

The Ethics Bowl: Adventures in Reasoning



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Acknowledgements

Of greater difficulty than learning the tricks of the trade is trying to organize those tricks onto several dozen pages and still have it make sense. Without the assistance of many people, such a pursuit would be impossible. As such, I thank the following people from the bottom of my heart:

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For more information about the Intercollegiate Ethics BowlSM, visit the Association for Practical and Professional Ethics on the Web at <http://www.indiana.edu/~appe/ethicsbowl.html>.

To learn more about the UM Ethics Society, visit <http://www.miami.edu/studorgs/ethics/index.html>

I. Introduction

We stared with great trepidation at the other side of the large, curved table. They were a lot different than us; they seemed older, smarter, and more imposing. Their striking, ornately-decorated, uniforms contrasted with splendid superiority over our cheap, off-the-rack suits.

Despite beating every college we faced in matches that day - some by a significant margin - we now accepted that we would probably sputter out against the-intellectually superior cadets from the United States Military Academy. They were last year's national champions, so we all slumped our shoulders a little upon learning we would meet them in the semifinals.

We certainly did not see our inevitable defeat as something about which to get too depressed. We were the University of Miami's first ever entry into the Intercollegiate Ethics Bowl. We came expecting to just have a great experience watching the other teams, so we felt justified considering a national top-four finish a big win for us and the school. Still, after a full day of exhausting ethics debating coupled with months of preparation beforehand, we began to desire the ultimate prize.

As the match began, I felt an intense range of emotions to which, after participating in similar ethics bowl tournaments throughout college, I had grown familiar: alertness, nervousness, fear, and a rather gratifying sense of hope that I might get to experience the ecstasy of victory yet again. But this time it was a little different. At that moment, against this team, those feelings grew stronger and more pronounced.

When I had to speak, I made it a point not to look down at my chest as it would make me realize how fast and hard my heart pulsed. Once things really got going, I found it difficult to focus on how inferior our opponents made me feel, as the thrill of the contest enlivened me. I never had so much fun in my life.

With the passing of each minute, our team began to realize that the military academy juggernaut – though admittedly quite intelligent and articulate – stood beatable. We effectively picked apart many of their statements and made strong points when our turn to speak came up.

A tremendous amount of preparation went into our success during the match. Endless research and discussion of each case made our positions solid, while also allowing us to see the weaknesses in our opponents' arguments.

The effort paid off. We handily defeated Army, performing what just a while before seemed impossible. I felt joy that swirled through my insides, joy that made me want to leap ten feet into the air, joy unmatched by any other moment.

That was until we won again in the finals, and the University of Miami became the best ethics bowl team in the United States.



My teammates and I will never forget that day. Not many people can call themselves the national champions of something, so this accomplishment made us all feel quite special. By reading this, it suggests that you have interest in garnering some success of your own at this wonderful activity, which I find truly excellent.

Ethics debating will greatly strengthen your moral compass as well as augment your critical thinking abilities. The skills you will learn through the competitive argument of moral dilemmas will benefit you regardless of your eventual field of employment and will act as tremendous assets for those of you pursuing any kind of graduate education. Plus, as I hope my little story above conveys, the competitions are thrilling and a lot of fun.

I have several motivations for writing this document. Now in my second year as Chairman of Ethics Debate* for the University of Miami Ethics Society, I hold primary responsibility for training club members for the university-wide Ethics Bowl. Those members had great success, as the Society placed three of its teams in the top four. This year, our organization's Ethics Debate program will expand its operation as we were entrusted with training most of the participants – regardless of society membership – for this year's UM competition. Such an undertaking requires a stronger curriculum than the more modest teaching tools used last year; thus, this work should hopefully serve as an important part of the new training program.

I also find my motivation in doing my part to improve Ethics Bowl training. When I started competing, I had to learn a lot of things as I went. Very few books or articles specifically devoted to this pursuit existed, and UM's Ethics Society lacked any sort of formal Ethics Bowl training program at the time. The university provided some instruction taught by an accomplished philosophy professor, but it was not nearly comprehensive enough. It made things difficult, but perhaps now the learning experience can be made easier for you. Over time, I have learned a lot of the tricks; and, even though I do not purport to be the ultimate authority on this activity, I feel that my research as well as my experiences can provide some significant aid to you.

Finally, I write this document out of a love for alma mater. One of the reasons winning the big one felt so good was because I knew it would enhance the positive academic image of the University of Miami. The first-class education that Miami has afforded me has already opened many doors and I am sure will continue to do so throughout my life, and I have to admit it feels good to be able to return a little bit of the immeasurable debt of gratitude that is due this University. In keeping with that notion, I hope this work will assist in giving future UM ethics

debaters strong training for years to come, and establish this fine university as a perennial powerhouse at future national competitions. It's truly the least I can do for the Orange and Green. Also, in keeping with my university's steadfast commitment to the sharing of knowledge, I will also make this text available to any other collegiate ethics program that wishes to use it.

This document will proceed as follows: Initially, I will answer some of the frequently asked questions I get from people about Ethics Bowl. Then the next section will provide a formal explanation of the competitions' rules. Following that, I will devote the final two sections to debate preparation (which will include some strategies for constructing strong arguments as well as a listing of commonly used ethical principles) and tips for strong performance during the actual competitions.

Good luck to you all, and see you across the table.

Section Note

* Regarding the terms Ethics "Debate" and Ethics "Bowl":

This document is designed to serve as a teaching aid for college students who intend to compete in an Ethics Bowl tournament at the university, regional, or national level. The term "ethics debate" appears throughout the text and is sometimes used interchangeably with "Ethics Bowl." Readers should not infer from the use of the word "debate" that an Ethics Bowl, like other forms of collegiate debate, primarily rewards rhetorical prowess while vanquishing an opponent's argument. Ethics Bowls are not debates in this competitive sense but, rather, often provide opportunities to discover solutions and achieve consensus on important ethical issues.

"Debate" can also be construed as deliberation and discussion of an issue on which reasonable people can disagree. That interpretation also makes the term "ethics debate" appropriate in this setting.

II. Some Questions Answered

Other than training teams, I think I spend most of my time and energy as UM's Ethics Debate Chairman answering students' questions about the activity, and I can certainly understand why. The vast majority of students at my school have never heard of ethics debate or Ethics Bowl, and I imagine such is the case at most colleges who field teams. Thus, we should not proceed too far without going over some of the event's basics. Giving you a handle on the competition's nuts and bolts (as well as clearing up many misconceptions you might have) is the first step to strengthening your skills. I hope to do this by addressing most of the queries students have asked me in the past. Hopefully, the answers will help explain the activity's intricacies as well for you as it did for them.



What is Ethics Debate/Ethics Bowl?

This is, by far, the most common question I get (and one that I only had to answer more often after UM won the championship and people started reading about our team in the school paper). Even though I intend to fully discuss the competition's rules in the following section, I will take some time now and lay out the essential facts.

Ethics debating found its formal beginnings at the collegiate level in 1993 when Dr. Robert Ladenson, Professor of Philosophy at the Illinois Institute of Technology, started engaging his students in ethical dilemma debate competitions, which he termed "Ethics Bowls." In 1995, Ladenson invited nearby schools to join his competition and two years later the Intercollegiate Ethics Bowl became a national competition with fourteen teams from all over the country taking part. Since then, the Intercollegiate Ethics Bowl (IEB) has grown exponentially with the competition becoming increasingly competitive and prestigious.¹ Today, the field of interested teams has become so large that the IEB now hosts a series of regional tournaments, where only the highest performing teams can have the privilege of competing in the national bowl.²

In ethics debate, teams (usually of 3 to 5) argue a series of ethical dilemmas ("cases") against an opposing team. Each case contains a scenario with one or more ethical issues. Even though teams receive the cases several weeks ahead of time (allowing for ample preparation), teams do not know the particular case discussed against an opponent until the match begins.

