, in his early work the term overlapping consensus only occurs one time, in § 59: The Role of Civil Disobedience, and although in the article The Idea of an Overlapping Consensus (1987) he clarifies and address some objections on it, it is only in Political Liberalism (1993) that comes to a wider public knowledge an entire lecture dedicated to the theme in which we may find a difference between political or constitutional consensus and moral consensus. If the former does not raise many difficulties to be understood, since it deals only with political basic structure of one society, the latter seems to be more problematic. Different religious, moral, and philosophical conceptions may underpin different comprehensive conceptions about justice and, as so, also different conceptions of what ought to be a just society. In this case, how can such a needed consensus be reached? Rawls overcomes the difficulty by separating political philosophy from other parts of philosophy, in particular moral, religious philosophies, considering that in a society with a

democratic tradition, public reason and reasonable pluralism will promote that overlapping consensus which, once achieved, and stablished in a fair constitutional regime, it becomes de very nature and definition of political liberalism itself. Bearing in mind that it is difficult to identify the process of formation and even the sustainability of such a public reason, we depart from the premiss that citizens do not justify their decisions on fundamental political questions having as reference only public values and public standards and, if so, we take as our second premiss as the indetermination of the existence of a pluralistic reasonability, and that takes us to the conclusion that an overlapping consensus could not be more than a postulate in Kantian terms.
On the scope of this reasonable defence of faith, we aim to show how, departing from the reading of the Lectures on the History of Moral Philosophy, in particular the lectures on David Hume, Rawls interpretation of the theory of moral sentiments may be more appropriate for the understanding and justification of the need for an overlapping consensus in the establishment of a just society. For if that could be the case, each citizen will engage the same liberal conception of justice for their one moral reasons.

A Dilemma between Reasonableness and Coherence in Rawls's Account of Public Reason, Lorenzo Testa (Italy)
Keywords: Public Reason, Burdens of Judgment, Theory of Rationality, Moore's Paradox
Abstract: Rawlsian account of public reason requires that political rules that regulate our life in common must be justifiable to those persons over whom the rules have authority. It is legitimate to coerce some people only if this kind of coercion could be justifiable by appeal to ideas and arguments that those persons could accept. Rawls argues that the scope of the people to whom public justification is owed as a condition for legitimacy has to be restricted to the reasonable persons only, and so he gives an account of reasonableness. In order to be reasonable, persons must meet two different requirements: a normative one and an epistemic one. Making use of Moore's Paradox (which consists in propositions of the form "P, and I do not believe that P") I will show that if we accept this account of reasonableness, then we have to accept an highly undesirable conclusion: persons who believe in a comprehensive doctrine must be incoherent in their beliefs in order to meet rawlsian requirements for reasonableness. In order to achieve this result, I will examine a series of propositions which could be believed by someone committed to a comprehensive doctrine. I will use as an example a religious person, showing the tension between a sincere belief in a religious doctrine and the epistemic requirement for reasonableness in Rawsl's theory of public reason. I name this tension between coherence and reasonableness the "reasonableness dilemma", defining that as:
(RD) Those who are committed to a comprehensive doctrine could meet the epistemic requirement for reasonableness only if they are incoherent in their beliefs; and they could be coherent in their commitment to a comprehensive doctrine only if they are unreasonable and thus excluded from the constituency of public reason.
In order not to originate this dilemma, I claim that a revision of the requirements for reasonableness is needed. There are two ways in which this could be done: one is to get rid of the epistemic requirement and build a revised public reason account with the normative requirement only; the other is to correct the epistemic requirement and to get rid of the burdens of judgment only. In the end I will claim that while it is still possible to defend a theory of public reason without relying on the burdens of judgment, this kind of theory would not be one that Rawls would defend.

Session 20 - Populism, liberalism and democracy

[GENERAL session]
10th June, 14h00 - 15h45, RED room - Chair: António Baião

Why Laclau is not the thinker of populism, Pedro Góis Moreira (Portugal)
Keywords: Laclau, Populism, hegemony, radicalism, postmodernism
Abstract: Since the successes of Syriza and Podemos, newspapers have, again and again, reduced Laclau's thought to the mantra that he is "the thinker of populism." Given that we were outside of a scholarly context, we could still allow this simplification of his work. However, over time, even figures such as Cas Mudde have spoken of Laclau as only a thinker of populism and without addressing the rest of his work. Even in Laclau's

scholarship, Marchart arrived at a point where he explicitly said that "Laclau is, first and foremost, the thinker of populism." (Marchart, 2018, p. 236)
In this paper, we say "enough." Except in the more fleeting sense that Laclau is currently famed and well-known for his theory of populism, there is no robust sense in which Laclau is the thinker of populism. The fact that Laclau advocated populism at one point doesn't mean we can reduce his entire work to that moment.
On the one hand, Laclau believed that populism was only one possible conclusion of his political theory. Though he advocated that the Left should become populistic in one point in time, he did not think that populism was unambiguously good or that it was a recipe for all future political occasions. The very fact that Laclau is deliberately elusive regarding the normative implications of his theory of populism already hints us to the fact that there is no direct path from his political theory to populism. As Marchart puts it well: he was making a political intervention in one point in time. However, while for Marchart this political intervention shows that Laclau is the thinker of populism, I will argue that the opposite is true.
On the other hand, Laclau's return to the subject of populism is a bit of a regression given the increasingly abstract direction of his thought. From Politics and Ideology in Marxist Theory to Rhetorical Foundations of Society, Laclau's thought has a clear and increasingly abstract direction, but Populist Reason awkwardly stands in the middle. As several commentators pointed out, except for its psychoanalytical insights, this work does not deepen Laclau's categories but in fact reads as an addition to his theory of hegemony. I will look at Populist Reason's historical context and, then, it will become clear that Laclau's return to populism was due to the fact that he was increasingly criticized from all sides for having a "negative" and abstract thought, and that his critique of the Enlightenment and essentialism did not offer anything "positive" in return.
If anything, Laclau is the thinker of postmodernism. This does not sound as exciting as "the thinker of populism." But his problematization and deconstruction of classical political narratives is what truly sets him apart from other Marxists or free market liberal thinkers.

Incompatible sovereigns: populism, democracy, and the two peoples, Leonardo Fiorespino (Italy)
Keywords: Populism; democracy; people; elite; popular sovereignty
Abstract: The contribution aims to investigate the problematic relationship of populism and democracy, by comparing the conceptions of 'the people' and popular sovereignty which they more or less expressly advocate. Whereas populism is often said to intertwine with democracy in some way, my contention is that it significantly departs from democratic theory and practice, and belongs to a distinct conceptual space. It cannot be made to overlap, for instance, with "illiberal democracy", a "democratic myth", a crude electoral majoritarianism, nor it amounts to hiding undemocratic policies into properly democratic justifications. The boundary dividing populism and democracy starts unfolding at the level of the conception of the people. Therefore, I will attempt to reconstruct the populist and the democratic 'peoples', so as to highlight the unbridgeable gap dividing them, and argue that the incommensurability of the 'peoples' presupposed undermines any possible kinship of populism and democracy. The discussion of the democratic people will require a short analysis of the main contemporary democratic frameworks, including deliberative democracy, "neo-roman" republicanism, agonistic democracy.
Whereas democratic theory invariably assumes a people intended as simultaneously plural, heterogeneous, and united – a "composite unity", in Urbinati's words – populism conceives of the people as a moral whole, internally undifferentiated, whose homogeneity and intrinsic righteousness preclude the task of specifying what popular sovereignty ultimately means. Populism appears devoid of any notion of popular sovereignty, and constitutively ill-equipped to specify one, in that it is unable to address the question of what it means for a multitude of heterogeneous individuals to share sovereign power.
Such specification, on the other hand, is inescapable for any democrat assuming the people as a composite unity, and I reconstruct it as a fourfold operation involving a) the articulation of the conditions enabling, or filling with meaning, the practice of popular sovereignty – for instance, is a 'popular multitude' collectively sovereign when all enjoy an equal right to vote and majority rule is in force, or when conditions of discursive fairness are structurally secured by the procedures of a socio-institutional system? These conditions filling with signification popular sovereignty simultaneously establish b) limits (normative, definitional, or both) beyond which popular sovereignty is infringed or trespassed. Moreover, in the case of normative democratic theory, such conditions of signification provide c) grounds of desirability of democracy, i.e. rationales accounting for

why it is desirable that sovereign power be held by the people. Finally, democratic theories tend to provide d) an understanding of the unity of the sovereign people, and thus of the borders of political inclusion/exclusion, which are justified on the grounds of the democratic theory developed.
The organicism of the populist people disables this operation from the outset: as long as the people is an internally homogeneous formation with a superior morality and a clear-cut will, there is neither way nor need to specify how can a plural people exercise collective sovereignty, what are the limits of political power, in the light of what values, principles, and interests democracy is desirable, and what are the grounds justifying the people's borders.

