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Présentations (titres et résumés)

- **Aaron Ansell**, “Dirty Compromise: The Ethics of Making Concessions to Injustice”

Is it ever morally acceptable to make serious concessions to injustice? I consider two opposing answers to this question. The first focuses on fundamental values and moral principles and concludes that all such concessions are morally unacceptable because they violate fundamental principles of justice. The second focuses on pragmatic considerations and the range of realistic alternatives and concludes that some such concessions are morally acceptable because they are part of the best available means of improving on the status quo. I argue that each side gets something right, and that these seemingly inconsistent lines of thought can be reconciled by recognizing that each is suited to a different target of evaluation.

- **Étienne Brown**, "Misinformation as harmful speech"

By enacting the "Act to Improve the Enforcement of the Law in Social Networks" (NetzDG; i.e. Netzwerkdurchsetzungsgesetz) in June 2017, Germany has become the first Western country to legislate against online misinformation such as false news. But can this law be philosophically justified? In this presentation, I offer two arguments thatsupport the conclusion that certain kinds of false news should be legally prohibited. While the first argument focuses on the intention of the individual or organization which deliberately attempts to misinform the public, the second focuses on the harmful content of certain false news articles. Yet, neither the intention-based argument nor the content-based argument support the conclusion that false statements of facts should be prohibited for the very reason that they are false.

- **Hilary Cameron Evans**, “Logics of Legal Reasoning: Truth, Risk, and Inference to the Best Explanation”

How should legal decision-makers resolve their doubts? Fact-finding in the Anglo-American common law tradition is grounded in a logic of truth-seeking through inductive inference. This paper argues that this centuries-old model of legal reasoning is at odds with the requirement that decision-makers assess risk, as is the case, for example, in refugee law. In such contexts, the law must look to a different model of fact-finding, and this paper argues for one built on abductive reasoning and inference to the best explanation.

- **Charles Dupras**, " Epigenetic discrimination: should we rely on recent policies against genetic discrimination for oversight?"

Epigenetics is “the study of changes in gene function that are mitotically and/or meiotically heritable and that do not entail a change in DNA sequence”. Over the past decade, an increasing number of diseases have been associated to the disruption of epigenetic mechanisms in specific cell types. Distinct patterns of DNA methylation, for instance, have been associated to certain diseases such as cancers, cardiometabolic disorders and mental health problems. Epigenetic tests may provide predictive information about an individual’s disease risk profile. They may also provide information about someone’s previous exposures to physico-chemical and psychosocial disruptors of epigenetic mechanisms. Over the past 25 years, various policies have been adopted worldwide to restrict the use of individual genetic information for non-medical reasons by third parties, and thus prevent ‘genetic discrimination’. In this presentation, I will bring attention to the recent collection of individual epigenetic information by insurers and forensic scientists. I will question whether such practices could lead to ‘epigenetic discrimination’, that is the differential adverse treatment or abusive profiling of individuals or groups based on their epigenetic characteristics. Similarities and differences between genetic and epigenetic modifications will be highlighted, and potential challenges to regulating epigenetic discrimination will be discussed. I will also argue that most existing normative approaches against genetic discrimination are likely to fall short in providing oversight into the field of epigenetics.

- **Pablo Gilabert**, "Human Dignity and Human Rights"

Human dignity: social movements invoke it, several national constitutions enshrine it, and it features prominently in international human rights documents. But what is human dignity, why is it important, and what is its relationship to human rights? This book offers a sophisticated and comprehensive defence of the view that human dignity is the moral heart of human rights. First, it clarifies the network of concepts associated with dignity. Paramount within this network is a core notion of human dignity as an inherent, non-instrumental, egalitarian, and high-priority normative status of human persons. People have this status in virtue of their valuable human capacities rather than as a result of their national origin and other conventional features. Second, it shows how human dignity gives rise to an inspiring ideal of solidaristic empowerment, which calls us to support people’s pursuit of a flourishing life by affirming both negative duties not to block or destroy, and positive duties to protect and facilitate, the development and exercise of the valuable capacities at the basis of their dignity. The most urgent of these duties are correlative to human rights. Third, this book illustrates how the proposed dignitarian approach allows us to articulate the content, justification, and feasible implementation of specific human rights, including contested ones, such as the rights to democratic political participation and to decent labor conditions. Finally, this book’s dignitarian approach helps illuminate the arc of humanist justice, identifying both the difference and the continuity between the basic requirements of human rights and more expansive requirements of social justice such as those defended by liberal egalitarians and democratic socialists. Human dignity is indeed he moral heart of human rights. Understanding it enables us to defend human rights as the urgent ethical and political project that puts humanity first.