The match starts when the moderator reveals the case as well as a single question addressing one or more of the ethical issues involved in the case. One of the teams (designated as "team A") will have a maximum of eight to ten minutes (depending on the competition) to answer the question. The opposing team ("team B") will then receive five minutes to comment on team A's answer. Unlike in some forensics competitions, their commentary need not oppose

the initial answer, but must merely address team A’s analysis of the issue (often team B will use some of their time to present their own answer to the question as well, en route to criticizing their opponents’ answer). Afterward, team A receives five more minutes to respond to team B’s commentary. The match’s judges will then ask team A questions for ten minutes. After completing this process, A and B switch roles, the moderator presents a new case and question, and the procedure repeats itself. The judges then score both teams, and the one with the highest point total wins.



What do cases and questions look like?

Cases are roughly a page long and contain a scenario that presents one or more ethical issues to the students. Some are hypothetical but most are based on events currently of interest to the ethical community and can find their basing in any discipline. A case will include the scenario’s main idea as well as the points of view of some of the ethical stakeholders (those affected by the case) as well as of some experts. A sample case is shown below.

ASHLEY: Sample Case

An interesting medical ethics situation came to light recently when the parents of “Ashley,” a 9-year-old girl with severe *static encephalopathy* (a type of brain damage), started a blog highlighting the tribulations of raising their invalid child. Ashley’s condition leaves her in an infantile state. She cannot sit up, roll over, walk, or talk and has virtually no chance of recovery.

In the blog, Ashley’s parents discuss a series of controversial operations they had doctors perform on their daughter to make her care more manageable. In July 2004, doctors removed her uterus and breast tissue and recently gave her large doses of hormones all in an effort to limit her growth. It is the hope of the parents and the doctors involved that stunting Ashley’s height and weight will make it easier for her to receive the constant treatment she needs from her parents.

The procedures supposedly have other benefits for Ashley as well. Her smaller stature may reduce her risk of other ailments common to bedridden patients, such as bedsores. She will also never grow breasts, have periods, or be able to bear children – all of which might be considered unnecessarily painful experiences for someone in her condition.

As imagined, the “Ashley treatment” has its detractors in the philosophical and medical community. Ethics professor Art Caplan asserts that the operations reflect an unfavorable thought process – the notion that “the way to deal with [a] kid with permanent behavioral problems is to put them into permanent childhood.” Some doctors consider the removal of her reproductive capability due to her mental defect akin to eugenics and others fail to see how limiting Ashley’s growth will help at all.

After meeting with the parents, Dr. Douglas Diekema, a Seattle physician and ethicist, finds the treatments to be justified. “The more her parents can be touching her and caring for her ... and involving her in family activities, the better for her,” he said. “The parents’ argument was, ‘If she’s smaller and lighter, we will be able to do that for a longer period of time.’”

Source: “Surgery to Stunt Girl’s Growth Sparks Debate.” January 5, 2007. Accessed at <http://www.msnbc.msn.com/id/16473471>.

Some possible questions from this scenario that could arise during competition include:

- Are Ashley’s parents acting ethically in placing their child in a permanent state of childhood?
- Would a governmental body be justified in limiting the parents’ actions?
- Are Ashley’s parents acting ethically in removing Ashley’s ability to reproduce?

As you can see, the questions can be broad or narrow, and can even introduce a new party (like the government in the second question) to force more critical thinking on your part. Thus, students able to expect the unexpected and prepare themselves for a wide range of queries tend to excel during competition.



Wouldn’t an “ethics” debate be an activity solely for philosophy majors?

I sure hope not! Otherwise, I’ve been wasting my time (economics and political science major), as has my current vice chair (industrial engineering major). Though you will find many philosophy students competing on ethics debate teams around the country, the competition is truly a multidisciplinary endeavor. To help prove my point, let’s take a quick look at the roster of the 2007 national champs:

Christina Fiallo – Political Science, Philosophy Major

Nick Holzer – Economics, Biology Major

Ryan Kairalla – Economics, Political Science Major

Josh Morales – Business Law Major

Elizabeth Tedford – History, Psychology Major

We are truly a mixed bunch, and only one of us has any kind of academic background in philosophy. The truth is that your particular field of study will provide you with unique insight into certain cases that another person would not have, giving you a possible advantage over your opponent right from the beginning. I have used economic models in past debates and my colleague Josh Morales (a psychology minor) once applied the findings of developmental psychologist Eric Erikson during a match at the IEB with great success. Philosophy majors may possess an advantage of sorts, in that they tend to receive a more formal education of ethical principles; but, this document will expose you to some of those principles, which might help level that aspect of the playing field.

If the situations at Enron and WorldCom, recent government corruption scandals, and the “Ashley” case (which actually happened) tell us anything, it’s that ethics is all around us. Doctors, lawyers, businesspeople, politicians, accountants, teachers, scientists, and many other professions face significant moral issues all the time. Thus, ethics debating – which augments your ability to analyze those moral issues – is a valuable pursuit for future professionals of every discipline.



What is the difference between ethics debate and more conventional debate?

This is often a difficult question to answer since “debate,” as most college students know it, actually comes in many different forms. According to the Open Society Institute (OSI), conventional debate in the United States has three different types:

- **Lincoln-Douglas Debate** – A competition that is based on the famous 1858 senatorial debates between Abraham Lincoln and Stephen Douglas. Also known as “values” debate, LD usually features two adversarial competitors arguing on the competing values in a single given proposition (such as “national security is more important than the right to privacy”) and does not have them focus on their position’s practical applications. This form of debate focuses on the ideas and values of various positions.
- **Policy Debate** – In contrast to the Lincoln-Douglas format, policy debate concerns itself with the practical application of certain positions. If the competing individuals or teams receive a proposition like “Government should create specific public programs to increase the educational prowess of minorities,” one team will usually propose a specific policy plan to achieve the goal espoused in the proposition. The other team then argues the negative, asserting that perhaps no changes should be made and/or that their opponents’ policy plan has significant problems. The rebutting team might even offer a counterplan. Evidence presented in policy debate tends to be heavily researched and statistical in nature.
- **Parliamentary Debate** – A rousing competition modeled on the doings of the British House of Commons. Parliamentary debate features two teams (usually of two players each) who debate a given resolution. The “Government” team must define the terms of the resolution to which the “Opposition” team must rebut. Teams address all of their remarks to the “Speaker of the House” who acts as judge. Parliamentary debaters usually combine both Lincoln-Douglas and Policy elements as they can use both philosophical and practical arguments to support their side³.

By no means should one consider the above definitions exhaustive, as many variations can exist among these styles. Based on these explanations, however, we can have an easier time highlighting the differences of ethics debate. Rather than debate a single proposition or

resolution, an ethics debate match features argument over the issues espoused in page-long cases. By that token, if one equates the ethics bowl “question” with a “proposition” from a Lincoln-Douglas or policy debate competition, then each ethics case has many possible “propositions” buried inside it. In addition, the question-and-answer section of a match (in which judges pose case-related queries to the teams and evaluate their answers) stands as a relatively unique element of ethics debating compared to other forms (although some conventional debate competitions use a similar Q&A format on occasion).

Ethics debate bears some resemblance to the above forms as well. Much like parliamentary debate, an ethics debate combines both Lincoln-Douglas and Policy debate elements in that competitors can address both the philosophical (value-based) and practical implications of their arguments. Many competitors will answer a specific question by citing the moral implications of a point of view as well as cite various facts and statistics to support their main idea. Judges, during the question period, often ask teams to elaborate on the various societal consequences of their arguments – implying that students’ arguments must have significant practicability.