Reconceptualising liberal democracy: Arguments for a 'compound model', Karolina Jedrzejczak (Poland)
Keywords: democracy, liberal democracy, crisis of democracy, democratic challenges, democratic theory
Abstract: Concerns about the current parlous state of liberal democracy have been rising. A crisis has been acknowledged on the basis of citizens' negative attitude towards politics and their election of populist often anti-liberal leaders. More specifically, some theorists fear the deconsolidation of liberal democracy through it 'splitting into its component parts' (Mounk 2018, p. 97) thereby undermining what is unique and valuable about this type of political association. I disagree with this assessment.
In this paper I examine the model of liberal democracy which underpins the diagnosis of deconsolidation. I argue this diagnosis requires a conviction that liberal democracy is an uneasy combination of liberal and democratic traditions. The former is said to advocate individual rights and freedoms, the latter to prioritise popular sovereignty and direct participation. Further, the two are said to be in constant tension with each other. This conceptualisation is commonly referred to as the two-strand model of liberal democracy.
This paper proceeds in two parts. I start by presenting two criticisms of the two-strand model: the Obstruction Objection and the Clarity Objection. First, I argue that the two-strand model obstructs the reality of nonideal liberal democracies by imposing a strict and untenable theoretical divide between the liberal and democratic elements. As a result, the two-strand model struggles to make sense of, for example, the recent Black Lives Matter protests. On one hand, they represent a direct manifestation of the popular will (traditionally, the democratic component) but, on the other, they advocate minority rights (traditionally, the liberal component). Yet, social movements such as the BLM speak to the state of liberal democracy as a whole rather than one or other of different elements of which it is composed.
When it comes to the Clarity Objection, I, once again, target the usefulness of the prevailing model in the context of evaluating current liberal democracies. I argue that the two-strand model will inevitably struggle to ground a crisis diagnosis. This is because its entire framework rests on the assumption that liberal democracy is built on an inherent tension between liberalism and democracy. If this is so, this model will struggle to conceptually differentiate between normal, healthy readjustment of the two components and their worrisome deconsolidation.
In the second part of the paper, I present an alternative model of liberal democracy. I argue liberal democracy should be conceptualised as a unique type of democracy in which its political aim (pursuing derived authority) is restricted by the liberal conception of the good (individual autonomy). I call this the compound model. This model is built on the acknowledgment of an essential unalterable interdependence between the constitutive elements of liberal democracy and the asymmetry of their relationship. It does not deny historical and conceptual differences between liberalism and democracy but it argues for a reconceptualization of what liberal democracy entails and how this matters when assessing the health and functionality current liberal democracies.

Session 21 - Value pluralism and hate speech

[GENERAL session]
10th June, 14h00 - 15h45, BLUE room - Chair: Anthony Vecchio

Does Hate Speech Violate Freedom of Thought?, Lucas Swaine (Canada)
Keywords: hate speech, freedom of thought, freedom of speech, liberalism, law
Abstract: This paper analyzes the moral and legal permissibility of hate speech in relation to freedom of thought. Arguments favoring limits on hate speech can be informed by an appreciation of the value of

freedom of thought, with freedom-of-thought considerations helping to supply a broader and firmer justificatory basis for regulating hate speech in liberal-democratic contexts.
The paper begins by providing operational understandings of hate, speech, and hate speech, respectively. It employs a conception of speech as expressive action and, for the purposes of argument, a straightforward conceptualization of hate speech. The paper then expands briefly on the nature and importance of freedom of thought. This particular freedom, which can reasonably be seen as a basic liberty, enjoys support in various philosophical traditions. Freedom of thought is endorsed in Article 18 of the United Nations Declaration of Human Rights and in other important international resolutions, and it is codified in several countries' constitutions. Freedom of thought bolsters basic rights and liberties, including freedom of speech. But it stands in a complex relationship with speech acts, with some expressive acts plausibly violating individuals' freedom of thought. Among these are speech acts that induce trauma in those who experience them, or where subjects' thoughts are profoundly altered by the expression in question.

The possibility that expressive action can violate freedom of thought yields implications for hate speech. It supports the view that hate speech can infringe people's rights, under the broad rubric of psychological harm or what Critical Race Theorists have called "psychic wounding." In this respect, hate speech proves similar to other unwarranted and unjustified forms of thought-modification. The right to freedom of thought also grounds laws regarding public decency, obscenity, harassment, and even noise ordinances. Reasons that uphold this latter determination contribute to arguments justifying limitations on hate speech in liberal democracies. A proper account of freedom of thought fits with intuitions and arguments about the government's rightful ability to legislate in each of the aforementioned areas.
Freedom-of-thought considerations help to build a fuller normative account of what makes hate speech morally wrong. They also bolster justification for the regulation, even the proscription, of hate speech in liberal democracies. The arguments in this paper can be integrated with broader theories of freedom of speech, furthermore, and they are compatible with different accounts of the nature and elements of hate speech itself.

A More Liberal Public Reason Liberalism, Roberto Fumagalli (Italy)
Keywords: Public Reason Liberalism; Public Justification; Justificatory Reasons; Motivating Reasons; Reasonable Pluralism.
Abstract: Public reason liberals (PRLs) frequently hold that publicly justifying coercive laws/policies requires citizens to offer public reasons for these laws/policies (O'Neill, 1997, Rawls, 1999). Two principles of public justification are especially prominent among PRLs. First, the principle of secular rationale (PSR) holds that "one should not advocate [...] any law or public policy that restricts human conduct unless one has, and is willing to offer, adequate secular reason for this advocacy" (Audi, 1989, 279). And second, the principle of secular motivation (PSM) holds that "one should not advocate [...] any legal or public policy restrictions on human conduct unless one not only has and is willing to offer, but is also motivated by adequate secular reason" (ibid., 284; Audi, 2011, ch.3).
In recent decades, intense debates have taken place regarding PSR and PSM (Eberle, 2002, Enoch, 2013, Gaus, 2011). In this paper, I assume - for the sake of argument - that PSR constitutes a plausible liberal principle of public justification and provide a critical assessment of PSM. I shall argue that PSM does not constitute a plausible liberal principle of public justification and is untenable on multiple grounds.
In Section 2, I outline PSR and PSM, explicating their interrelations and alleged justifications. In Section 3, I provide three major reasons to support my thesis that PSM does not constitute a plausible liberal principle of public justification. In Sections 4-7, I consider and rebut four influential defences that prominent authors have put forward to support PSM: the sincerity defence (Schwartzman, 2011, Vallier, 2012); the respect defence (Boettcher, 2007, Wall, 2014); the fairness defence (Larmore, 1999, Macedo, 1990); and the stability defence (Barry, 1995, Rawls, 2005). In each section, I critically examine various proffered modifications of PSM to support my thesis that PRLs should abandon (rather than just modify) PSM.
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Plenary session 2

Ideal Theory and Racial Justice: On Charles Mills' Tanner Lecture

Samuel Freeman (University of Pennsylvania, USA)

10th June, 16h15 - 17h45, RED room - Chair: Pedro Martins

Keywords:

Abstract: Rawls claims his theory of justice is "the most appropriate moral basis for a democratic society." Justice as fairness would be agree to in the original position because it would be generally accepted and willingly complied with by free and equal moral persons in a well-ordered democratic society. Charles Mills argues that Rawls's ideal theory is inapplicable to unjust societies, including the United States since it is a racist and not a democratic society. What is required instead is a non-ideal theory of reparations to rectify the history of racial injustice in the United States. I contend that any non-ideal theory of justice presupposes an ideal theory that sets forth the fundamental requirements of justice that have been violated and that are to be rectified. An ideal theory of justice constructed for a democratic society applies to a society so long as ideal theory provides appropriate standards for judging the institutions of that society. Even if the US is still racist, the fundamental principles of Rawls's democratic conception are an appropriate conception of justice to determine its injustices and for grounding the principles of non-ideal theory that rectify them.

Session 22 - Contested rawlsian concepts: clarifications and specifications (I)

[RAWLS session]

11th June, 09h00 - 10h45, GREEN room - Chair: Daniele Santoro

Rawlsian self-respect as confidence in the value of one's conception of the good, Jorge Crego (Spain)

Keywords: Rawls, respect, self-esteem, dignity, liberalism

Abstract: This work aims to shed some light on the Rawlsian conception of self-respect. Rawls identifies self-respect as "perhaps the most important primary good". Yet, the passages where Rawls develops his ideas

regarding self-respect have been characterized as "cryptic", "imprecise" or "ambiguous". I try to defend that this "ambiguity" is a necessary trait of the twofold nature of moral personality.
I will argue that the common understanding of self-respect as either "recognition self-respect" or "appraisal self-respect" is inadequate to completely understand the Rawlsian conception of self-respect and the importance it has in Rawls's theory of justice. The self can contemplate herself at least both in the abstract, as a bearer of moral powers ("Am I a moral person?"), and as a bearer of a specific conception of the good ("Are my ends really worthy of pursuing?"). Sometimes, Rawls uses the term "self-respect" to refer to the former. This falls within the "recognition self-respect" understanding: the self recognises the fact of her moral personality. This is an important approach for self-respect.
However, Rawls also conceives self-respect as "confidence in the value of their own system of ends", "a sense that one's plan is worth carrying out". Here, the viewpoint is that of the individual as a bearer of a specific conception of the good; the subject asks herself if her conception of the good is truly valuable. In this case, the emphasis is placed on the confidence in the value of what she has embraced as her end. Given the voluntaristic conception of freedom Rawls seems to support, this "value confidence" is of paramount importance. A "chronic regret" about the value of one's conception of the good disrupts one's standing as a free moral person. That's why self-respect can be seen as the most important primary good.
This interpretation of the Rawlsian conception of self-respect is reinforced by the understanding of the function of what Rawls terms "communities of interest". Rawls maintains that moral persons enhance their self-respect when they participate in (at least) one association "within which the activities that are rational for him are publicly affirmed by others", giving us the sense that "what we do in everyday life is worthwhile". This associational support enforces our confidence in the value of our ends. In a liberal society, the basic institutions must remain neutral regarding the good. That is why private communities of interest are the only places where individuals gain confidence in the value of their plans.
In sum, Rawlsian self-respect has two meanings: (i) self-recognition or the recognition of oneself as a bearer of moral powers, and (ii) value confidence or the confidence in the value of one's conception of the good. Once this second meaning is fully grasped, it is easier to appreciate the importance of self-respect in Rawls's theory of justice.