- **John-Stewart Gordon**, “Moral Rights for Intelligent Robots?”

Great technological advances in such areas as computer science, artificial intelligence, and robotics have brought the advent of artificially intelligent robots within our reach within the next century. Against this background, the interdisciplinary field of machine ethics is concerned with the vital issue of making robots “ethical” and examining the moral status of autonomous robots that are capable of moral reasoning and decision making. The existence of such robots will deeply reshape our socio-political life. This presentation focuses on whether such highly advanced yet artificially intelligent beings will deserve moral protection (in the form of being granted moral rights) once they become capable of moral reasoning and decision making. I argue that we are obligated to grant them moral rights once they have become full ethical agents, i.e. subjects of morality. I present four related arguments in support of this claim and thereafter examine four main objections to the idea of ascribing moral rights to artificial intelligent robots.

- **Hazar Haidar**, "Expanding the scope of Non Invasive Prenatal Testing (NIPT) Uses: Ethical Considerations for Policy Decision-Making"

Non-Invasive Prenatal Testing (NIPT) based on the detection of cell free fetal DNA in maternal blood has transformed the landscape of prenatal care by offering clinical benefits (non-invasive, high specificity and sensitivity, early detection of abnormalities) over existing prenatal screening tests. NIPT has expanded rapidly and is currently commercially available in most of the world. In the near future, developments in NIPT technology may potentially provide couples with the opportunity to test for and diagnose a wide range of heritable and congenital conditions, other non-medical traits, as well as fetal whole genome sequencing. This raises ethical, social and legal concerns such as the possible implications of NIPT for providing couples with opportunities for reproductive choice, their expectations of their future children and the larger impact on society (such as inclusion and diversity). Further, the future child seems to be at the core of this ethical debate. The tension between the potential benefits of the future uses of the NIPT and the risks, mainly to the future child (his right to privacy), that such uses might be associated with, create challenges for public policy. Decision such as what conditions should the test be used for? What are the criteria for such decisions and others are at the heart of this public policy discussion.

Based on a literature review analysis, I offer an ethical approach/ framework, based on principles, among others, the right of the child to an open future, parents’ reproductive choice and justice and equity considerations that policy decisions should entail in any future decision that consider the expansion of NIPT uses. Finally, I suggest that this approach should be complemented with education and pre- and postest counseling for pregnant women and parents in order to improve their reproductive choice while not causing harm to the future child.

- **Simon Lambek**, “Receiving Rhetoric and the Hermeneutics of the Self”

“It takes two to lie; one to lie and one to listen.” – Homer Simpson , 1992
This Homeric utterance gets at something frequently missing from the way we discuss and assess lies and, more generally, all rhetoric. This is the case both colloquially and in political theory. The

listener, I argue, matters, and it is how they matter or might matter that is the subject of this paper. I draw from the perspective of the hermeneutics of the self, particularly as developed by Paul Ricoeur, in order to shed light on the iterative process of subject-formation that occurs when we listen to or otherwise receive rhetoric. I consider responses to the recent national anthem protests by professional football players in order to examine three receptive rhetorical effects – dissonance, disruption and resonance. I show that each mode of reception facilitates a distinct form of world-disclosure, and argue for the potentially transformative capacity of dissonant rhetoric to bring about critical reflection in audiences. Focusing on receptive effects provides a crucial corrective to the way political theorists typically consider rhetoric. Rhetoric's critical potential and normative value depend not merely on content, frequency or relative contextual attunement, but also on how rhetoric positions itself to being received. I conclude by highlighting the emancipatory potential of dissonant rhetoric, including possible benefits for facilitating democratic inclusion and combating pernicious forms of systemic power.

- **Richard Moon**, "Conscientious Objection in Canada: Pragmatic Accommodation and Principled Adjudication"

In most religious accommodation cases, an individual or group seeks to be exempted from a law that restricts their religious practice. The accommodation claim, though, has a slightly different form in conscientious objection cases. In these cases, an individual asks to be exempted not from a law that restricts his/her religious practice, but instead from a law that requires him/her to perform an act that he/she regards as immoral. In many of these cases the claimant asks to be excused from performing an act that is not itself "immoral" but that supports or facilitates (what she/he sees as) the immoral action of others, and so makes him/her complicit in this immorality. In recent years, the Canadian courts have dealt with a number of conscientious objection claims and the number of these claims seems to be growing. The issue in these conscientious objection cases is not, as the courts sometimes say, the reasonable balance between the individual's spiritual commitments or interests and the interests or rights of others in the community. The significant issue, in these cases, is whether the religiously-based objection should be viewed as a personal spiritual practice/commitment that should be accommodated, if this can be done without any noticeable harm others, or instead whether it should be viewed as political – as a position, on the rights and interests of other in the community, or on the rightness of the law, that should be subject to the give-and-take of ordinary political decision-making.