Finally, as a general rule, I would say that ethics debating relies less on verbal aggressiveness and conflict than its counterpart. The judging criteria of the IEB – which places significant emphasis on teams presenting arguments in a clear, crisp, and thoughtful manner – means that the sort of oral one-upmanship and hard-lining that permeate throughout other forms of debate have little place in this activity. Reinforcing this belief is the notion that a team need not present the opposite point of view of their opponents during an IEB match. Do not get the wrong idea though; an ethics bowl is still very much a competitive event, and teams play to win.



Is there a lot of preparation involved?

You bet. Getting the cases weeks ahead of time means that teams can, and are expected to, perform thorough research of each case and construct strong arguments beforehand. Of course, you certainly have the right to go into a debate cold, just as you also have the right to leap out of a plane without a parachute or play football with no helmet. If you remember one thing in this document, remember this: no research, no winning – period. Ethics debate is ninety percent preparation, if not more. Teams that win usually have won well before they even play the day’s first match, as out-researching opponents can go a long way in the final score tipping in one’s favor. An effective research strategy includes bolstering your argument with relevant ethical principles as well as with empirical evidence from other sources (including news articles about the case, if the case actually happened).

Before you start having second thoughts about this extracurricular activity, understand that the workload is certainly manageable. Ethics bowl usually requires less research than

conventional debating, plus the team format means that you and your colleagues can divide the work into smaller pieces. If your team qualifies for the national IEB, you will have the responsibility for constructing arguments for fifteen cases (which is on the high end for most competitions, school and regional competitions typically use twelve cases). If you have a five-person team, this means your team only needs to work three cases per person

And for all your overachievers out there, you can rest easy knowing that ethics bowl preparation probably won't ruin your precious GPA. All five of the members of the national championship team have high "A" averages.



I'm not exactly a great orator; could I still be a great ethics debater?

I usually answer this question with two things: "How do you know you're not a great orator?" and "Yes."

I have trained so many students who told me they were "not a good public speaker" or were "shy," only for them to realize their oral eloquence after lots of preparation and practicing. A lot of public speaking ability comes from having confidence with what you say, and one develops that confidence after spending weeks crafting a strong argument.

Some may argue that, as with any type of debate, oratorical skills have at least a nominal impact on ethics bowl performance, but trust me when I say that you do not need to be Martin Luther King, Jr. to score well. I have seen average orators excel in competition just as I have seen some outstanding speakers lose all of their matches.

Unlike in some other debate and public speaking tournaments, the Ethics Bowl does not even include oral skill as part of the judging criteria. Thus, people on the other end of the oratorical spectrum who think they can get by on merely sermonizing, speechifying, and using table-pounding verbal theatrics will not get very far. The judges care far more about the arguments than the rhetoric.



How many schools have ethics debate teams?

The number increases every year. In 2007, 32 schools competed in the national IEB competition with dozens more competing but not making it out of their regional. The schools vary in size, prestige, and geographic location.

One of the best things about the IEB is how it gives students from lesser-known universities the opportunity to prove themselves against some of the most elite institutions in the country. A favorite story of mine involves the 2007 IEB performance of the tiny National

Hispanic University. A team from the six-hundred student school defeated the heavily-favored University of Southern California to win their regional and then proceeded to attain a top-ten finish at the national competition. Despite their size, NHU had a gifted group of debaters and it would not surprise me to see that school win the whole thing within the next few years.

I hope those answers help with the basics of ethics debate. If you have any questions that I did not address, feel free to email me any time at r.kairalla@umiami.edu.

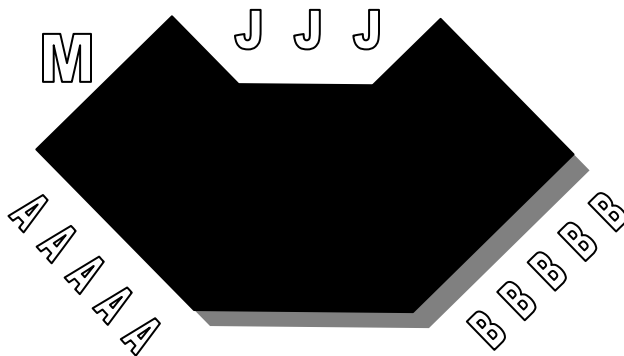
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III. The Rules

This section will go over the formal rules of the 2007 Intercollegiate Ethics Bowl, as obtained from the competition's official website (<http://ethics.iit.edu/eb>). I will include some analysis of my own throughout the section. Please note these rules correspond to the 2007 national IEB. This means that: 1) slight rule revisions could occur for the 2008 national bowl and for all subsequent years thereafter, and 2) other competitions, including regional and school-wide contests, could have slightly different rules.

1. The Setup



Matches take place around a table (or set of tables) as shown in the above diagram. Members of teams “A” and “B” (consisting of 5 players or less per team) will argue sitting opposite each other while two or three judges (J) keep score. Teams may substitute other players in and out throughout a competition, but not during an individual match. The moderator (M) presents the case and question, keeps time, and settles all rule disputes (moderator has the final word on all disputes). Teams may not bring books or notes to the match, but can have pencils and paper to write notes (players may begin writing notes as soon as both teams are seated).

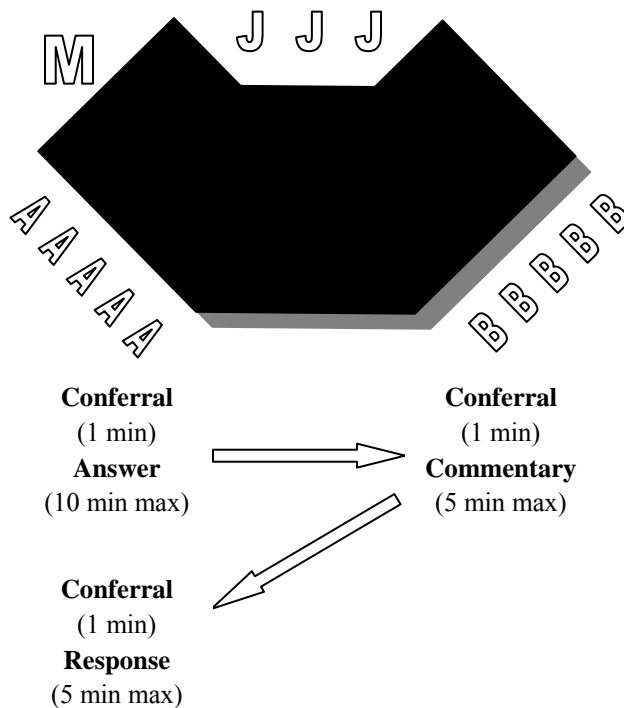
2. Gameplay

Each match has two rounds. The first round begins when the moderator flips a coin and designates one of the teams to call “heads” or “tails.” Whichever team wins the toss decides whether they want to present the first case and provide commentary on the second case or vice versa. Assuming that team A presents first, the moderator will then indicate which of the 15 pre-distributed cases will be debated during the round, as well as the question (relevant to the case) team A must answer. The moderator will read the question out loud and may also give a short summary of the case. Teams will not know the specific case or the question beforehand.

Team A receives one minute to confer, after which point one spokesperson from team A receives a maximum of ten minutes to answer the question. No other team A member may speak

during this period. After team A's answer, team B will receive one minute to confer and then has five minutes to provide commentary on team A's answer. More than one member of team B may speak during the commentary, but only one member may speak at a time. Team A then receives a minute to confer and a maximum of five minutes to respond to team B's commentary. More than one member of team A may speak during the response, but only one member may speak at a time.