Reflective Equilibrium is enough: Against the need for pre-selecting "considered judgments", Rechnitzer Tanja (Germany)
Keywords: reflective equilibrium; considered judgments; Rawls; methods of practical philosophy; epistemic filter; holism
Abstract: Abstract submission for the SPECIAL SESSION "Celebrating John Rawls"
Rawls's idea of reflective equilibrium is one of the most influential methods in philosophy. According to this method, particular judgements and theoretical principles are justified for an epistemic agent iff conflicts between them are resolved in a way such that they harmonize with each other and are part of the most plausible system of beliefs.
In this talk, we focus on one controversial element of the method: Rawls's idea that the judgments that enter this justificatory process should be pre-selected or "filtered": According to him, only "considered judgements" should be taken into account. These are impartial judgements we are making in a calm mood and with confidence so that our moral capacity most likely is displayed without distortion (Rawls 1999, 42).
There are two camps of critics concerning this filtering process:
(1) Some critics of reflective equilibrium argue that on its own, the method is too weak, i.e., not enough, to lead to justified results. According to them, reflective equilibrium can only secure a reasonable output if it is combined with criteria for the preselection of reasonable judgements as input (e.g. Kelly and McGrath 2010). They claim that the Rawlsian filtering process is too weak to fulfill this requirement and seek a stronger filtering process, which they see as an epistemic method distinct from reflective equilibrium.
(2) Additionally, there are also proponents of the method of reflective equilibrium who reject the weak Rawlsian filtering process as unnecessary and even potentially damaging (e.g. Elgin 1996; 2017; DePaul 1993).
We will argue against the critics of the method and show that the method can indeed secure reasonable commitments without having a strong filtering process. However, we will side with the critical proponents of reflective equilibrium and argue that also a weak Rawlsian filtering proc ess should be rejected.

In particular,
(1) we argue that the critics of reflective equilibrium, who claim that there is a need for a strong filtering process miss the holistic and social aspect of the method and its related revisionist power that must be taken seriously.
(2) We examine what speaks for and against a weak "filter" as an element of the method of reflective equilibrium. We argue that a filter for a specific inquiry would need to be justified by using the method on a meta-level without a filter. This is indeed possible but excludes it as a necessary element of reflective equilibrium.
(3)We discuss whether for normative ethics and political philosophy, the use of a weak filter could be justified. We reject this based on two reasons. First, the effect of the filter can be gained by including arguments that cast doubt on specific judgements in the reflective equilibrium process, so that the filter is unnecessary. Second, by filtering out moral judgments which are partial or for which we lack confidence, we are too exclusive and might lose epistemically valuable commitments.

Reflective Equilibrium is enough: Against the need for pre-selecting "considered judgments", Michael Schmidt (Germany)
Keywords: reflective equilibrium; considered judgments; Rawls; methods of practical philosophy; epistemic filter; holism
Abstract: [Abstract submission for the SPECIAL SESSION "Celebrating John Rawls"]
Rawls's idea of reflective equilibrium is one of the most influential methods in philosophy. According to this method, particular judgements and theoretical principles are justified for an epistemic agent iff conflicts between them are resolved in a way such that they harmonize with each other and are part of the most plausible system of beliefs.
In this talk, we focus on one controversial element of the method: Rawls's idea that the judgments that enter this justificatory process should be pre-selected or "filtered": According to him, only "considered judgements" should be taken into account. These are impartial judgements we are making in a calm mood and with confidence so that our moral capacity most likely is displayed without distortion (Rawls 1999, 42).
There are two camps of critics concerning this filtering process:
1) Some critics of reflective equilibrium argue that on its own, the method is too weak, i.e., not enough, to lead to justified results. According to them, reflective equilibrium can only secure a reasonable output if it is combined with criteria for the preselection of reasonable judgements as input (e.g. Kelly and McGrath 2010). They claim that the Rawlsian filtering process is too weak to fulfill this requirement and seek a stronger filtering process, which they see as an epistemic method distinct from reflective equilibrium.
2) Additionally, there are also proponents of the method of reflective equilibrium who reject the weak Rawlsian filtering process as unnecessary and even potentially damaging (e.g. Elgin 1996; 2017; DePaul 1993).
We will argue against the critics of the method and show that the method can indeed secure reasonable commitments without having a strong filtering process. However, we will side with the critical proponents of reflective equilibrium and argue that also a weak Rawlsian filtering process should be rejected.
In particular,
1) we argue that the critics of reflective equilibrium, who claim that there is a need for a strong filtering process miss the holistic and social aspect of the method and its related revisionist power that must be taken seriously.
2) We examine what speaks for and against a weak "filter" as an element of the method of reflective equilibrium. We argue that a filter for a specific inquiry would need to be justified by using the method on a meta-level without a filter. This is indeed possible but excludes it as a necessary element of reflective equilibrium.
3) We discuss whether for normative ethics and political philosophy, the use of a weak filter could be justified. We reject this based on two reasons. First, the effect of the filter can be gained by including arguments that cast doubt on specific judgements in the reflective equilibrium process, so that the filter is unnecessary. Second, by filtering out moral judgments which are partial or for which we lack confidence, we are too exclusive and might lose epistemically valuable commitments.

Session 23 - Identity, inclusion and participation

[GENERAL session]

11th June, 09h00 - 10h45, RED room - Chair: Pedro Martins

Politics of Identity and Politics of Action in Hannah Arendt, Alzbeta Hajkova (Slovakia)

Keywords: Arendt, identity, social movements, oppression

Abstract: The role of identities in politics remains a divisive matter in times where identity is a vehicle behind liberatory movements such as Black Lives Matter and #MeToo, but at the same whiteness as a form of assumed superior group identity fuels dangerous right-wing groups in both the US and Europe. In this paper, I present an Arendtian account of politics of identity, which emphasizes that political actions should outweigh identity, but also provides space for oppressed identities to be used as instruments of political change.

First, I discuss how Arendt's motivation to keep identity-based issues out of politics and contained within society is based on her concern that identity politics aggravates natural differences among us and thus prevents us from achieving equality. Arendt's concept of politics that the only proper instrument of politics is action, precisely because it de-emphasizes and takes the attention off our accidental and largely unchangeable identities and directs it exclusively to our actions. This sole focus on action is what ensures equality in politics, as the capacity for spontaneous action is something universally shared by all of us.

However, a worry here is that one's "given" identity might prevent them from entering politics, i.e. participating in action, in the first place. I argue that Arendt's framework offers a solution for this issue: Once a what Arendt would call a social matter, e.g. racial discrimination or mass poverty, becomes of such a severe nature that it prevents a group of people from participating in both society politics in the first place, identity becomes a legitimate vehicle of political change. Thus, I conclude that Arendt provides us with a framework that on the one hand allows for marginalized identities to become instruments of political action (e.g. BLM movement), but on the other hand delegitimizes identity as a political instrument if it is used by people whose identity does not prevent them from participation in the public sphere (e.g. Proud Boys as a movement based around masculinity and whiteness).

White Shame, Non-White Citizenship, John Lawless (United States)

Keywords: shame, disrespect, racism, citizenship, democracy

Abstract: I argue that a familiar form of "non-racism" (common among whites) mischaracterizes the normative problem with racism, and as a result, helps to entrench racial inequality. In particular, I argue that whites commonly think of racism as shameful, but that thinking that this is the primary problem with racism effectively compromises non-white citizenship. It leads to the anti-democratic exclusion of non-whites from those spaces in which whites educate one another into the social norms governing their representations of, and interactions with, people of color.

Sociologists Leslie Houts Picca and Joe Feagin argue that whites bifurcate the social world into a multi-racial "frontstage" and an all-white "backstage," and work to isolate racist performances to the backstage. I argue that we can explain these practices by assuming that many whites – and in particular, whites who identify as "not racist" – tend think of racism as shameful. Shame essentially concerns, not what do we, but how we are perceived. Maintaining their identities as "not racist," then, seems to these whites primarily to be a matter of "keeping up appearances" by managing people's perceptions of them – and in particular, by concealing phenomena that stand in tension with their "non-racist" personae from the non-white gaze.

