Counterplan Text – I recommend that rehabilitation be valued above retribution in the United States criminal justice system.

It textually competes by removing “ought” from the resolution.

Saying “I recommend” instead of “ought” is key to challenging assertions of absolute truth. **Greene 02**[[1]](#footnote-1)

**Given that moral realism is false, it is** equally **pointless to appeal to moral rights in the context of** a **pure**ly **moral disagreement.** Suppose some people are discussing whether their mutual friend should confess to her husband that she’s had an extramarital affair. “She must tell him. Gustave has a right to know!” one of them asserts. If realism were true, such a claim might convey useful information about the Moral Truth, but **to people who know the** terrible, horrible **truth about morality, such assertions are no more effective than** an expressivist **“Boo!” or “Hurrah!,”** and probably less so given that revisionists will inevitably find people who speak as if they have the Moral Truth on their side somewhat annoying. **Assertions about** rights, wrongs, **duties, and obligations (over)state a position, but** they **do nothing to defend it.** They tell you what to do, but they don’t tell you why, and they certainly don’t give someone who is inclined to disagree a reason to change her mind. Contrast assertions about rights and other deontological entities with these contributions: “I think it’s selfish to tell him. Let her live with it! Why make things worse for him?” This statement suggests a shift in perspective. Rather than conceiving of her confession as an act of bravery performed out of respect for her husband, it is portrayed as a selfish act, one of sacrificing her husband’s happiness in order to ease her own sense of guilt. To this one might reply, “She should tell him because he probably already suspects, and knowing is better than always wondering.” This comment performs a useful service by drawing one’s attention to a relevant “empirical” issue, namely the possibility that her husband already suspects her infidelity and that he may have less to lose in being told about it than one might suspect. Another friend adds, “Would you want to live a lie? I’d want to know the truth no matter what.” This comment suggests yet another shift in perspective, one achieved through the empathetic exercise of role-reversal. Unlike empty assertions about rights and duties, comments such as these do offer something of value. Some draw attention to relevant facts (“Good point! I hadn’t thought of that!”), while others offer new perspectives on the same facts, inducements to view the same situation in a different evaluative light (“Good point! I hadn’t thought of it *that* *way*!”). Moral realists, and those anti-realists who would emulate them, have the option of dogmatism, of blindly acting by moral norms that one takes to be authoritative. Revisionists, in contrast, have no choice but to acknowledge that all moral judgment is an imprecise process of weighing values. The nature of moral action requires the drawing of lines: One either jumps in and saves the drowning child, or one does not. One either votes to allow abortion or one does not. Of course, one will sometimes make compromises by adopting middle-of- the-road courses of action, but, at some level, all action is discrete. To any particular course of action one must say either “yes” or “no.” Thus, while the inputs to moral judgment are fuzzy, fluid, and continuous considerations, the practical outputs of moral judgment are discrete actions. Deontology is intuitively appealing because it offers answers as clear and forceful as our intuitions, drawing theoretical lines that translate into practical lines, the kinds of lines that we, like it or not, are forced to draw by the nature of action. But, contrary to appearances, nature contains no true moral lines. We begin with only a mush of morally relevant considerations, things we care about, and any lines that get drawn must be drawn by us. Therefore, any attempt to settle a moral question with deontological appeals to rights, obligations, etc. always begs the question. Such appeals are merely attempts to settle moral issues by insisting that they have, in effect, already been settled by Mother Moral Nature and the lines she has drawn. In contrast to deontological language, characteristically consequentialist words like “good,” “bad,” “better,” and “worse” may be used by revisionists without too much cringing because such words lend themselves to talk of balancing, to making sense of the moral mush rather than denying its mushiness. Justifying one’s opposition to the action under consideration by labeling it “bad” is as bad as doing so by labeling it “wrong,” but less dogmatic uses of “bad,” “good,” etc. can be useful. One can use such terms in one’s subjective accounting of costs and benefits. When one says, for example, “It’s bad enough that she did it… Why make things worse for him?” the “bad” and “worse” are not controversial labels that beg the ultimate moral question, but rather indications of uncontroversial16 moral2 sub-judgments that will feed into the all-things- considered judgment that practice requires. Often one can think of words like “good” and “bad” as non-specific placeholders for evaluatively relevant factual terms. Continuing with the example above, a revisionist might just as easily say, “Her actions have caused a lot of unhappiness already… Why create additional unhappiness for him?” Zealous revisionists may prefer a formulation of the latter sort, one completely purged of realist moral language, but the advantages here are minimal. Likewise, when one says that it’s “better” to know than to wonder, one can easily interpret this as an empirical assertion, probably one to the effect that knowing the unpleasant truth makes one happier in the long run. What about the “should” in “She should tell him, because…?” **Here we might say** instead, **“I recommend telling him, because…”** but, again, the gain is minimal. **In this context** the **emphasis is on the factual claim following the “because,”** and **not** on **abstract moral considerations.** What goes for private debates about marital infidelity goes for public moral debates as well. **In the context of** an **openly anti-realist dialogue, what would it mean to say that a fetus has a right to life or that a woman has a right to choose? If all one means** in saying these things **is that one is against abortion, or in favor of allowing it,** then **why not just say that?**17 Packaging one’s opinion as a claim about “rights” is just pointless propaganda. Perhaps, one might argue, that an appeal to a right can be understood as an appeal to a default assumption. To appeal to the moral right to free speech, for example, might be to appeal to the generally accepted principle that people should be able to say what they want in almost all cases. The problem is that in any real controversy in which “rights” are invoked, the question is inevitably about the limits of those rights. Therefore, it is pointless18 for civil libertarians to defend flag-burning by appeal to the right to free speech, regardless of how natural this feels. Everyone is generally in favor of free speech. The debate is about whether to make an exception for this sort of speech. Pointing out that this case would be an exception does nothing to change the minds of those who want it to be an exception. In this case, as in others, appeals to rights are, once again, just question-begging propaganda, useless in the face of anti-realists who know the meta-ethical truth and aren’t willing to play along.