Round 1: Answer, Commentary, and Response



The judges now have a maximum of ten minutes to pose questions that team A must answer. Judges may have a brief period in which to confer with each other before asking their questions. During the ten minutes, each judge can ask one question and a brief follow-up. Team A may confer briefly after a judge asks a question to help formulate their answer. Different team A members may speak during this period.

Round 1 ends with the completion of the Q&A session. Judges must now score the first round before moving to round 2 (more on scoring in next section). Round 2 begins when the moderator poses a new case and question to team B. The teams will reverse their roles and the process repeats itself with the same rules listed above. Judges then score the second round. With the completion of both rounds, the moderator announces the final score. The highest scoring team is declared the winner.

Analysis: Variations on these rules exist. For example, the 2006 Southeast Regional Ethics Bowl used only twelve cases instead of fifteen. Also, the answering team only had eight minutes instead of ten. Individual universities' ethics bowls often change more of the rules. The 2006 University of Miami Ethics Debate did not have their moderators introduce a question but instead forced teams to decide what the ethical issues were on their own and address those issues during their presentations.

3. Scoring

After rounds one and two, judges must score the round using the below range of point values:

After Round 1:

- Team A will receive a score of 0 to 40 points from each judge for their answer to the moderator's question.
- Team A will receive a score of 0 to 10 points from each judge for their response to team B's commentary and responses to judges' questions (parts not scored separately, team A can receive a combined maximum of ten points for these two sections).
- Team B will receive a score of 0 to 10 points from each judge for their commentary to team A's answer.

After Round 2:

- Team B will receive a score of 0 to 40 points from each judge for their answer to the moderator's question.
- Team B will receive a score of 0 to 10 points from each judge for their response to team A's commentary and responses to judges' questions (parts not scored separately, team B can receive a combined maximum of ten points for these two sections).
- Team A will receive a score of 0 to 10 points from each judge for their commentary to team B's answer.

The judges add both teams' scores from both rounds to produce a final score for each team. The team with the highest final score wins the match.

Judges must evaluate teams' responses using *only* the following criteria:

- Clarity and Intelligibility

- Avoidance of Ethical Irrelevance
- Identification and Discussion of Central Ethical Dimensions
- Deliberative Thoughtfulness

For team A's answer to the question, judges must assign a minimum of zero and a maximum of ten points for each of the four separate criteria – for a total of 40 points. For team B's commentary and team A's response and Q&A answers, judges must consider the criteria and assign an overall score not to exceed 10 points (with no separate point score for each of the four criteria).

Analysis: Point values can vary by competition. Again using the 2006 Southeast Regional as an example, each judge there could only give a maximum of 15 points for the team A's answer to the question and a maximum of 5 points for team B's commentary and team A's response and Q&A answers. This would mean at this competition that the commentary, response, and Q&A answers have more weight.

As stated in the previous section, the ethics bowl judging criteria above does not specifically award strong oratory or public speaking ability. Instead, judges must focus principally on the arguments themselves.

For more information on debate rules, I recommend several sources. The ethics bowl website (<http://ethics.iit.edu/eb>) will always have the most recent rule revisions, and you should contact the executive board member for your region for specific rules unique to your regional competition. Also, Professors William Frey, Halley Sanchez, and Jose Cruz at the University of Puerto Rico at Mayagüez created a PowerPoint presentation that includes a description of the rules complete with helpful and interesting animations (please note that some of the rules in their PowerPoint differ slightly from the current ones). This resource can be found at cnx.org/content/m13817/latest/APPE_2004_EB_8.ppt.

IV. Preparation

This section will elaborate on a statement I have repeated constantly: the most prepared team usually wins. Those involved with IEB who might disagree with this statement would still agree that teams that do not prepare have virtually no chance of success. Either way, your team will receive every case several weeks before the bowl – and you need to make the most of that time.

Thus, I hope that the question on most of your minds is no longer “Should I prepare?” but rather “*How* Should I prepare?”. You will be instructed on an effective method to prepare arguments starting with what to do the first day your team receives the cases to the final polishing of your team’s argument for each case. The section will close with a listing of some commonly used ethical principles that – along with the application of empirical evidence – you can use to strengthen your arguments on debate day.

Preparing Your Arguments

Step 1: Get Together with Your Team Often and Spend a Lot of Time Thoroughly Discussing Each Case

After you form your team and receive your cases for the upcoming bowl, your quest for success begins. Let us assume you have a team of five and you received fifteen cases for the upcoming regional Ethics Bowl. These cases will vary in length (but average out to a page or so) and have their basing in various disciplines (government, science, business, journalism, education, etc). The first step toward creating fifteen effective arguments for these cases involves your team members spending a lot of time with each other discussing each case together and uncovering all of the ethical issues and stakeholders in each case.

Your team can commit a big error right at the beginning by skipping this step entirely. A lot of teams think they can do well by immediately splitting the cases up, having each member work on their own cases by themselves, and then having the members come together the day of the competition to deliver their winning arguments. This approach almost always fails. When teams get together and talk about each case early on, they inherently strengthen their arguments by debating each other’s points and bouncing ideas off of each other. Only the strongest assertions make it into the final arguments as group discussion tends to “weed out” the weaker premises.

Teams that decide to hastily delegate cases to each member without any case discussion will have weaker arguments as a result. I remember a team at a school-wide ethics debate one year who used the faulty method described above. Not only did this team fare badly, but the consequences of their lack of communication became evident when our team could hear them

shouting “I can’t believe you said that!” and “Your argument did not make any sense!” down the hallway after their matches.

Discussing each case together extensively also allows each member to have a strong familiarity with the argument for each case. This will come in handy when fielding the judges’ questions, as having five experts on each argument will prove more beneficial for answering queries than having just one.

Spend at least a couple weeks in this first step. Meet a few times a week in a room with internet availability (you will want to research ideas as they pop into the heads of your team members). Use this document’s list of ethical principles (shown later in the section) to help give your arguments a strong moral basis. You should also designate a group member to act as “secretary” at your meeting, having them type up the main points of everyone’s statements regarding each case; otherwise, your group will forget much of what was said.

Engaging in Legitimate and Substantial Intra-group Debate

Make sure that your team members engage in legitimate group debate of each case during your meetings. When talking about a particular premise of an argument, many teams may approve or reject the assertion too quickly without giving the issue the attention it deserves. If your group reaches consensus quickly on a particular point in an argument, this usually means your point is weaker than it could be as your team probably succumbed to group think.

If necessary, try to stimulate more intra-group debate on an issue by appointing one of your group members to play “devil’s advocate,” having him/her offer counterarguments to rebut your group’s allegedly solid assertions. You will want to rotate who plays the devil’s advocate often, as forcing one person to always try to dismantle your team’s beloved consensus might make that person the subject of pretty strong ridicule within the group¹.

In addition to debating issues enough, your team must also make sure that it debates *every* ethical issue involved in each case. The moderator’s question (as well as the judges’ questions) could address one or more of any of the ethical issues in the case, so your team needs to discuss all of them to avoid being blindsided at competition.

Discussion of every ethical issue in each case also means uncovering every ethical stakeholder in each case. Ethics is a study of stakeholders, and an ethical course of action must acknowledge the needs of everyone affected by an ethical dilemma. Make sure your team identifies every person, animal, group, or institution affected by the case. Failure to acknowledge every stakeholder during competition will weaken your argument’s ethical basis and invariably result in a lower score for your team, so make sure you identify the stakeholders in every case during this early part of your preparation process – including the ones not specifically mentioned in the scenario.