But to construe racism primarily as shameful is to mischaracterize the kind of moral problem that racism involves. Racist performances are not merely shameful; they are disrespectful. And they are disrespectful, not because they undermine whites' non-racist personae, but because through racist performances, whites educate one another into social norms licensing their ongoing reliance on ideological misrepresentations of non-whites in their practical deliberations. These misrepresentations are ideological in the sense that, through shared reliance on these misrepresentations, whites maintain disproportionate power in their interactions with non-whites. Moreover, the construal of racism as shameful effectively excludes non-whites from the spaces in which whites teach these misrepresentations to one another. In other words, by sustaining the division of the

world into multi-racial and all-white spaces, and by isolating much of white discourse about race to all-white spaces, the white construal of racism as shameful denies non-whites opportunities to participate the construction of the social norms governing whites' interactions with them. I argue that this is anti-democratic: Just as racist limitations on voting deprives non-whites of equal opportunities to participate in the regulation of the law, so the concealment of white racism deprives non-whites of opportunities to participate in the regulation of informal social norms.
I argue that we must construe racist performances as disrespectful in light of the role that they play in the maintenance of racist hierarchies. While shame prompts concealment, disrespect demands exposure and condemnation. Through condemnation of one another's racist performances, whites can participate in the reconstruction of their informal social norms. Better still, exposure of these performances constitutes an essentially democratic effort to empower non-whites to contest racist representations, and to make the social norms governing white representations of and interactions with non-whites responsive to such challenges.

Is Reservation Enough for Political Inclusion of Women and Dalits in Panchayat Raj Institutions in India?, Anu Malik (India)
Keywords: Gender, Political Inclusion, Political Reservations
Abstract: The 73rd and 74th Amendments to the Constitution of India in 1992 represent a revolutionary step in the history of independent India as panchayats and municipalities were declared institutions of self-governance. This act provides power to the people at the local level, which is a significant step towards the decentralization of power. The primary objective of reservation in government jobs and institutions of higher education for marginalized people is not only to uplift them financially, but also to promote social inclusion for socially and economically marginalized sections of society. The reservation of seats has increased the representation of those who have been oppressed. Now the significant question is: does reservation increase the participation of women, SCs and STs in grassroots governance?

Session 24 - Moral challenges of the digital age

[GENERAL session]
11th June, 09h00 - 10h45, BLUE room - Chair: Catia Faria

Digital privacy and social norms: A meso-level research agenda, Deven Burks (France)
Keywords: applied ethics, digital ethics, privacy, social norms, ethical culture, norm interventions
Abstract: If the Digital Revolution has significantly increased human wellbeing and economic output through enhanced information processing, it has also exposed individuals to privacy risks which have elicited varying responses from governments, information-technology firms and non-state actors: corporate ethics codes, industry watchdogs, international agreements, constitutional amendments. I argue that meaningful personal data protection also requires a meso-level approach to foster an ethical culture of digital privacy. I proceed in three steps, the first of which is to show why macro-level and micro-level approaches are insufficient. Many macro-level approaches – state-centric legal interventions or top-down industry regulation – give insufficient weight to the independence of a polity's ethical culture from its legal code. "[E]ffective legal regulation cannot stray too far from the underlying informal social rules" (Gaus 2016: 206), meaning that meaningful data protection involves ethics as much as law. Likewise, individual actions prescribed by micro-level approaches often fare no better. Even when individuals act on their pro-privacy motivations to prevent privacy violations, others may undermine their actions by making sensitive information indirectly available. Hence, one should recast privacy as both self-regarding right and other-regarding obligation (Véliz 2020: Ch. 3). Second, I identify appropriate mechanisms for fostering a meso-level approach and a culture of privacy wherein practices of mutual responsibility motivate individuals to protect one another. Of particular interest are social norms: rules governing individual behavior and collective practices to which persons prefer to conform, conditional on their empirical and normative expectations vis-à-vis a reference network (Bicchieri 2017: 35). Regarding personal data, pro-privacy social norms would provide individuals guidance about those actions which they may reasonably undertake to promote privacy without incurring sanctions and about those actions which others are likely to undertake to protect privacy. In order to modify expectations and the behavior-governing rules, privacy norm interventions could deploy and combine legislative tools (educational requirement), media

interventions ('edutainment'), economic incentives (fines for violations) and deliberative exercises (citizens' assemblies) with up-to-date empirical information about the changing behavior of community members (demographically representative surveys) (Bicchieri 2017: ch. 5). Third, I confront methodological difficulties and conceptual complications. Although one often speaks of privacy per se as a social norm, norms in fact regulate particular practices. Since pro-privacy behaviors are manifold, it is important to identify specific norms with specific practices. Relatedly, while surveys find that populations are disposed to value privacy highly (Black et al. 2018, Pew Research Center 2019, Brooke and Véliz 2020), it has not yet been established which privacy-relevant behaviors are induced by social norms as opposed to customs, conventions or descriptive norms (Bicchieri 2017: ch. 1). Depending on the behavior's nature, different interventions are required for privacy-enhancing practices like respecting others' image, migrating to pro-privacy applications, cultivating privacy spaces and using obfuscation (Véliz 2020: Ch. 6). All told, this paper will have made i.) room for intermediate actors and actions in promoting personal data protections and ii.) a call for an enhanced empirical research agenda into the nature of the rules governing privacy-relevant behavior.

Algorithmic profiling and epistemic injustice, Silvia Milano (Italy)

Keywords: hermeneutical injustice; algorithmic profiling; ethics of AI; epistemic injustice; algorithmic justice

Abstract: It is a well-established fact that algorithms can be instruments of injustice. It is less frequently discussed, however, how current modes of AI deployment often make the very discovery of injustice difficult, if not impossible. In this article, we show how algorithmic profiling can give rise to epistemic injustice through the depletion of epistemic resources needed to interpret and evaluate certain experiences. By doing so, we not only demonstrate how the philosophical conceptual framework of epistemic injustice can help pinpoint systematic harms from algorithmic profiling, but we also identify a novel source of hermeneutical injustice that has received little attention in the relevant literature.

Epistemic injustice was first introduced by Miranda Fricker to describe a form of injustice that is distinctly epistemic. She furthermore distinguishes between testimonial and hermeneutical injustice. Hermeneutical injustice occurs when a lack of collective conceptual or interpretative resources prevents an individual from making sense of significant aspects of their experience. It is this second form of epistemic injustice that we are mostly concerned with in this article.

Algorithmic profiling refers to the automated process of extrapolating information about a person on the basis of personal data. It is often used by various kinds of online services to predict user preferences, moods, or interests, which in turn enables providers to personalise online content. It can also be used, among other things, to predict behaviour (e.g. whether or not a given person is likely to pay back a loan) or success of medical treatment options. While algorithmic profiling enables a wide range of applications and services, it is often difficult to access and interpret the models on the basis of which inferences are drawn.

We begin by pointing out several relevant issues with algorithmic profiling. A common feature of the issues of algorithmic profiling that we identified, we then argue, is what we call epistemic fragmentation. Epistemic fragmentation arises when individuals who are subject to profiling, and who may be unfairly impacted by it, experience things in isolation and lack awareness of the circumstances of others within their social circles. Since the conceptual resources for making sense of one's experience are developed through shared social interactions, epistemic fragmentation undermines individuals' ability to develop and access an understanding of their experiences. We show how this can amplify existing patterns of discrimination (by making it harder for individuals to gain awareness of their own social circumstances), as well as creating the conditions for the emergence of new forms of unfair targeting, for example on the basis of inferred interests or behavioural vulnerabilities.

We then relate our discussion to Medina's (2017) taxonomy of hermeneutical injustice, categorising instances of hermeneutical injustice along four parameters: source, dynamics, breadth and depth. We show how the examples of hermeneutical injustice arising from algorithmic profiling that we identified can be situated within this taxonomy, with the exception of the 'source' parameter. Epistemic fragmentation can produce both semantic and performative epistemic harms, and thus constitutes a new and more basic source of hermeneutical injustice.

Session 25 - Contested rawlsian concepts: clarifications and specifications (II)

[RAWLS session]

11th June, 11h00 - 12h45, GREEN room - Chair: Giuseppe Ballacci

Rescuing the Social Contract: A Theory of Pre-Contractual Elements, Jorge Sanchez-Perez (Peru)

Keywords: Social Contract; Rawls; Methodology; Decolonization; Justice

Abstract: Rescuing the Social Contract from the Rawlsian Tradition

Short Abstract

In this paper, I argue that Rawls' focus on the capacities for justification of the Social Contract has blurred the Social Contract's nature as a modeling tool highly inform by the discretion of those working within it. For that reason, I distinguish between Social Contract as a tradition, Social Contract as a theory, and social Contract as a methodology. I show that a more coherent and clear view of these three terms' relationship is to conceive each theory within the social contract tradition as sharing the same methodological essential elements. I call these elements pre-contractual elements. They are a) a set of circumstances of justice, b) normative commitment(s), c) a standard of considerability of interests, and d) a contractual device. I will provide examples of these pre-contractual elements from the works of different authors within the tradition. Based on that, I show that using this methodological approach allows for further clarity than to rely on the contractarian vs. contractualist divide, which only focuses on element "b." Based on my methodological approach, I show two crucial things. First, there are, currently and within the tradition, alternative sets of circumstances of justice beyond scarcity of resources. Noticing this, I show, can help us overcome the problematic and divisive focus on distributive justice that has shaped the tradition since Rawls' version of the social contract became the field's predominant view. By doing this, I show that more venues to consider the question of justice open in front of us. Second, normative commitments need not be only those of equal self-worth or freedom and equality. Recognizing the discretionary nature of selecting normative commitments is one crucial step into decolonizing political philosophy, a field well known for excluding things beyond the Western paradigm under the guise of metaphysical neutrality. I will provide examples of this by relying on Andean, Maori, and Inuit thought.