- **Stephanie Silverman**, "A Difficult, Multilayered Conversation: The Promises and Perils of Incremental Abolitionism in Immigration Detention: A Difficult, Multilayered Conversation"

This paper presents key arguments animating the final chapter of my monograph, Why Immigration Detention Matters. Earlier chapters demonstrate that detention is a harmful, nonsensical practice for liberal states. This concluding discussion focusses on the complexity of arriving at appropriate, harm-reducing next steps. The book's case study is Canada, which is liberal- and reform-minded on detention and also dealing with a relatively small number of irregular immigrants. I elaborate and discuss three potential next steps, each of which is

promising from a human rights perspective but remains beset by moral, political, and legal concerns.

First, there has been a recent NGO-led push for Canada to adopt Alternatives to Detention, which are non-custodial, community-based monitoring regimes that stop short of arrest and detention. The best practice Alternative is the International Detention Coalition's CAP model derived from social work practices; the worst would be the increasingly-common combination of deposit of identity documents, attrition-through-poverty, and 'tagging' (the clamping of surveillance bracelets on enrollees' ankles that are constantly monitored remotely). Recent history shows, however, that Alternatives easily and quickly slip down the morally acceptable slope from caseworker management to tagging (as is the case in Canada). My epistemological concern is that since Alternatives normalize monitoring of non-citizens – and a xenophobic discourse of threat, absconding, and danger – and detention remains the background threat, the possibility of release and return independently falls away.

Second, I explore incremental abolitionism through baseline improvements to bring Canadian detention into better alignment with international standards: these include the end of solitary confinement; the screening out of children, torture survivors, and other vulnerable persons; and the implementation of time limits, duty counsel, and on-site medical personnel. However, this 'laundry list' reform leaves in place the fundamental abrogation of incarcerating people based on their Otherness as non-citizens, a morally arbitrary and racist position (as outlined in an earlier chapter). Further, I am concerned that 'bettering' detention through selective removal falsely implies that the remaining people 'deserve' detention; this, too, would inadvertently lend legitimacy to detention. Relatedly, earlier chapters show how Canada - and other developed States - pay developing States further back along migrant routes to interdict, arrest, detain, and turn around asylum seekers, and that this practice facilitates the conditions for corruption, slave markets, and death. Therefore, I also worry that normalizing the idea of detaining in Canada could legitimize detention abroad where the conditions are much more severe.

Lastly, I argue that an abolitionist position is tenable, and that the prison has moulded our mindsets not to be able to think outside incarceration. However, I note that abolitionism could undermine deportation, the right of sovereign states and sovereignty is an assumption of this book. I also worry that, with deportation/removal of unwanted persons no longer feasible, Canada and other liberal States could militarize their borders in order to keep those unwanted people out in the first place.

- **Christine Tappolet & Mauro Rossi**: "Happiness as an Affective Evaluation"

In this paper, we put forward a theory of occurrent happiness as affective evaluation. Our theory combines two main claims. The first is that occurrent happiness consists in a broadly positive balance of affective states, such as emotions, moods, and sensory pleasures. The second is that these affective states are all kinds of 'felt evaluations', that is, affective experiences of value. Together, these claims deliver the conclusion that occurrent happiness consists in a broadly

positive affective experience of value. We show that our theory is superior to all the competing account of happiness, namely, hedonism, life satisfactionism and Haybron's emotional state theory.

- **Willem van der Deijl**, "Is pleasure all that is good about experience?"

Experientialist accounts of wellbeing are those accounts of wellbeing that subscribe to the experience requirement. Typically, these accounts are hedonistic. In this article I present the claim that hedonism is not the most plausible experientialist account of wellbeing. The value of experience should not be understood as being limited to pleasure, and as such, the most plausible experientialist account of wellbeing is pluralistic, not hedonistic. In support of this claim, I argue firstly that pleasure should not be understood as a broad term to describe valuable experiences generally. I then analyze responses to the main argument against a monistic view on the value of experience: the philosophy of swine objection. I argue that such responses deviate from the central hedonistic view that only pleasure and pain matter for wellbeing. I then argue that the argument can be avoided on a pluralistic account, and formulate a plausible candidate for an account of pluralistic experientialism, in which, besides pleasure, non-hedonic aspects of experience like novelty, compassion, and aesthetic value also contribute to wellbeing.