

Remember your second conditional

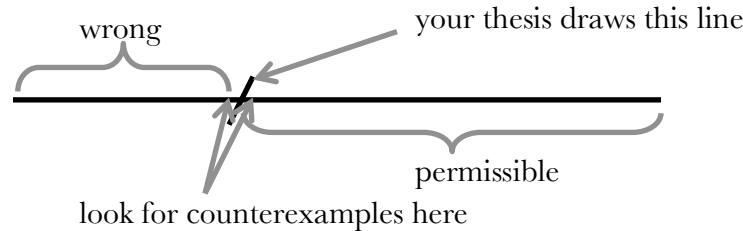
If x and y are true, then ... is wrong

If either x is false, or y is false, then ... is permissible.

If x or y is true, then ... is wrong.

If neither x nor y is true, then... is permissible.

Counterexamples



Hint: if one of your conditionals includes many more situations, it will be easier to find counterexamples to it.

Making an argument for a claim by giving evidence that directly supports it

1. Give clear, compelling examples of relevant things that are wrong/permissible [or whatever it is that you are discussing]
 - a. If your examples are implausible or unclear, your argument will be weak.
 - b. Be careful: the fewer examples you use, the harder it is to generalize, and the more objections there will be.
 2. Show that your claim gives the best explanation of why these things are wrong/permissible
 - a. This will require showing that the examples fit your thesis.
 - b. This typically requires showing that the examples do not fit alternative views. So pick examples that allow you to rule out alternative views.
- Note: You can do this to argue for your whole thesis at once, or to argue for just part of your thesis.

From the reading

- Liao wants to argue that chemically induced love is authentic
 - So he gives a bunch of examples of induced love that are clearly authentic
 - And tries to claim that chemically induced love is like them
 - To make the argument stronger, he should have considered and argued against an alternative view: that only “naturally” induced love is authentic (maybe he could have used examples involving anti-depressants to argue against this alternative view).

For example:

Claim: If an employment contract requires an employee to violate human rights, then the employee is morally obligated to violate that contract.¹

Evidence:

- It is morally wrong to do a job that requires discriminating against members of certain races or certain religions.
- It is morally wrong to do a job that requires murdering innocent people.
- It is morally wrong to do a job that involves spying on people's romantic relationships without their consent.

How does the thesis fit the evidence:

- There is a human right to not be discriminated against due to race or religion. There is a human right to life. There is a human right to privacy (at least about one's romantic relationships).

Why the evidence does not fit alternative views:

- One alternative view is that it is wrong to do a job that involves procedural injustice (which might explain why it is wrong to discriminate on the job). But murdering on the job is wrong no matter what procedure is used to determine who dies, so this view does not fit the evidence well.
- One alternative view is that a person should violate contracts that requires negatively affecting people's well-being. However, spying on people does not necessarily affect well-being – if the people don't find out, they will not be harmed – but it's still wrong to do jobs that involve spying.

Arguing for your thesis by arguing for something else first

1. Find a general idea that, if true, would allow you to show that your thesis is true.
 - a. You might do this because your thesis is surprising, or does not clearly or obviously fit examples that others are inclined to accept.
 - b. You still need to be able to explain why your thesis is true.
2. Argue for that principle (e.g. by giving evidence that supports it, or by elimination).
3. Then show how the principle leads to your thesis.
 - a. This won't always be obvious to your reader, so be sure to explain (and give evidence for) this.

From the reading:

- Hardwig wants to argue that we have a duty to die in some cases
 - He can't just start with examples in which people obviously have a duty to die, since almost no one thinks that people ever do have a duty to die.
 - So he tries to show that choosing when to die furthers our autonomy, and can really help our families, and is sometimes the fairest thing to do.
 - And then tries to argue that that gives us a duty to die.

¹ The person writing on this would have to actually explain what a human right is in a way that makes this thesis non-trivial.

Argument by elimination

(useful when you can't really articulate why your thesis is true)

- Start by discussing a very intuitive/plausible/common-sensical view.
- Show why it can't be true, using strong counterexamples.
- Suggest an alternative view, which fits the counterexamples.
- Give counterexamples to the alternative...
- Repeat until only your view is left.

For example:

Claim: If an employment contract requires an employee to violate human rights, then the employee is morally obligated to violate that contract.