Ideal Theory and Its Fairness Role, Lars Moen (Norway)

Keywords: Fairness; full compliance; ideal theory; Rawls; respect

Abstract: John Rawls famously sees ideal theory as a necessary precursor to non-ideal theory. Amartya Sen, on the contrary, considers ideal theory useless for comparing feasible arrangements under non-ideal conditions. Sen and other critics of ideal theory aim their arguments against its intended purposes of guiding long-term institutional reform and in providing a metric for assessing the extent to which different arrangements deviate from the ideal of perfect justice. The responses from proponents of ideal theory typically also focus on these two roles.

In this paper, I show why failing to serve these two roles does not imply that ideal theory is useless in non-ideal theory. I do so by identifying a third role for ideal theory. I show how it is an essential part in a model of fairness meant to constrain choices between feasible institutional arrangements under non-ideal conditions. In ideal theory, we assume full compliance with institutions satisfying the principles of justice. Under these ideal conditions, the contribution each individual makes to maintain just institution defines an individual's fair share. When we then turn to non-ideal theory, where we work with actual conditions of partial compliance, we can use this ideal-theory model of fairness to constrain how much institutions can require each individual to contribute. Specifically, institutional demands cannot exceed an individual's fair share. Ideal theory is thus essential in restricting what institutions can demand in the pursuit of societal improvements.

The ideal-theory model of fairness is central in Rawlsian contractualism, which takes institutions as legitimate insofar as society functions as a cooperative venture for mutual advantage. Institutions demanding more than a fair share from some individuals will undermine this ideal of society, as some members of society will then not benefit from the social cooperation. The fairness constraint based on ideal theory ensures that no one is taken advantage of and that compliance is in everyone's interest. I show how Rawls takes this model to

preserve people's status as separate persons, and how he understands consequentialism to compromise this status. However, this rejection of consequentialism might be too quick. Consequentialists emphasising the desirability of respect and personal integrity could see the ideal-theory-based fairness constraint as a useful tool for stipulating institutional demands compatible with maximising the good.
Ideal theory can therefore play a role in a comparison of feasible institutional arrangements. One arrangement, x, might appear more desirable than another, y, but y might nonetheless be the just option if x, unlike y, would demand more of some individuals than they would contribute under ideal conditions of full compliance. We therefore cannot know which of x and y is more just without knowledge of the perfectly just society. Knowledge of the ideal of justice is necessary for comparing the justice of different feasible arrangements. Ideal theorising is not, as Sen suggests, merely an intellectual exercise with 'no direct relevance to the problem of choice that has to be faced'. It has such relevance when it gives us a reason for choosing y instead of x.

The reasonable and the rational in general and in particular, Micha Gläser (Germany)
Keywords: Rawls; justice; politics; Kant; Rousseau
Abstract: In this presentation I wish to articulate two aspects of the conceptual structure informing Rawls's theory of justice, one derived from Kant, the other indebted to Rousseau.
First, Rawls's conception of justice is structured by the relation between a moral condition and that which it "conditions," that is: the thing to which the condition applies as a condition. The condition-conditioned structure governing Rawls's theory finds expression in the sequence of pairs of concepts to which the Rawlsian framework makes appeal, namely: fairness and mutual advantage; the public and the private; the relational and the comparative; the right and the good; and the reasonable and the rational. In each of these cases the former concept morally conditions the latter by conferring a certain moral status on it. Specifically: the fairness of the background against which individuals engage in mutually advantageous transactions is the very thing that makes possible the mutually advantageous character of these transactions to begin with; society's public conception of justice lends moral validity to the various claims put forward by its various citizens qua private persons; comparisons between persons are possible from the point of view of justice only against the background of the relational structure provided for by the basic structure; the right in constraining the good thereby confers goodness on that which is good in the first place; and the reasonable marks out the space in which citizens' various rational pursuits qualify as contributions to social cooperation. The condition-conditioned structure informing Rawls's conception of justice reflects the structure of Kant's ethics, according to which the moral worth of our private ends depends on our acting from the moral law in their pursuit.
Second, the original position in limiting the parties' knowledge to the "general facts about human society" (A Theory of Justice (Revised Edition), p. 119) provides for a distinctly political form of practical reason. Politics in the sense intended here isn't merely a matter of solving the problem of distributive justice and so of the realization of the purely formal end of "supporting just institutions and of giving one another justice accordingly" (Political Liberalism, p. 202) but instead also concerns the pursuit of a political community's shared material ends. The concept of politics as a distinctly general yet nevertheless material form of practical reason implicit in the original position might be understood as an interpretation of Rousseau's general will carried to a "higher level of abstraction" (A Theory of Justice (Revised Edition), p. 3). At the same time, Rawls's appeal to the original position in A Theory of Justice so conceived is at odds with the idea of public reason as developed in his later work, which has it that "political philosophy, as understood in political liberalism, consists largely of different political conceptions of right and justice" (Political Liberalism, p. 374). There is therefore a profound tension between Rawls's earlier and his later work, one which merits better attention.

Session 26 - Relational egalitarianism: applications

[GENERAL session]
11th June, 11h00 - 12h45, RED room - Chair: Pedro Martins

Democratic Inclusion of Groups, Andreas Bengtson (Denmark)
Keywords: relational egalitarianism; democracy; justice; democratic inclusion of groups; inequality
Abstract: When is a society just? According to relational egalitarianism, when social relations are egalitarian as opposed to inegalitarian (Anderson, 1999; Bidadanure, 2016; Nath, 2020; Lippert-Rasmussen, 2018; Scheffler,

2003; 2015). But relations between which entities, we may ask. Relational egalitarians often focus on individuals, but they also frequently refer to groups. For instance, Anderson, the most prominent relational egalitarian, (2010: 16) says, "[t]he relational theory of inequality [relational egalitarianism] locates the causes of economic, political, and symbolic group inequalities in the relations (processes of interaction) between the groups, rather than in the internal characteristics of their members or in cultural differences that exist independently of group interaction." Schemmel (2011: 124), another prominent relational egalitarian, similarly refers to groups: "what is primarily justice relevant about the way institutions treat people is the attitude towards individuals and groups that is expressed in institutional action" (see also Voigt, 2018: 438-439; Young, 1990). As is clear from these remarks, groups play some role on relational egalitarianism. However, relational egalitarians have not been clear on precisely what role this is.

This paper aims to fill this gap through three steps. First, I ask and answer the question: which groups matter on relational egalitarianism? I argue that any group which is an organized entity or is socially salient should fall within the scope of relational egalitarianism. Second, I ask and answer the question: how does groups matter on relational egalitarianism? I distinguish between two options. Groups may matter on relational egalitarianism because (i) how groups relate affects how individuals relate to each other and relational egalitarian justice requires that individuals relate as equals; or (ii) groups matter in themselves qua having moral standing such that justice requires equal relations between groups, even when it does not affect how individuals relate to each other. I do not settle whether relational egalitarians should choose (i) or (ii) since I argue, and this is the third step of the paper, that irrespectively of whether relational egalitarians choose (i) or (ii), relational egalitarianism, surprisingly, entails democratic inclusion of groups qua groups. This is due to the importance of the political domain to relational (in)equality which makes democratic inclusion an efficient relations booster in a situation in which some groups stand as inferior to other groups. I argue that democratic inclusion of inferior groups under these circumstances may lead to equal, or less unequal, relations between individuals (re option i), and equal, or less unequal, relations between groups (re option ii).

The contribution of this paper is thus two-fold. First, in exploring the role of groups on relational egalitarianism, the paper helps developing a prominent theory of justice. Second, in arguing that realizing relational egalitarian justice under nonideal circumstances may require democratic inclusion of groups, the paper (i) points to a surprising implication which one has to accept if one is a committed relational egalitarian; and (ii) advances our understanding of the relationship between democracy and justice on relational egalitarianism. Thus, the paper ultimately advances discussions on both democracy and justice.

A pluralist view of justice in childhood education, Fernando de los Santos Menéndez (Spain)

Keywords: educational justice; educational adequacy; fair equality of opportunity; relational equality; positional goods

Abstract: The paper defends a pluralist view of justice in childhood education. The relevant literature has acknowledged that educational justice sometimes conflicts with other values. For instance, an extensive literature analyses the conflict between educational justice and parental partiality. However, for a long time, this literature has failed to see that educational justice faces different demands also behind closed doors.

To elaborate my pluralist view, I follow a three-steps path. First, I identify some goods of childhood education. Second, I determine the right principle of justice to distribute each educational good among children. Third, I order the different claims of justice in childhood education.