Step 2: Assign “Specialists” to Each Case

After spending at least a couple weeks discussing, debating, and engaging in preliminary research on each case, distribute a portion of the cases to each of your members and designate each member the “specialist” for the cases they receive. You will act as specialist for three cases (assuming your team divides the caseload evenly, which most teams tend to do), which means you will have specific responsibilities regarding those cases, such as performing extra research, constructing your team’s argument (with the consultation of your teammates), and delivering that argument during competition.

The fact that your team has limited preparation time makes assigning specialists important. Chances are good that, in those weeks before competition, every member of your team will not have enough time to create and become highly knowledgeable on every facet of all fifteen of your arguments. As such, it makes more sense to have each member become highly involved with one-fifth of your arguments, rather than have everybody develop and learn every argument together.

This does not mean that, after assigning specialists, your team never communicates again until the day of competition. Specialists should seek the help of their teammates in fine-tuning each argument and should exchange ideas back and forth. After the specialists complete their arguments, moreover, the team should evaluate them together and make any necessary revisions.

Your team can use any method it wants to distribute cases. At UM, our Ethics Bowl team likes to use a “draft” process, in which we put all of the case numbers up on a whiteboard and we take turns picking ones until none remain. We like this method because it ensures a fair selection of cases plus it allows a certain team member to select cases they may enjoy working on. Different members will “draft” cases that they particularly enjoyed discussing during meetings or that address concepts applicable to their field of study.

Avoid assigning specialists until after your team completes step 1. Resist the urge to allow your teammates to “call” cases right from the beginning before discussing each case thoroughly. After your team debates and conducts plenty of research during the first few weeks, a case that might have seemed attractive to a group member before might not pique the interest of that same member after a few meetings – and you want to make sure each member enjoys as many of their cases as possible.

Step 3: Finish Constructing Your Arguments

Now begins the meat and potatoes of the preparation process. Assuming an even division of the caseload, you will have primary responsibility for assembling three of your team’s arguments. Luckily, your workload has decreased slightly since your teammates already conducted preliminary analysis of your cases in step 1. Now your job involves taking that

preliminary analysis, conducting further research, crafting argument outlines, and practicing your presentations for competition.

As stated earlier, research that you use to strengthen your arguments will come from applying ethical principles that support your points as well as seeking empirical evidence from outside sources. A thorough discussion of ethical principles will come later in the section. As for outside research, you should start by finding news articles about your case (if your case actually happened) if your team did not do this already. The IEB case writers get a lot of their ideas from news sources, so you should have little trouble finding those same sources with an Internet search engine.

Finding information about the general subject matter of your case will help you as well. If your case involved the ethical issues of cloning, for example, you will want to find a lot of facts about cloning that will help your case and cite those facts during competition. Evidence can include everything from statistics, expert opinions, court rulings, polls, and any other relevant piece of information that helps prove your point.

Often, you can use ethical principles and outside research in the same premise. For example, the principle of utilitarianism (which you will see later) says that the ethical course of action is one that brings the most good for the most people. If you were to use this principle to support a certain state of affairs, perhaps you would want to also include a scientific poll you found on the Internet that says that the vast majority of people would prefer that situation – thus strengthening your utilitarianism argument.

The Outline

The outline form stands as the best way to structure your arguments for competition. Since you will not know the specific question the moderator will ask about your case, you will want to keep your outline very broad so that it addresses all the case's ethical issues and can be molded to fit various question types. Many novice debaters eschew the outline form in favor of writing their arguments word-for-word, like a speech. I do not advise this approach for three reasons: 1) you have better things to do with your time than try to memorize every word of three ten-minute arguments, 2) simply reciting your speech at competition will probably make your argument come off as uninspiring and stilted, and 3) you will have more trouble modifying a pre-memorized speech to the moderator's question than you will an outline.

SUGGESTED OUTLINE FORMS

SIMPLE OUTLINE

- Answer Moderator’s Question
- Premise A
 - “The arguments in favor of premise A are...”
- Premise B
 - “The arguments in favor of premise B are...”
- Premise C
 - “The arguments in favor of premise C are...”
- Etc...
- Conclusion

When using the simple outline, you start by answering the moderator’s question (always start *every* argument by answering the question; do not make the judges have to figure out where you stand). After that, you will then articulate a series of premises in support of that answer (bolstering each premise with your research). Finally, you will end your argument with a conclusion that restates the answer to the question and your main points. The title of this outline asserts the advantage of this approach; these outlines are simple to construct, easy for the judges to follow, and make memorization a breeze.

In many cases, however, this outline tends to oversimplify arguments by failing to address legitimate opposing points that the opposing team can use to attack you. Another drawback to this form is that when you merely answer the question, articulate supporting premises one-by-one, and make a conclusion, it becomes hard to make an argument that comes anywhere close to ten minutes (unless you have a bunch of premises).

DIALECTIC OUTLINE

- Answer Moderator’s Question
- Premise A
 - “The arguments in favor of premise A are...”
 - “But one could argue the following against premise A...”
 - “But this is why that argument is wrong and we should accept premise A...”
- Premise B
 - “The arguments in favor of premise B are...”
- Premise C
 - “The arguments in favor of premise C are...”
 - “But one could argue the following against premise C...”
 - “But this is why that argument is wrong and we should accept premise C...”
- Etc...
- Conclusion

Even the soundest arguments remain subject to the criticism of your opponents. The other team will have five minutes to pick apart your answer to the moderator’s question, and they will use every second of it if they can. This reality gives way to the following question: how can you minimize the damage caused by opposing points of view?

Well, you have two choices: Ignore those counterarguments during your ten minutes and let your opponents mercilessly address each one during their commentary section, or expose some of them yourself, giving you the ability to address them on your own terms?

Am I actually recommending sabotaging one’s own arguments by pointing out legitimate opposing points? I would hardly call it sabotage. If you bring up arguments against your points, you can refute those arguments and effectively take them away from your opponents before they even have a chance to speak.

To properly address counterarguments, I recommend using the dialectic outline above. This outline uses a thesis-antithesis-resolution approach to introduce and quickly shoot down criticism. Allow me to explain with an example: if I make the contention that soccer is the most exciting sport in the world, I may then bring up the counterargument that soccer is not exciting because it is a low-scoring game.

To refute the counterargument, I may state that low scores do not accurately reflect the excitement of a sport, but rather a sport's popularity as well as the unpredictability of outcomes serve as better indicators. Since soccer is the most popular sport in the world and has a greater probability of the underdog emerging victorious during play than any other major sport (interestingly enough, a study was actually done on this second point), this makes soccer the most exciting².

In this soccer debate, I certainly would have the option to let my opponent bring up this common criticism on his or her own, but why would I want to do that if I can bring it up and immediately refute it instead?

You should keep a few things in mind when using this outline. First, you should not bring up counterarguments that your opponent or the judges will probably not think of. There is no reason to give the other team more ammunition for their rebuttal or the judges more ideas for questions than they already might have. Second, do not introduce a counterargument without refuting it; otherwise, you *will* sabotage yourself. Third, do not feel as if you need to show opposing points of view for every one of your premises (see premise B in the outline). Maybe only one or two of your premises warrant usage of the thesis-antithesis-resolution method.

All in all, the dialectic statements add more depth to simple outline, making it longer and more effective against possible counterarguments.

COURSE OF ACTION OUTLINE

- Answer Moderator’s Question
- Course of Action 1
 - Premise A
 - “The arguments in favor of premise A are...”
 - Etc...
- Course of Action 2 (usually the opposite of 1)
 - Premise A
 - “The arguments in favor of premise A are...”
 - Etc...
- Conclusion
 - “But we should adopt the first (or second) course of action because...”
 - List supporting premises below

-----OR-----
- Alternate Conclusion
 - “We propose the following solution to achieve a ‘middle ground’...”
 - SOLUTION
 - “This ‘middle ground’ solution is the best course of action because...”
 - List supporting premises below.

