



THE UNIVERSITY *of* EDINBURGH

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# Ethics Cup Manager Training

## Reasoning and Argumentation Strategies

**November 2022**



## Goals for the training

- i. Learn strategies to help Ethics Cup students analyse cases ethically
- ii. Identify argumentative techniques and tools useful in Ethics Cup
- iii. Underscore role of ethical and non-ethical premises in ethical reasoning
- iv. Discuss how to integrate argumentation into Ethics Cup presentations
- v. Consider some general findings that inform ethical reasoning
- vi. Address your questions and concerns



# Our focus

Will largely be concerned with *presentations* today rather than with commentary, response, and judges' dialogue – but the same lessons carry over

Use 2022 case 3 (“Encrypted messaging”) as our core example



# Getting started: An ethical map

Getting an argumentative handle on a Cup case is *daunting* -- how to start?

An ethical map:

- Central actors or parties ('stakeholders')
- Their interests, needs, rights, etc.
- Principal conflicts
- Key terms or concepts (contested)



# An ethical map

Central actors & parties	Their needs, interests, rights

**Principal conflicts (what's at stake)**

**Key terms or concepts**



# An ethical map: “Encrypted messaging”

Central actors & parties	Their needs, interests, rights
Apple, Google, etc.	Avoid unlawful behavior, complicity with wrongdoing; profitability (cost of compliance); user trust/confidence
Typical phone users	Privacy, freedom from surveillance
General public	Prevention of crime & violence
Users with special privacy interests	Journalists, researchers, clinicians, activist groups, consumers of some products (birth control?)

## Principal conflicts (what’s at stake)

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## Principal conflicts (what’s at stake)

<let you decide>

## Key terms or concepts

Privacy/right to privacy; government power; corporate responsibility; public safety



# An ethical map: “Encrypted messaging”

## Principal conflicts

<let you decide>

## Key terms or concepts

Privacy/right to privacy; government power; corporate responsibility; public safety

## Your task

Lead students through a guided conversation about how they think these conflicts are best decided *by appeal to* the key terms or concepts





# An ethical map: “Encrypted messaging”

## Principal conflicts

<let you decide>

## Key terms or concepts

Privacy/right to privacy; government power; corporate responsibility; public safety

## What should result

2-3 *core claims* team will defend

- “No ban on encrypted messaging – has legitimate uses – to be balanced against public safety”
- “Government power to access encrypted messages limited to prior cause (no fishing expeditions); only then must tech companies comply”
- “Special protections for users/groups with special interest in privacy”



# Argumentative techniques

Some things to keep in mind:

- Cup is debate-like but not inherently adversarial; an exchange of ideas mandating reasoned defenses of positions where people might reasonably disagree
- Not a rhetoric competition, but judges generally respond positively to conceptual fluency (does the speaker understand what they're saying?)
- Engages with philosophy, but not a philosophy competition ('practical ethics')



# Argumentative tools

Ethical theories:

- Utilitarianism: maximize happiness or well-being of all affected
- Virtue ethics: encourage development and exercise of morally admirable traits of character
- Kantianism: Categorical Imperative (can maxim be universalized? Does action treat others as ends or merely as means?)

## Should you use these? Handle with care

- Theories are at least as controversial as the phenomena!
- Some theory-knowledgeable judges will hold teams to account – easy to misunderstand/misdescribe/misapply theories



# Argumentative tools

Mid-level principles or 'rules of thumb'

- 'Singer principle': prevent something bad so long as you don't have to give up something of comparable importance
- Mill's harm principle: only interfere with actions likely to harm others
- Original position: would we agree to a rule/principle if we were ignorant of how we would specifically be benefitted or burdened?

## Should you use these? Often very useful

- Can be less controversial than broad theories
- Usually easier to apply than theories



# Argumentative tools

## Analogies

X is like Y with respect to being F; since X is G, Y is also G

Singer's 'drowning child': the 'global poor' are like a child you see drowning in a pond; you're obligated to save the drowning child, so you're obligated to donate funds to save lives of the global poor

**Should you use these? Can be powerful but**

- But students often develop analogies based on superficial features or without noticing ethically crucial *disanalogies*



## Ethical and non-ethical premises

Reasoning about practical ethics involves both ethical and non-ethical premises:

1. Individuals have a right to privacy unless they are collaborating with others to cause harm to 3<sup>rd</sup> parties. **(ethical)**
  2. Journalists engaged in news gathering using encrypted messaging are not collaborating with others to cause harm to 3<sup>rd</sup> parties. **(non-ethical)**
- So: Journalists should be allowed to use encrypted messaging in news gathering. **(practical conclusion)**



# Ethical and non-ethical premises

Reasoning about practical ethics involves both ethical and non-ethical premises:

<ethical premises>

<non-ethical premises>

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<practical conclusion>

Your students' reasoning should explicitly contain premises of both kinds.

Can criticize opponents for not articulating or adequately defending premises of both kinds



# Crafting a presentation

So you have

- 2-3 key claims
- some arguments in defense of those claims

What now? How should these shape a presentation?





# Crafting a presentation

Some general rules:

- With 6 minutes, less is more (don't give us every reason for your view(s) – give us the 2-3 best, and express these fully and convincingly)
- Build up to your best – argumentative climax (“perhaps you're still not convinced, but consider ...”)
- Answer the study questions? Yes, but this need not be done mechanically *and* check for overall coherence and consistency of your views (integrated logical understanding)
  - Also situates teams to anticipate likely objections



## Observations about the rhetorical situation

Ethics Cup an *anxious* rhetorical setting – dealing in controversy! Don't ignore or minimize – express confidence that conflicts can be reasonably adjudicated

Audiences evaluate credibility *of speaker* as well as of arguments — be conservative because a bad argument is likely to make other *good* arguments less convincing (no clunkers)

What *values* will resonate with your audience? (may not be the values that resonate with your students)