Section I identifies an educational good that consists of the knowledge, skills, and virtues presupposed among free and equal citizens. On this basis, I elaborate a view of educational adequacy and I defend the priority of such adequacy threshold over other demands of justice in childhood education.

Section II argues that educational equality should be our default position for the distribution of educational goods above the threshold of adequacy. I elaborate the thought that children's native endowments and their social class of birth and upbringing are arbitrary from a moral point of view, and I argue that social institutions have a prima facie reason to provide all children with an equally good education.

Section III elaborates the demands of justice in the distribution of qualifications among children. Qualifications consist of the relevant educational achievements for accessing higher education and jobs. I offer three reasons to justify a principle of equal qualifications. First, no child deserves better or worse career prospects than other children. Second, adults may deserve their socio-economic position only if all had a fair opportunity to acquire

desert. Third, adults gain power over their life prospects if their career success depends on their choices and efforts rather than on the circumstances in which they were born and raised. Nonetheless, I also develop two reasons to depart from that principle, related to enlarging the set of attractive offices and positions and raising productivity.
Section IV identifies another educational good: the development of children's capacities to engage in complex and challenging activities. Regarding this good, I defend a principle of equal effective educational resources, but I allow departures from that principle to avoid the levelling down objection. For this purpose, I elaborate the distinction between positional and non-positional goods of education.
Section V holds that an education system should also consider the kind of relations among people from different social strata that it facilitates or promotes. I argue that inequalities in the political, economic, cultural or social capital between groups of citizens may jeopardize civic equality. Moreover, a stratified education system forms an elite insensitive to the interests of disadvantaged social groups and ineffective in serving those interests.
The paper concludes that the recipe of justice in childhood education has many ingredients. I claim that social institutions should use all those ingredients and mix them in the right way.

Solidarity as a Relational Ideal, Callum MacRae (United Kingdom)
Keywords: Solidarity, Relational Egalitarianism, Alienation, Indifference
Abstract: In recent decades various philosophers have encouraged us to think of equality as a relational ideal. Although this label is used for a range of importantly different views, they are all united by a conviction that we should understand a commitment to equality as, first and foremost, a commitment to a distinct kind of political concern with the character of our social relations – namely, whether or not those social relations have an appropriately egalitarian character. In this paper I argue that we can fruitfully understand solidarity in analogous terms. Just as the ideal of equality recommends that we structure our society such that we relate to one another in an egalitarian fashion, the ideal of solidarity recommends that we structure our society such that we relate to one another in a solidaristic fashion. I argue that understanding solidarity in these terms identifies a distinct political value, that is importantly distinct from the value of equality, and that identifying it as such opens up interesting new avenues for research in contemporary political theory.
In §1 I present the initial case for taking solidarity to be a relational ideal, and elaborate on the structural analogy with equality, as construed by relational egalitarians. I argue that just as we can understand equality as expressing a particular kind of concern with whether or not we relate to one another as equals, we can understand solidarity as expressing a particular kind of concern with whether or not we relate to one another as fellows. §2 provides an initial case for taking solidarity and equality to pick out distinct relational ideals. I argue that just as relational egalitarians have often used a negative approach to identifying the core concern of equality (that is, by identifying egalitarianism as opposed to hierarchies of social status, class and caste), we can similarly identify the core concern of solidarity as opposition to social relations of indifference, mutual hostility and alienation.

§3 elaborates an objection, to the effect that contemporary positive accounts of relational equality make reference to more extensive requirements of concern and care for one another, which undermine the claim that solidarity is distinct from, rather than a component of, equality. In particular, §3 demonstrates the centrality of concern to Anderson's articulation of the egalitarian ideal, and the apparently solidaristic implications of Scheffler's egalitarian deliberative constraint. §4 responds to this objection by arguing that: (a) it is in fact unclear whether Anderson's and Scheffler's accounts of egalitarianism can capture all that we should want a developed account of solidarity as a relational ideal to capture; and (b) even if they were to do so, this would not give us reason to accept the claim that solidarity is not distinct from equality, as opposed to rejecting the positive accounts of egalitarianism that they provide, as in fact involving more than simply a concern with equality. As such, I provide a defence of the value of analytically distinguishing between solidarity and equality.

Session 27 - Moral responsibility and risk prevention

[GENERAL session]
11th June, 11h00 - 12h45, BLUE room - Chair: Catia Faria

The Oppressed do not Have a Duty to Resist, Victor Guerra (United States)
Keywords: Oppression, Duty to Resist, Triple Burden, Supererogatory
Abstract: There are now numerous philosophers that claim the oppressed have a duty to resist their own oppression. In this paper, contrary to what these philosophers suggest, I argue that the oppressed do not have a duty to resist oppression since any such duty is too demanding. I begin section II, by defining exactly what I mean by oppression. In particular, I argue for a relational account of oppression which always entails a privileged group. This privileged group might intentionally oppress others or benefit from oppression. Even if they do not, however, privileged groups have the most serious duties to end oppression in virtue of their transformative power. Afterward, in section III, I argue that placing duties on the oppressed commits one to forward-looking responsibility and dismissing blame from conversations of oppression (lest one accept the possibility of victim-blaming). In section IV, I argue that placing duties on the oppressed to resist places a triple burden on them. This triple burden consists of 1) the burden of oppression itself, 2) the burden of having the self-restraint to not blame the non-oppressed, and 3) the burden of having to end their own oppression. I instead suggest that we should treat resistance from the oppressed as instances of supererogatory actions. By supererogatory actions, I mean morally good actions that are not morally required, and not necessarily praiseworthy. Finally, in section V, I respond to several objections.

Longtermism, Aggregation, and Catastrophic Risk, Emma Curran (United Kingdom)
Keywords: longtermism, aggregation, uncertainty, far-future
Abstract: There is a growing number of philosophers who advocate for focusing our efforts on improving the prospects of those living in the very far future – say 1,000, 10,000 or even 100,000 years from now. Advocates of longtermism point out that, in expectation, such long-term interventions bring about more good than their short-term counterparts, and, as such, we have compelling moral reason to prefer them. In this paper, I aim to show that longtermism is in tension with plausible nonconsequentialist scepticism about aggregation. Indeed, I claim that preferring long-term interventions not only requires us to permit some form of aggregation but to permit the allegedly most morally suspect forms. This conflict arises due to the fact that, given our limited ability to shape the distant future, long-term interventions typically only bestow very small improvements to the prospects of future people.
My argument proceeds in four steps. First, I introduce an analogue for the decision between short-term and long-term interventions. Second, I introduce and motivate scepticism about aggregation, outlining the two forms it can take, alongside the distinction between ex-ante and ex-post claims under risk. Combining these, I outline four types of aggregation-sceptical moral theories: ex-ante non-aggregative moral theories, ex-ante partially-aggregative moral theories, ex-post non-aggregative moral theories, and ex-post partially-aggregative moral theories. The third and fourth steps of my argument involve demonstrating that each of these moral theories will prefer the analogue for the short-term intervention over the long-term intervention. In the third step, I show that both ex-ante non- and partially-aggregative moral theories will prefer short-term interventions. I demonstrate this by way of arguing that complaints against small risks of a harm are not morally relevant to complaints against large risks of the same harm, such that they should not be aggregated against them. Fourth, and finally, I show that ex-post, both non- and partially-aggregative moral theories will prefer short-term interventions over many flagship longtermist interventions, including those which aim to mitigate global catastrophic risk. I leave it to the reader to decide if my argument pulls to the detriment of longtermism or scepticism about aggregation.

Existential Risks, Individuals, and Moral Theories, Benedikt Namdar (Austria)
Keywords: Existential Risk Prevention, Existential Catastrophes, Utilitarianism, Agent-Centered Prerogative, Deontology

Abstract: A realization of an existential risk causes much harm. That harm includes the lives ended by such an event. But it also includes the potential value that would come into existence in the absence of an existential catastrophe. Combining these considerations with a significant overall possibility of existential catastrophes occurring leads to the conclusion that preventing such scenarios should be a major project of humanity.
The philosophical discussion surrounding existential risk prevention is mostly about incorporating it into policy making. However, what has yet been ignored is the role of individuals in the project of existential risk prevention. This presentation contributes to that part of the discussion. The first step of this talk is to motivate the claim that individuals should consider existential risk prevention in their moral deliberations as among possible consequences of individual acts are occurrences of existential catastrophes. For example, a single car ride could be the reason GHG threshold is exceeded and have a climate catastrophe as a result. Even given that such results are unlikely, it is important to consider such consequences as the amount of value at stake is huge.
The second step of this talk is to show the complexity of incorporating existential risk prevention into moral theories. In Section II, I argue that simple consequentialism leads to overdemanding results in the context of existential risk prevention. After all, given the amount of value at stake in existential risk prevention, a consequentialist calculus will assess acts other than the one relevant for existential risk prevention as wrong in more cases than acceptable. In Section III, I discuss the question if modified consequentialism informed by Scheffler's agent-centered prerogative can deal with existential risk prevention. I argue that the problem of defining the extra weight the agent-centered prerogative allows an agent to assign to personal projects is striking in the context of existential risk prevention. An agent-centered prerogative allowing to assign little extra weight will result in personal projects being outweighed by the amount of value at stake in existential risk prevention. And an agent-centered prerogative allowing agents to assign sufficiently large extra weight to personal projects to outweigh existential risk prevention will result in egoism.
In Section IV, I investigate if deontology can do a better job than consequentialism to deal with existential risk prevention. I argue that, firstly, well established problems of deontological theories are pressing in the context of existential risk prevention. Secondly, the intuition-based nature of deontological theories creates a problem. Intuitions are likely not apt to deal with existential risk prevention. The evolutionary nature of intuitions prevents these from being able to deal with issues that involve (temporally and spatially) distant people. Moreover, the amount of value at stake is likely to not be grasped by our intuitions.
In the last Section, I give action-guiding advice for individuals on how to pursue effective existential risk prevention and, lastly, I argue that the focus in the debate should still lie on institutional action.