So many Ethics Bowl cases feature a dilemma that forces a team to choose between two or more courses of action that can seem equally desirable (or undesirable, in the case of the “Ashley” scenario). Faced with this state of affairs, you can make some great arguments by acknowledging various points of view, examining each one, and making a conclusion based on that examination. Parts three and four of the judging criteria listed in the previous section indicate that judges like to see thorough analysis. The course of action outline allows you to give them just that.

The CoA outline involves the student listing various courses of action to take in a particular ethical dilemma (or in your case, different ways to answer the question). Usually, a CoA outline will analyze two courses of action that are opposites of each other. In other words, if your first course of action asserts that Ashley’s parents are justified in removing their brain-damaged child’s ability to reproduce and analyzes why, your second course of action would find Ashley’s parents unjustified, bolstering each course of action with pertinent analysis.

The CoA outline gives you two distinct options regarding how to construct your conclusion. The first method involves declaring one of the courses of action more preferable and giving reasons why. But you can also find neither course of action preferable, and instead propose a middle ground between them (if the two options are opposites) and assert the merits of this third approach. At the national competition, our team had to debate whether cage fighting – a barbaric sport in which two individuals can use virtually any violent action to pummel their opponent into submission – warrants banning for ethical reasons.

Obviously, our team could have recommended either of the two extremes: letting people cage fight as they wish or banning the sport entirely. But we decided to argue that the most ethical course of action was to let individuals participate in this activity but only if it was heavily regulated to reduce some of its barbarism. Arguing this middle ground helped us reach achieve a strong argument on a difficult ethical dilemma.

QUESTION AND ANSWER OUTLINE

- Answer Moderator’s Question
- Question One
 - Answer Question 1 with supporting premises.
- Question Two
 - Answer Question 2 with supporting premises.
- Etc...
- Conclusion

Even though your argument only requires you to answer one question – the moderator’s – often asking multiple questions (that you answer yourself) throughout your argument stands as the best way to sort through a complex ethical scenario and analyze it effectively.

At the national competition, I had to argue a case involving an affirmative action program in South Africa. The moderator asked if the program, which gave preferential treatment to blacks

born after Apartheid ended, was ethical. Using the Question and Answer outline form above helped me sort through this difficult issue. “We feel the program is ethical,” I argued, “but before we can even address the specifics of your question, we must first attest to the ethicality of affirmative action programs in principle.”

I then spent the first few minutes of my argument establishing a moral basis for affirmative action programs by asking the question “Is affirmative action ethical in general?” Affirmative action on its own stands as a highly contested issue, so I knew that unless I could make a convincing argument for the practice on a more broad scale first, then I would have a hard time defending the specific South African program.

In that case, my Q&A outline had two questions: was affirmative action ethical in general and was this South African program ethical? Of course, you can ask as many questions as you feel you need to properly analyze the issue. Make sure, however, that you keep your questions relevant to the case, and that the answer to each question brings you closer to your final conclusion.

STAKEHOLDER MANAGEMENT OUTLINE

- Answer Moderator’s Question
- List Stakeholders and Their Interests
 - Stakeholder Group 1
 - List stakeholder interests
 - Stakeholder Group 2
 - List Stakeholder interests
 - Stakeholder Group 3
 - List Stakeholder interests
 - Etc...
- Courses of Action
 - Course of Action A
 - Analyze effects on each stakeholder group based on the extent to which that course of action satisfies the interests of each group
 - Course of Action B
 - Analyze effects on each stakeholder group based on the extent to which that course of action satisfies the interests of each group
 - Etc...
- Conclusion

I certainly hope that I have conveyed enough importance throughout this document to the notion that a strong argument must properly address *every* stakeholder involved in a case. With that said, why not use an outline that explicitly bases your argument around each stakeholder?

In the Stakeholder Management Outline, you begin by answering the moderator’s question, and then listing each group of stakeholders and their specific interests with regard to the case. Go back to the “Ashley” case and think about those affected by the case. Ashley, of course, but also her parents, the doctors involved, and perhaps even society in general.

Each of those stakeholders has specific interests applicable to this case. For example, Ashley’s parents want their daughter to stay in good health, they want to minimize her pain, and they want to be able to care for her effectively.

After determining the interests for each of your stakeholder groups, devise different courses of action (as like you would do in the CoA outline) to resolve the dilemma. Remember, as stated before, that these courses of action represent different answers to the moderator’s question. You will want to use extreme and “middle ground” courses of action to help analyze the issue thoroughly. For each course of action, determine the extent to which it satisfies the interests of the stakeholders, discussing each course of action one at a time.

Your conclusion will be the one that satisfies those interests to the greatest extent. This can mean multiple things. Perhaps you might go with the course of action that satisfies the most interests overall, or you may choose a course of action that satisfies fewer interests but more stakeholders. Whichever way you choose, be sure to back it up with strong evidence.

A word of caution: make sure that your argument addresses *every* stakeholder involved (whether you are using this outline or any outline). If you miss even one, the judges will assuredly bring it up during their Q&A and your score will suffer. I speak from personal experience on this one. I once used this outline form while arguing an Ethics Bowl case involving Virginia police officers engaging in sex acts with prostitutes in order to gain convictions.

I talked about how the ethical issues involved affected a variety of stakeholders: the society at large, the government, the police department, the police officers, their families – I felt confident that our team had covered the scenario fairly well. That was until the judges began with the questions and our team got hit with this rather potent four-word query.

“What about the prostitutes?”

Oops!

Our team nervously huddled together and I spluttered a response about how the prostitutes in this case were members of society and thus sufficiently represented by our

stakeholder model. Of course, that did not fly at all – not even close. Obviously, that particular stakeholder group had specific interests not represented by society at large. We had to endure two or three more questions under the same “Shouldn’t you consider the stakeholder interests of the prostitutes as well?” vein before the judges finally stopped rubbing salt in our wound.

I have debated cases on campus and at regional and national ethics bowls, and, fortunately, this has been the only one that I have personally argued that received a low score. I learned an important lesson that day: don’t forget the prostitutes. Or, more generally, give every one of your stakeholders proper acknowledgement.

One last thing to remember about your outlines: since you will not know the specific question the moderator will ask, chances are good that you will have to change your outline slightly (or significantly) during the match before you present your answer. Sometimes, you will luck out and your outline perfectly answers the moderator’s question without any changes (but this is not always the case). Since your team only has one minute to confer after the question, modification during the match stands as a daunting task. Here are some tips that can help:

- Design your outline in such a way that it addresses multiple questions and various ethical issues. If you need to omit some unnecessary points to properly answer the question, that’s fine, and it is a lot easier than trying to write or come up with a bunch of new points during the one minute conferral period.
- Consider using multiple outline formats in one to make your outline more complex, effectively allowing you to address a greater range of ethical issues. Perhaps you will use a simple outline to bolster one of the answers in your Q&A outline, or make your outline half dialectic and half stakeholder management.
- Test the modifiability of your outline by having your teammates think of possible questions for your case while you try to answer them with information from your outline. If you have difficulty answering their questions, consider making your outline broader or even constructing a second outline that answers a different range of questions regarding your case.
- Be prepared to think on your feet. The possibility always exists that the question is obscure enough that you might have to junk your outline format. Even when this happens, it does not mean that you cannot use the information in your outline to answer this unusual question. It just means that you have to apply your research in a new way. Use your empirical findings and all of the ethical principles at your disposal and you can make through even the tough questions.

Special Section – Commonly Used Ethical Principles

A solid moral basis plays an important role in creating strong Ethics Bowl arguments. Applying ethical principles will help you bolster your premises with relevant philosophy. The listing and explanation of the various principles below should be of assistance in that regard.