- It might seem that employees are morally obligated to always keep their contracts.
- But, if the contract requires discriminating against people based on race or religion, it is permissible to violate it.
- So, one might think that employees are obligated to keep contracts as long as the contracts don't involve procedural injustices.
- But, if the contract requires killing innocent people, it is permissible to violate, whether or not there are any procedural injustices.
- This might suggest that employees are morally obligated to keep contracts as long as the contracts don't cause harm to others.
- But, if the contract requires spying on people's romantic lives without their knowledge, it is permissible to violate, even though no harm will be done.
- All of these examples are cases in which rights are violated, so they all fit my claim.

My thesis is: if a doctor knows their patient will die without treatment, and (either the doctor does not know that the patient is refusing or would refuse treatment, or the doctor knows that the patient's well-being after treatment will be overall positive) then the doctor is morally obligated to treat the patient.

Common sense says that doctors have duties to eliminate negative well-being of patients, to respect their autonomy, and to protect and respect the value of human life [*Brian note: is this obvious enough not argue for?*]. Note that I say "eliminate negative well-being" rather than "improve well-being," because a doctor does not have a duty to make happy patients happier, but rather just to make sick patients better. [*Brian note: is this obvious enough not argue for?*] My thesis is true because the duty to respect patient autonomy is much more important than the duty to promote welfare, and so is the duty to save patient's lives. Further, the duty to respect patient autonomy is slightly more important than the duty to save lives. I will first argue for these claims, and then show how they support my thesis [*Brian note: the author tells us that they will argue for these claims so that we don't worry that they think they are obvious*].

To see that autonomy is more important than well-being, consider the following case: Karen is a competent adult with no friends or family who is in extreme pain and will never be pain-free. She knows this but still wants to live, even though living is not in her interest. It is intuitively wrong for a doctor to euthanize Karen against her wishes [*Brian note: is this convincing or do we need more details and discussion?*]. However, if a doctor's primary duty were to reduce the negative well-being of patients, rather than respect their autonomy, it would be permissible to euthanize Karen against her wishes. It is also important to note that, no matter how much Karen is suffering, it is always wrong to euthanize her. This shows that autonomy is much, much more important than well-being, because no matter how much harm euthanasia protects her from, it is still wrong when it violates her autonomy.

One might think that the Karen case just shows that the duty to respect the value of life is the most important duty; in other words, one might think that it is wrong to euthanize Karen not because it takes away her autonomy, but because it is killing. To see why that is incorrect, imagine an alternate version of Karen, Shmaren, who like Karen is in extreme pain and will never recover. Shmaren, however, wants to die. It is clearly permissible for a doctor to euthanize her (assuming that, like Karen, she is competent to choose and fully informed). If the duty to save lives were paramount, then it would be wrong to euthanize Karen. These cases show that autonomy is more important than welfare, and also more important than saving lives.

However, autonomy is only slightly more important than life, and not more important than the combination of well-being and life. To see, why imagine that Edgar currently has a very bad cold, which makes him miserable, but he will recover in a week and live for 50 happy years afterwards. Assume that Edgar is otherwise competent and informed, but for some reason wants to be euthanized to end his cold. It is intuitively wrong for a doctor to euthanize Edgar. Why? It can't *just* be because Edgar has so much positive well-being ahead of him, since doctor's don't have a duty to promote positive well-being of patients. It can't be because life is more important than autonomy, because the Shmaren case shows that it is not. The best explanation of why this is wrong is that the duty to not kill patients is almost as important as the duty to respect their autonomy, and the additional benefit to Edgar of future positive well-being makes killing Edgar wrong. Because the duty to protect life is almost as important as the duty to protect autonomy, and the duty to protect autonomy is *much* more important than the duty to eliminate negative well-being, the duty to protect life is also a lot more important than the duty to eliminate negative well-being.

So, I have argued that the duty to respect autonomy is the most important duty for doctors, followed closely by the duty to protect life, and then by the duty to eliminate negative well-being. How does this support my thesis? When the doctor *knows* the patient will die, then not treating them definitely violates the duty to save lives; when the doctor does not *know* the patient refuses treatment, then treating them only *maybe* violates the duty to respect their autonomy. Since these are almost as important as each other, definitely violating one is more serious than maybe violating the other. This means that it is obligatory to treat patients to save their lives when the doctor is not certain that they are refusing. When the doctor knows that treating the patient will save their life and give them positive well-being, the doctor is obligated to treat the patient whether or not they consent, because the combination of life and well-being is more important than autonomy. ...