Session 28 - Justice and injustice for migrants and refugees

[RAWLS session]

11th June, 14h00 - 15h45, GREEN room - Chair: Alexandra Abranches

Loss of Homeland: The challenges of compensation, Jack Madock (United States)

Keywords: Climate Refugees, Migration, Non-Territorial Citizenship, Homeland

Abstract:
In this article, I discuss the normative questions which surround the appropriate forms of compensation for nations that have been displaced by anthropogenic climate change. The discussion is primarily centered around small island states that are under the threat of total territory loss due to rising sea-levels. In the current literature, there is a tendency to divide the rights over geo-physical space as land rights, conceived as ownership or property rights; and territory rights, conceived as jurisdictional rights (Buchanan 2003; Dietrich and Wündisch 2015; Nine 2012). I argue that this division misses the important element of the loss of a homeland. For this argument I employ theories of intrinsic value and the idea of the sacred (Dworkin 1994; Musschenga 1998; Robichaud and De Schutter 2012). After establishing this premise, I go on to assert that due to the severity of the harm we need to compensate displaced nations beyond the 'value' of their loss. Finally, I discuss further options for compensation. These include compensation as non-territorial citizenship (De Schutter 2019; McGarry and Moore 2004; Renner 2004), rights to migration (Risse 2009; Souter 2014), and my own proposal which is a hybrid of many. I ultimately conclude that while the harm done may be impossible to

remedy, it is our duty to compensate the displaced on multiple levels including the financial, the territorial, and the symbolic. I briefly discuss the implications for this theory today, while acknowledging that this loss has yet to be experienced and addressing theories which propose that climate change mitigation efforts are wasteful or counter-intuitive (Lomborg 2001).

Climate Change and Labour Migration, Jamie Draper (United Kingdom)
Keywords: Climate Change, labour migration, adaptation, justice, exploitation
Abstract: A growing body of social scientific evidence suggests that labour migration can function as a strategy of adaptation to climate change. Labour migration can make those vulnerable to climate impacts more resilient, by increasing the resources available to them and diversifying the sources of income upon which they rely. As such, some academics, international institutions and policy-makers have recently suggested that international labour migration should be promoted as a strategy of adaptation to climate change (e.g. Asia Development Bank, 2011; Barnett and Weber, 2010; Black et al., 2011; de Moor, 2011). Given that labour migration can also benefit receiving states, many of its advocates see it as a "win-win" policy.
This paper examines the prospects and pitfalls of using labour migration policy as a tool of climate change adaptation. In particular, it asks: (1) May states permissibly discharge their duties to enable adaptation to climate change by offering opportunities for labour migration? (2) If so, what conditions must labour migration policies meet for them to be a just tool of climate adaptation? In order to answer these questions, I draw on related debates about the role of immigration policy in addressing global poverty (e.g. Brock, 2020; Lenard and Straehle, 2010; 2011; Oberman, 2011; 2015).
In response to the first question, I argue that states may permissibly use labour migration policy as a tool of climate change adaptation (and may even have a duty to do so), but they may not make successful adaptation to climate change conditional on taking up opportunities for labour migration. Making successful adaptation conditional on migrating would fail to take seriously the legitimate interests that those affected by climate change may have in staying in places where they have formed attachments and life-plans. If labour migration is to be used as a tool of adaptation to climate change, it must be one tool amongst many, so that those affected by climate change have a range of options available to them from amongst which they can choose.
In response to the second question, I argue that as a matter of basic justice, fairly stringent conditions (the protection of core labour rights, international cooperation on labour standards, and access to permanent residence and political rights) must be met in order to protect labour migrants against domination. I also argue that receiving states are not permitted to restrict more extensive rights (such as access to social welfare benefits and family reunification) in order to make accepting greater numbers of labour migrants less costly for themselves. This is not because migrant workers can never consent to such terms, but because in the context of climate change adaptation, offering such terms represents an unfair attempt to shift the costs of adaptation onto the most vulnerable.
The upshot of the paper is that whilst labour migration may have a place in climate change adaptation, the kinds of labour migration policies envisioned by those who see it as a "win-win" policy are unlikely to meet the demands of justice.

Session 29 - Republicanism, freedom and virtue

[GENERAL session]
11th June, 14h00 - 15h45, RED room - Chair: Pedro Martins

Non-domination Without Rights? An Impossibility, Davide Pala (Italy)
Keywords: Republicanism, non-domination, claim-rights
Abstract: No one better than slaves and the stateless exemplify the lack of republican freedom, namely, freedom as nondomination. Indeed, republican freedom vanishes when individuals depend on the arbitrary will of some others, who, no matter their personal inclinations, detain a poorly constrained capacity to interfere with their subjects, whilst enjoying impunity. Yet, what these paradigmatic instances of domination also clearly epitomise is a rightless condition. If so, there seems to be a tight connection between domination and the

absence of rights, and, complementarily, between nondomination and the presence of rights. Yet, what is, more precisely, the relation between nondomination and rights?

In this paper, I argue that rights and nondomination are related notions indeed, in that rights actually are a conceptually necessary constituent of nondomination. Alternatively said, rights partly define the very concept of nondomination. As such, nondomination without rights is an impossibility, and, contra the mainstream view, republicanism is necessarily rights-based. Call this the constitutive view. To develop the constitutive view, I proceed as follows.

First, I clarify how I understand nondomination and rights, respectively. In line with the republican tradition, nondomination will reveal itself a status-notion that designates a social position of robust independence from the arbitrary will of others and institutions. Rights in the strict sense will be defined, conventionally, as valid claims. On this background, I argue that the undominated status of individuals is partly constituted by rights as a matter of conceptual necessity. This is because nondomination possesses certain features that only rights can express and shape — in the same way in which a sentence constitutes the thought that it expresses.

In particular, first, only rights can express that undominated persons are normative authorities, that is, reason-givers and reason-takers whose reasons count and are taken seriously by others, as well as individuals who are able to command respect. For, if individuals have rights, then the reasons they provide are binding. Relatedly, rights confer upon their holders the standing and power to insist on the openness of their options, and they can be claimed by the rights-holder in particular.

Second, only rights can express a distinctive request of the non-arbitrariness condition that nondomination embodies, that is, a request for a peculiar form of accountability. Indeed, for individuals to be undominated persons, others have to be accountable to them in particular. Crucially, rights are indispensable for constituting such a form of accountability given the directedness of the duties they ground.

Third, only rights can articulate the double invariance of the robustness of nondomination. For the undominated status of individuals to be possible, their options should remain open to them across changes in their preferences and in others' preferences too. Importantly, what rights prescribe is precisely that the options covered by them be enjoyed invariantly across changes in both your will and the will of another as for what you should do. If so, we can make sense of the invariance of nondomination only if we understand it and express it as the invariance of rights.

Freedom, Virtue, and Exit: The Control of the Commonwealth, Adrián Herranz (Spain)

Keywords: Repiblicanism, virtue, exit, stability, freedom

Abstract: Republicanism has become an influential theory in contemporary political philosophy, in which the ultimate political value is freedom understood as the absence of domination. While republicanism has the pedigree of being a theory that confers a fundamental role to the democratic ideal of participating in common decision-making, recent debates dispute if freedom could be better promoted by enhancing exit. Albert O. Hirschman introduced the term "exit" to refer to the ability to escape objectionable or undesired state of affairs, in opposition to "voice", meaning the ability to change these very state of affairs having a say in them. Self-appointed republicans like Frank Lovett or Robert Taylor argue that citizens should be resourced to enjoy an effective capacity to employ or to threat to employ exit in order to influence their social relationships. That point is interesting because it shows that this sort of exit view could occupy a middle ground between classical liberalism and democratic-participatory republicanism.

Nonetheless, as they acknowledge, the exit view should be considered a default position but not an exclusive mean because there is at least one domain that we cannot exit: the state. The latter seems to be necessary to organize social life in order to increase mobility, so we have to count on it without relying exclusively on exit. Hence, elections and constitutional protections will be needed to avoid the vertical domination of public powers. However, exit advocates endorse a minimal conception of democracy: there should be competitive elections to designate leaders, but citizens are not supposed to be active beyond voting, and voting should not have much room for making changes since participating or deliberating are not considered an expression of freedom.