For more information on ethical principles, consult any of the sources used for this section.

Utilitarianism

In a nutshell: one should select the course of action that will produce the most good for the most people.

Quick Background Info: The principle of utilitarianism is rooted in the theories of Jeremy Bentham (1748-1832), who asserted that an action should be judged according to its ability to bring happiness or benefit to everyone involved³. Utilitarians tend to hold the belief that since society stands unable to see or measure peoples' motives, we should focus more on the consequences of the resulting actions and whether or not these actions produce happiness. This is why utilitarianism is also known as "consequentialism."⁴

Forms of Utilitarianism: Within this general principle lie two basic schools of thought:

Act utilitarianism, or "pure" utilitarianism, strictly applies the "most good for most people" concept to each individual situation⁵.

Rule utilitarianism, as popularized by John Stuart Mill (1806-1873), mandates that one should consider basic rules that were created for the benefit of society in addition to examining "most good for most people."⁶ Rule utilitarians tend to believe that overall happiness (utility) is maximized in a rule-based system, and each situation need not receive separate treatment according to circumstances. Society can apply traditional moral "rules" (i.e. murder is wrong, people should not steal from others) to bring more predictability and continuity to decision making⁷.

Criticisms:

- The thing we wish to measure for the purposes of this principle – whether it be "happiness," "good," "utility," etc. – stands quite difficult to define. Is our judgment criteria based on an objective standard of measurement, (if so, what is that standard?) or is it based on the preferences and feelings of each individual?
- Utilitarianism, by nature, has the potential to adversely affect a minority to a point that some may consider ethically repugnant⁸.

- Act utilitarianism has the potential to lead to outcomes that run contradictory to society's basic moral values. Even though rule utilitarianism attempts to solve this by advocating that individuals should obey basic rules for the greater good, the difficulty then becomes determining what concepts are meant to be these "rules."

Kant and the Categorical Imperative

In a nutshell: An ethical course of action is (1) one that can be "universalized" (am I prepared to allow or even require everyone to do the same thing I am doing) and that (2) treats others as ends in themselves and not means to a particular end.⁹

Quick Background Info: In *Foundations of the Metaphysics of Morals* (1785), Immanuel Kant (1724-1804) radically distanced himself from utilitarianism by asserting that motives and "duties" behind acts – and not the resulting consequences – should guide ethical decision making. Kant argued that society should not determine the morality of actions by expected results (as utilitarianism attempts to do) because there would be disagreement on how to interpret these results (see criticisms of utilitarianism). Instead, Kant believed that society should necessarily follow a set of moral guidelines that are categorical or unconditional, making them our ethical duty.¹⁰

Which Rules Make Up our Duty: As shown above, Kant established a two-pronged approach to determining whether something should become a moral rule. Kant's "**test of universalizability**" compels us to ask "What if everyone acted how I am about to act?" A job seeker who attempted to fudge parts of his résumé to gain employment would fail this test, since we can all imagine the deleterious effects on society if everyone were to lie on this document. The second requirement of this principle requires that one **treats people as ends in themselves** (and not means to an end). On those grounds, the institution of slavery would be deemed unethical since it uses individuals against their will as a means for economic progress.

Criticisms:

- Kantian ethics might be too inflexible for the real world. Using Kant's tests, we would assert that it is never right to lie, but could some circumstances exist where doing such a thing could be ethical? If mobsters, wielding guns and bats, knocked on your door and asked if you knew the whereabouts of a friend of yours, would telling them the truth really be the moral choice? Perhaps we can get around this problem by being more specific with the choice that we attempt to universalize. Instead of asking "am I prepared to allow everyone in the world to lie?" we can ask, "am I prepared to allow everyone in the world to lie to prevent the loss of innocent life?" By asking the latter question, lying in our mobster example might seem the ethical choice. However, if we specify each situation we attempt to universalize too much, we run the risk of depriving society of a

finite, precise set of moral guidelines, which is what Kant wanted to create in the first place.

- Kant's tests do not assist individuals in selecting *between* ethical alternatives in some cases.¹¹ Kantian ethics would suggest that people should provide for their family and also that stealing is wrong, so what would Kant say about a situation in which a poor person has to decide whether or not to take a loaf of bread to feed his starving wife and children?

Application – Utilitarianism vs. Kantian Ethics

You are a sheriff of a small town. You are standing in front of a courthouse where a lynch mob demands that you turn over a prisoner that is inside. This prisoner has yet to be given a trial, but failure to turn him over will aggravate the mob and assuredly start a riot in which many will be hurt and killed. What do you do?



Jeremy Bentham

Turn the lowlife over! It will bring the greatest happiness and it will minimize overall pain.



Immanuel Kant

Absolutely not! To universalize such an act would compromise our system of justice.

-Utilitarians (at least act utilitarians) would assert that turning over the prisoner would bring the most happiness to the most involved (since we are weighing the interests of a mob of many versus a single prisoner). In addition, by turning over the prisoner, the sheriff will benefit the mob by minimizing pain and preventing injury and death.

-Those who wish to follow categorical imperatives, however, would reach an entirely different conclusion. Using Kant's tests, the sheriff would feel inclined to protect the prisoner, regardless of the consequences. One can argue that if the action here was universalized and everyone turned over prisoners to ruthless mobs, that this would obliterate the foundations of our justice system. In addition, turning over the prisoner to the mob would be treating the prisoner as a means to an end and not as an end in himself, which would violate the second of Kant's tests.

Ethics and Freedom

In a nutshell: Humans are entitled to self-determination and freedom of action, possibly subject to certain constraints.

Quick Background Info: In their writings, philosophers such as John Locke (1632-1704), Jean-Jacques Rousseau (1712-1778), Thomas Paine (1737-1809), John Stuart Mill (1806-1873), and John Rawls (1921-2002) all make references to the idea of a human's right to personal freedom, subject to limits¹². Locke, specifically, cited liberty as one of three paramount rights to which human beings are entitled (in addition to life and property)¹³. Most Western nations today accept this basic notion, which is endowed through their allowance of individual freedoms like speech, expression, conscience, religious worship, privacy, economic liberty, and others¹⁴.

Ethical Principles Regarding Freedom: The field of ethics has produced some general principles that suggest the morality of personal freedom. One of the most prevalent is the principle of **autonomy**, which instructs us to respect the personal freedoms of others and to refrain from inhibiting individual self-determination. **Libertarianism**, a school of thought that advocates personal and economic liberty in ethical decision making, is often used to justify everything from free speech to fundamental capitalism¹⁵.

Limiting Freedom and Liberty: Undoubtedly, those among us who believe in unequivocal, unlimited liberty in all circumstances live as part of an exceedingly small minority. A society that allows everyone to do whatever they choose without restraint would become a society engulfed in chaos. This in mind, a multitude of principles exist that attempt to create instances that would justify the circumscription of individual liberty. They include:

The Harm Principle – belief that liberty or freedom is justifiably circumscribed when doing so prevents harm to others¹⁶.

The Offense Principle – belief that liberty or freedom is justifiably circumscribed when doing so prevents offense to others. This principle was popularized by American philosopher Joel Feinberg (1926-2004), who suggested that the harm principle does not go far enough in protecting society from certain forms of expression that can cause great offense to others¹⁷. Ethicists can utilize this principle to defend the existence of measures proscribing indecent exposure or using obscene words on television.