Rejecting absolute moral rhetoric solves multiple scenarios for extinction. **Greene-2**[[2]](#footnote-2)

[Full Text Available] This essay is an attack on common sense—moral common sense, in particular. Mounting evidence suggests that our sense2 of right and wrong is a finely honed product of natural selection (Wright, 1994). We think about moral matters as we do in large part because our kind of moral thinking, in the heads of our prehistoric ancestors, enabled them to reproduce more effectively than their competitors, leaving us, their descendants, to inherit their world. But the world they left us is radically different from the world we now inhabit, and, as a result, what was biologically advantageous for them may prove disastrous for us. At the risk of being overly dramatic, I propose that **the fate of humankind will turn on our ability**, or inability, **to transcend** the **common sense morality** we inherited from our ancestors**.** The great **global problems of our time—**the **[like] prolif**eration of weapons of mass destruction, the **[and] disruption of the environment**, etc**.—can only be solved through cooperation and compromise among people with radically different moral outlooks.** And this, I believe, is unlikely to happen so long as the people of the world hold fast to their respective versions of moral common sense.

**[…]**

In the past, people raised in a particular culture had relatively little to do with cultural outsiders, but that is far from the case today. Christian fundamentalists live with abortion laws that they would not dream of enacting themselves. Gay couples are denied the economic benefits of marriage because their lifestyle is unacceptable to the majority of their compatriots. People die in wars they do not support. Children in the developing world die of starvation because people in the developed world choose not to help them or create circumstances that make it impossible for them to help themselves. People in the developed world occasionally die when the frustrations of the developing world find expression in the form of terrorist attacks. Today, an individual’s sphere of causal influence extends far beyond the environment that is primarily responsible for shaping her moral sensibility, and as a result ours is a world of people who see the world in radically different moral colors attempting to impose their respective wills on one another. In other words, **the Nuclear Age has arrived, and we’re** still **using Stone Age moral psychology.** The human tendency to absorb the values of one’s immediate environment and project those values onto the entire world may work well enough for life in small, relatively isolated hunter-gatherer bands, but it’s absolutely disastrous for **billions of people raised in a variety of different cultures** and subcultures who **must share a world in spite of their incompatible worldviews.** Human moral psychology doesn’t scale well.14 4.4 Moral Realism and the Revisionist ProposalMoral realism is the theoretical expression of the Stone Age moral psychology with which we are saddled. It is an illusion that exacerbates conflict and promotes misunderstanding. If I want things to be one way and you want things to be some other way, **we might** be able to **reach** some sort of **compromise. But,** if I want things to be one way, and **if I believe that the way I want things is** not *merely* the way I want things but also **the way things *ought to be***, and if I believe further that it’s *just plain to see* that my way is *the way things ought to be* **and that anyone who says otherwise must be** *outright lying* or ***willfully refusing to see the truth*, and** if you want things to be some other way and **you’re just as convinced of the *rightness* of your position as** I am of mine, then **what chance do we have of reaching** a reasonable **compromise?** I see you as an errant child, someone who has lost the way, someone who wasn’t paying attention on the day right and wrong were explained, or, perhaps, as someone who was paying attention but who, for whatever inexplicable reason, has chosen to cast aside what is right and good in favor of that which is base and evil. And you, of course, see me in a similar light. I attempt to argue with you and am amazed at your obtuseness. The words I speak so clearly reveal the truth, and yet you persist in your wrongheaded ways. And you are similarly perplexed by me and my stubbornness. Haidt (2001, pg. 823) summarizes the social-intuitionist take on ordinary moral discourse: The bitterness, futility, and self-righteousness of most