I will analyse what follows from building the core of freedom on the idea of ending ties and relationships as a way of achieving freedom or social autonomy. Simply put, even if we consider that exit-oriented policies directly increase freedom, the menace of vertical domination by public powers will remain in the absence of a

virtuous citizenry. The exit view is amenable to produce detached and self-interested individuals, hence it may hamper the development of civic virtues, namely, dispositions that cause public-oriented behaviours. I claim that, since civic virtues are necessary to assure freedom from vertical domination, the exit view does not offer a convincing model to control public powers: First, I argue that the model is not enough to counter vertical domination because it lacks the connection between virtuous citizens and democratic contestation to arbitrary decisions. Hence citizens are exposed to the arbitrary interferences of the state or similar entities. Second, I claim that the exit view crowds out civic virtue, whereby the commonwealth is unstable under that model, meaning that freedom is not assured in dynamic terms even if we assume that the starting point is correct. People will lack the sense of justice that helps to sustain a well-ordered commonwealth over time.

Session 30 - Justice, ethics, and the future of work and employment

[GENERAL session]
11th June, 14h00 - 15h45, BLUE room - Chair: António Baptista

The Internet of Abilities and the future of meaningful work. An integrationist approach, Anda Zahiu (Romania)
Keywords: Meaningful work, automation, Internet of Abilities, enhancement, employment
Abstract: The academic debate concerning the future of work gravitates around the concept of meaningful work. Contemporary authors maintain that the goods of work are indispensable to living fulfilled lives, and meaningful work enables people to pursue their ideal of good in a manner that promotes their autonomy, dignity and human capacities. If we are to embrace the centrality of work to human lives, then the recent advancements in AI systems and mobile robotics threaten not only to leave many people unemployed, but also devoid of what constitutes a source of meaning in life.
Some normative proposals tackling the issue of meaningful work in the wake of the latest wave of automation revolve around two types of responses: pursuing a withdrawal strategy and letting mobile robots and AI systems perform all human work, or deploying non-market social insurance schemes (such as a Universal Basic Income) as a way of mitigating the negative consequences for the present-day workforce of the process of job externalization. However meritorious, such approaches fail to take into consideration the central role meaningful work plays in individuals' lives and the cost that its potential disappearance from the set of available and feasible options could impose on individuals.
Whilst sympathetic to such approaches, I intend to provide a more constructive philosophical case for an integrationist approach towards new and emerging technologies that have the capacity of augmenting human productive capacities and also enhance the meaningful character of one's work instead of making it structurally worse. I argue that new advancements in technology should receive an integrationist treatment from both employees and employers- AI systems and the Internet of Abilities, for example, assist and augment human capacities, rather than undercut their relevance in various areas of human non-routine labour. The latest technological advancements in the field of human-computer-integration, such as remote and external prosthetic devices and haptic technology, hold great promises for augmenting human abilities. Furthermore, it is not hazardous to hypothesize that brain implants that allow for user-to-user real time communication will soon become more than a mere technological possibility. An attentive look at the status quo in emerging research domains such as immersive and interactive user-to-user brain implants allows for us to stipulate the technological possibility of creating a network of brain implants that would act as a hivemind, a collective extended brain with endless productive potential.
My claim is that new and emerging applications of the Internet of Abilities can have a transformative effect on the quality of one's perception of work and can endow workers with the opportunity of enhancing the meaningfulness of their work. I will then present the case for the integrationist approach in relation to automation anxiety. Lastly, I will address possible weaknesses of the argument.

Calling for a Relational Reading of Autonomy in Business Ethics – The Example of Constant Availability, Eva Kuhn (Germany)

Keywords: relational autonomy, knowledge work, social norms, moral values, responsibility
Abstract: Knowledge workers are highly embedded in today's 'Network Society' (Manuel Castells) where receiving, processing and distributing (digitally mediated) information is key to economic success, productivity and power. Communication via written messages is characterized by (possible) asynchronicity of request and reply that enables the receiver of a message to answer where and when s*he wants to. This development towards mobile work and interconnectedness not only entails flexible 'office' hours, a blurring of work and non-work, but often also an extension of working hours up to constant availability on the job. That applies both to employees of corporations in the private sector, self-employed and pseudo-self-employed individuals; for managers, freelancers, crowd workers and many more.
Constant availability is a highly contested work phenomenon and for many also an emotionally charged topic. However, constant availability is not a value in itself and not a conduct that in itself is right nor wrong – just as the technology with the aid of which one can be constantly available is not good or bad in itself. Rather, for an ethical evaluation of this business practice it is necessary to embed the practice of constant availability into its corporate context. Hence, constant availability is the visible phenomenon and burning lens pointing at underlying values, expectations, and beliefs, but also behaviours which are upstream of constant availability and often taken for granted. Based on multidisciplinary literature research and an own interview study, the norms and values at stake are mapped. They can be clustered, inter alia, around the concepts of autonomy, power, harm, and responsibility.
Focussing on autonomy for the purpose of this call, it is argued in a first step that current concepts of 'job autonomy' are highly underdetermined and mostly linked to liberal individualism. However, as constant availability as part of business communication shows, working in the 'Network Society' is working in relations, being in constant social interaction. Hence, in a second step a relational reading of autonomy (particularly with reference to Catriona Mackenzie and Jennifer Nedelsky) is presented, thereby tailored to autonomy in and on the job. Thirdly, the elaborated logics behind constant availability are discussed against the background of this relational reading, with a particular focus on questions of autonomy deprivation for the individual employee.
This approach contributes to the overall aim of the work of which this abstract is only a part. The aim is to discuss under what circumstances the behaviour of employees, supervisors, clients and alike that underlies, upstreams and nurtures constant availability is morally right (or morally wrong) and, ultimately, providing a differentiated view on constant availability by pathing the way to a corridor of ethically acceptable behaviour (both of employees and employers) in times of mobile office and work-life-integration.

The Negative Externalities of Unemployment: an Argument for Job Creation, Peter Wilson (United Kingdom)

Keywords: Unemployment, Externalities, Post-Work, Job Creation
Abstract: How should governments respond to unemployment? Some political philosophers argue for a job-creating approach aimed at minimising involuntary unemployment (Reiff 2015). By contrast, a growing number of political philosophers argue for responses that involve providing substantial financial compensation such as a universal basic income instead (Van Parijs 1997). In addition to financial compensation, a third group - post-work advocates - argue that we should welcome unemployment and embrace a post-work society (Danaher 2019). This existing literature has centred around how best to respond to the plight of unemployed individuals. However, a major consideration has been missing from the philosophical discussion: the fact that unemployment creates substantial burdens for many individuals other than the unemployed themselves. In this paper, I explore the normative significance of these burdens – "the negative externalities of unemployment" – and argue that they give us a reason to prefer job-creating responses to unemployment.
In section 1, I demonstrate how many political philosophers writing about unemployment have focused solely on the interests of unemployed individuals themselves. Disagreement about the appropriate response to unemployment has been largely a result of diverging views on the question of whether individuals are able to pursue a good life without employment opportunities.
In section 2, I argue that this narrow focus on the interests of the unemployed is problematic because it fails to consider that unemployment creates significant burdens for many other people. These negative externalities are wide-ranging. Unemployment burdens the family of the unemployed: it worsens children's educational

outcomes and increases the rate of intimate partner violence. Unemployment impacts people in local communities, reducing workers' bargaining power and increasing crimes rates. Unemployment also has indirect negative effects on individuals across a country, decreasing social trust and leaving fewer resources available for social spending. I argue that these negative externalities are particularly morally concerning because they are borne mainly by groups of people who already experience socio-economic disadvantage.
In section 3, I argue that the negative externalities of unemployment provide a reason to prefer solutions to unemployment which involve job creation over those which do not. Firstly, I argue that job creation is preferable to a purely financial compensation strategy because many of the negative externalities are not simply addressed by money. Secondly, I provide a presumptive case to prefer job creation over a post-work approach. Post-work advocates might suggest that we can sever the link between unemployment and these negative externalities through changes to social norms and structures. I argue, however, that in a world in which employment is likely to remain the statistical norm, the post-work approach has a significant opportunity cost which makes it less normatively attractive than the job-creating approach.
Finally, in section 4, I consider the worrying implication that the negative externalities of unemployment justify compelling the economically inactive into employment. I argue that we have independent moral reasons – such as the value of occupational freedom – to reject making employment mandatory and prefer giving the unemployed opportunities which they have the option of taking.

Plenary session 3

Unpaid Caring Labour and Liberal Equality

Serena Olsaretti (ICREA-Universitat Pompeu Fabra)

11th June, 16h15 - 17h45, BLUE room - Chair: António Baptista

Keywords:

Abstract: role of unpaid caring labour for the maintenance of just societies. In response, liberal political philosophers now readily concede that how unpaid caring labour is distributed between men and women, and its unequal effects on their life prospects, are serious concerns of justice.
This paper does two main things. First, it argues that viewing the problem of unpaid caring labour as being only or primarily a problem about the inequalities between women and men vis-à-vis such labour is mistaken. To properly do justice to women, we need to make a case for why it is unjust for caring labour to be unpaid, regardless of whether women or men do it, and regardless of whether they choose to do it freely. The second thing the paper does is to argue that, contrary to what has been thought, liberal equality can buttress such a case.