moral arguments can now be explicated. In a debate on abortion, politics, consensual incest, or on what my friend did to your friend, both sides believe that their positions are based on reasoning about the facts and issues involved (the wag-the-dog illusion). Both sides present what they take to be excellent arguments in support of their positions. Both sides expect the other side to be responsive to such reasons (the wag-the-other-dog’s-tail illusion). When the other side fails to be affected by such good reasons, each side concludes that the other side must be insincere, closed-minded, or even devious…. In this way the culture wars over issues such as homosexuality and abortion can generate morally motivated players on both sides who believe that their opponents are not morally motivated (Haidt & Hersh, 2001, Robinson, Keltner, Ward, & Ross, 1995). A mess, indeed. But how to clean it up? **Must we resign ourselves to** a world of **endless conflict and misunderstanding?** Haidt (Pg. 823) suggests a shift in tactics: Moral reasoning may have little persuasive power in conflict situations, but the social intuitionist model says that moral reasoning can be effective in influencing people before a conflict arises… If one can get the other person to see the issue in a new way, perhaps by reframing a problem to trigger new intuitions, then one can influence others with one’s words. This, however, does not get to the heart of the problem. It is a gesture toward more subtle, less explosive forms of moral warfare, not peace. Moreover, it is a lesson that most professional moral communicators have already learned from experience. No surprise that novels, plays, metaphors, and anecdotes are more effective means of propaganda than philosophical arguments and statistics. (I’ve never stayed in a hotel room that came furnished with a copy of Kant’s *Grundlegung*.) As Haidt suggests, a better understanding of moral psychology may be used to further one’s own moral agenda—a good or bad thing depending on the agenda in question. But I propose instead that we use our understanding of moral psychology to transcend our ordinary modes of moral discourse rather than to operate more effectively within them.15 Once again, the enemy, the wolf in sheep’s clothing, is moral realism. Conflicts of interest may be inevitable, but they need not be exacerbated by people’s unflagging confidence that they’re *right* and that their opponents are *wrong*. **The solution**, then, **is to** get rid of realist thinking and to start by **get**ting **rid of realist language. Speak** only **in terms that make the subjective nature of value plain.** Instead of saying that capital punishment is *wrong* say that you are opposed to it. Say that it is an ineffective deterrent, difficult to implement in a colorblind fashion, and likely to lead to irreversible mistakes. And then *say no more*. Instead of saying that eating animals is *wrong* and a form of *murder*, say that you are opposed to eating animals because you wish to alleviate suffering and you believe that this practice causes much unnecessary suffering. Instead of saying that gay marriage undermines “family values,” say that it undermines *your* family’s values, that it is against the teachings of your religion, etc. (Obviously some people will have an easier time with this transition than others. This is an important point to be explored later in Chapter 5.)

Moral uncertainty due to the nonexistence of absolute moral truth means that extinction comes first under any moral system. **Bostrom 01** writes[[3]](#footnote-3)

These reflections on **moral uncertainty suggest[s]** an alternative, complementary way of looking at existential risk. Let me elaborate. Our present understanding of axiology might well be confused. **[that] We may not** now **know**—at least not in concrete detail—**what outcomes would count as a big win for humanity;** we might not even yet be able to imagine the best ends of our journey. If we are indeed profoundly **uncertain about our ultimate aims,** then **we should recognize that there is** a **great option value in preserving**—and ideally improving—**our ability to recognize value and to steer the future accordingly. Ensuring that there will be a future version of humanity with great powers and a propensity to use them wisely is** plausibly **the best way** available to us **to increase the probability that the future will contain a lot of value.**

Discourse focus has real world impacts. You cannot separate the plan’s rhetoric from the advocacy because representations frame our understanding of reality.

**Russell 09**[[4]](#footnote-4)

A critical reading of this debate suggests that setting priorities for health care is a discursive process (that is, it involves argument and debate). The policy-as-discourse perspective embraces a number of approaches that are centrally concerned with how policy problems are represented. **Policymakers are not simply responding to "problems"** that exist in the community, **they are actively framing problems and thereby shaping what can be thought about and acted upon.** According to Stone (1988): "The essence of policymaking in political communities [is] the struggle over ideas. Ideas are at the centre of all political conflict .... Each idea is an argument, or more accurately, a collection of arguments in favour of different ways of seeing the world" (p. 11). Within this conceptualization of policymaking, the understanding of "what evidence is" takes on a very different meaning. Evidence can no longer be considered as abstract, disembodied knowledge separate from its social context: There is no such entity as "the body of evidence." There are simply (more or less) competing (re)constructions of evidence able to support almost any position. Much of what is called evidence is, in fact, a contested domain, constituted in the debates and controversies of opposing viewpoints in search of ever more compelling arguments. (Wood, Ferlie, and Fitzgerald 1998, p. 1735) A number of empirical studies of health policy as discourse have been undertaken, though in general, these are not well understood or widely cited in mainstream health services research. Steve Maguire (2002), for example, describes a longitudinal case study of the development and introduction of drugs for the treatment of AIDS in the United States from 1981 to 1994. Detailed analysis of extensive field notes and narrative interviews with people with AIDS, activists, researchers, industry executives, and policymakers led his team to challenge three assumptions in the evidence-into-policy literature: (1) that there is a clear distinction between the "evidence producing" system and the "evidence adopting" system; (2) that the structure and operation of these systems are given, stable, and determinant of, rather than indeterminate and affected by, the adoption process; and (3) that the production of evidence precedes its adoption. Maguire's study found the opposite: that there was a fluid, dynamic, and reciprocal relationship between the different systems involved, and that activists "successfully opened up the black box of science" via a vibrant social movement which, over the course of the study, profoundly influenced the research agenda and the process and speed of gaining official approval for new drugs. For example, whereas the scientific community had traditionally set the gold standard as placebo controlled trials with hard outcome measures (such as death), the AIDS activists successfully persuaded them that placebo arms and "body count" trials were unethical in AIDS research, spurring a shift towards what is now standard practice in drug research--a new drug is compared with best conventional treatment, not placebo, and "surrogate outcomes" are generally preferred when researching potentially lethal conditions. **The role of key individuals in reframing** the **issue[s]** ("hard outcomes" or "body counts") was **[is] crucial in determining what counted as best evidence and how this evidence was used in policymaking.** Importantly, Maguire's fieldwork showed that AIDS activists did not simply "talk their way in" to key decision-making circles by some claim to an inherent version of what was true or right. Rather, they captured, and skillfully built upon, existing discourses within society, such as the emerging patients' rights movement and the epistemological debates already being held within the academic community that questioned the value of "clean" research trials (which only included "typical" and "compliant" patients without co-morbidity). They also collaborated strategically with a range of other stakeholders to achieve a common goal ("strange bedfellows ... pharmaceutical companies along with the libertarian, conservative right wing allied themselves with people with AIDS and gays" (p. 85). Once key individuals in the AIDS movement had established themselves as credible with press, public, and scientists, they could exploit this credibility powerfully: "their public comments on which trials made sense or which medications were promising could sink research projects" (p. 85). "Fair" Policymaking: A Process of Argumentation In summary, interpretivist and critical research on the nature of policymaking shows that it involves, in addition to the identification, evaluation, and use of research evidence, a complex process of framing, deliberation, negotiation, and collective judgment. Empirical research studies also suggest that this is a sophisticated and challenging process. In a qualitative research study of priority-setting committees in Ontario, for example, Singer and colleagues (2000) identified factors such as representation of multiple perspectives, opportunities for everyone to express views, transparency, and an explicit appeals process as key elements of fair decision making. An important dimension of this collective deliberation is the selection and presentation of evidence in a way that an audience will find credible and appealing. **If we wish to better understand** the deliberative processes involved in **policymaking,** and how evidence actually gets "talked into practice" (or not) at a micro level of social interaction, then **we require a** theoretical **framework that places central focus on** language, argumentation, and **discourse.**

1. Joshua David Greene, currently an Assistant Professor of Psychology at Harvard University. “THE TERRIBLE, HORRIBLE, NO GOOD, VERY BAD TRUTH ABOUT MORALITY AND WHAT TO DO ABOUT IT.” Dissertation presented to Princeton University in candidacy for the degree of Doctor of Philosophy. November 2002. <http://www.wjh.harvard.edu/~jgreene/GreeneWJH/Greene-Dissertation.pdf> [↑](#footnote-ref-1)
2. Joshua David Greene, currently an Assistant Professor of Psychology at Harvard University. “THE TERRIBLE, HORRIBLE, NO GOOD, VERY BAD TRUTH ABOUT MORALITY AND WHAT TO DO ABOUT IT.” Dissertation presented to Princeton University in candidacy for the degree of Doctor of Philosophy. November 2002. <http://www.wjh.harvard.edu/~jgreene/GreeneWJH/Greene-Dissertation.pdf> [↑](#footnote-ref-2)
3. Nick Bostrom, 2001 prof of Philosophy, Oxford University [ Journal of Evolution and Technology, Vol. 9, March 2002. First version: 2001 March, JStor [↑](#footnote-ref-3)
4. \*Trisha Greenhaulgh, Professor of Primary Health Care at University College, London and \*\*Jill, senior lecturer in public policy at Queen Mary University, London (“Evidence-based policymaking: a critique,” Perspectives in Biology and Medicine, vol. 52, no. 2, Spring 2009, Academic OneFile) [↑](#footnote-ref-4)