Paternalism – belief that a person's liberty or freedom can be limited to prevent that person from committing actions that could harm themselves. Paternalistic arguments can be made for things like anti-drug measures or mandatory seat belt laws. Often, ethicists attempt to justify paternalism in circumstances where an individual may have some sort of impairment that prevents him or her from knowing all the facts about a situation or from having the mental capacity necessary to make a sound choice. Applying paternalism under those circumstances

tends to receive further justification if the individual whose liberty is being constrained would have eventually agreed, after they received all the facts or their mental capacity improved, that such a limitation on them was acceptable. This is known as the **theory of future consent**.¹⁸

Social Justice – belief that liberty or freedom is justifiably circumscribed when doing so can promote social goals, like equality or security¹⁹. This idea of exchanging some freedoms for security, overall societal benefit, and more freedom for all will receive further discussion in the next section.

Welfarism – belief that a liberty or freedom of a person is justifiably circumscribed when doing so can benefit others (other than that person).²⁰

Legal Moralism – belief that liberty or freedom is justifiably circumscribed to prevent a person from committing actions that run contrary to the collective morality of society. British lawyer Patrick Devlin (1905-1992), one of the principle’s leading voices, believed that “a society in which there is no agreement on good and evil will fail [since] society is held by the invisible bonds of a common thought.”²¹

Ethicists can apply legal moralism, for example, if they endeavor to justify measures that prohibit private sexual acts, provided that society already frowns upon those acts. Legal moralism shares a loose relation with the principle of **Majoritarianism**, which asserts that liberty or freedom of a person is justifiably circumscribed when doing so conforms to the wishes of the majority.²²

Principle of Equal Freedom – belief that an individual has a right to freedom of action to the point that it deprives a person of another proper freedom.²³ In his work *Social Statics*, philosopher Herbert Spencer (1820-1903) introduces this theory, postulating that “Every man has freedom to do all that he wills, provided he infringes not the equal freedom of any other man.”²⁴ This liberty-limiting principle tends to overlap with some of the other ones listed above.

Criticisms:

- Unlike utilitarianism and Kant’s tests that lead to the creation of categorical imperatives, freedom-based ethics fails to provide us any precise, hard-and-fast guidelines in which to determine the extent of an individual’s personal liberty. Instead, we are left with a collection of principles – created to advocate the promotion or restriction of freedoms – whose merits we need to debate.
- Vagueness of terms stands as a significant fault of the harm and offense principle. Is physical “harm” what society should attempt to prevent, or psychological harm as well? At what point does something become “offensive” enough that it warrants prohibition, if at all?

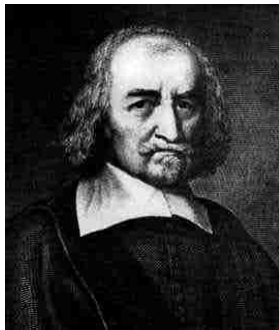
- Legal Philosopher H.L.A. Hart (1907-1992) disagreed strongly with legal moralism and Devlin’s arguments, believing that even though society has a responsibility to protect life, safety and property, society can endure a diversity of moral beliefs and still hold together.²⁵

Social Contract Ethics

In a nutshell: In order to benefit society as a whole and to foster a political and social order, individuals must create and obey an implicit “social contract” in which people must abide by certain rules to ensure a certain measure of freedom, security, and overall well-being.

Quick Background Info: People who live together tend to create a set of principles to make their common life easier and to maintain social cohesion. In addition to creating laws – which can prevent the damage caused by individuals exercising their unbridled desires – society must also engage in a tug-of-war between the needs of society as a whole and the liberties of the individual. The social contract becomes the result of these actions, as society attempts to generate an implicit agreement between individuals that ensures the well-being of all in exchange for the population’s agreement to obey the contract’s terms. Such an endeavor can be difficult. Plato (427-347 BCE) notes in *Theaetetus* that in a society with many different people, interests, needs, and desires, an inherent challenge exists in seeking a single social structure in which all can live and thrive²⁶.

Examples of Social Contracts: various philosophers have advanced their own ethical theories as to what constitutes a proper social contract. A multitude of ethical dilemmas exist that challenge us to examine society’s role in solving a problem, advancing or limiting freedom, or providing for or taking away from a person or group. As such, applying and studying these various social contract theories can lead us to an ethical course of action in those matters.

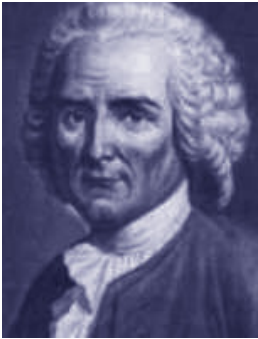


Thomas Hobbes (1588-1679) – Hobbes believed that human beings, unbound by any social order, are naturally animalistic, violent, and inevitably poised for anarchy²⁷. As such, he argued for a social contract that creates an authoritarian state so that society would have an absolute ruler that could prevent chaos and social disintegration. Under the contract, the ruler would agree to protect the natural rights of the people, act as an arbiter of disputes, and establish just laws (even though the ruler himself was to be above the law); and in exchange, all who live in the ruler’s jurisdiction must accept the authority of the ruler and obey all

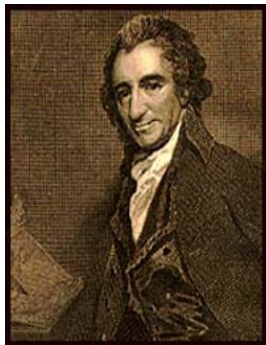
laws. In addition, the Hobbesian social contract did not allow any person holding a minority view to “opt out” of the agreement; you were bound by the terms if you lived within the jurisdiction²⁸.



John Locke (1632-1704) – Unlike the Hobbesian view, Locke considered humans, by nature, to be basically rational and non-violent. As such, Locke envisioned a social contract that could be friendlier to individual liberties and that rejected the idea of a supreme, absolute ruler²⁹. Locke argued that authority should rest in democratically-elected state institutions that would uphold individual rights like free speech, free exercise, and freedom to hold property. Locke’s principles of individual rights and democratically-elected, responsible government stand as the basis of many modern democracies.



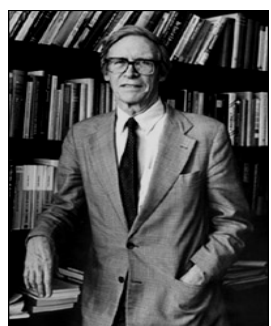
Jean-Jacques Rousseau (1712-1778) – In his work *Discourse on the Origin and Foundations of Inequality Among Men*, Rousseau argued that before the evolution of civil society, human beings were best off existing in what he called the “State of Nature,” where people lived secluded, simple, uncompetitive lives where the few needs they had were met by the environment around them. It was not until human populations grew, he argued, that attributes of civilization like private property and class structure fostered the contempt and greed that highlights modern society. As he quotes in his 1762 work *The Social Contract*, “Man was born free, and he is everywhere in chains³⁰.” Even though Rousseau acknowledges the impossibility for humans to return to the State of Nature, he contends that a proper social contract involves one in which individuals engage in small, direct democracies (in which rulers and ruled held the same interests, unlike in monarchies) to create a “general will” that all will follow³¹.



Thomas Paine (1737-1809) – Like Rousseau, Paine also rejected a monarchical social contract (although, unlike Rousseau, he did see merit in a republican form of government). He asserted that every person should have liberty and be allowed to do anything provided that no harm was done to others in the process (see liberty-limiting principles)³². His ideal society rested on three principles: first, men are born and remain free and equal in their rights; second, government’s sole objective involves the preservation of those rights; and third, only the people can grant rights to society³³.



John Stuart Mill (1806-1873) – In his work *On Liberty*, Mill expressed his concern that a social contract rooted in democratic principles, though sympathetic of the will of the citizenry, still may have the tendency to act tyrannically towards individuals in the minority. As such, Mill theorized that an ethical society would only interfere with a minority if that minority does something directly harmful to the interests of the majority³⁴. Society has a limited role in Mill’s social ethics, as society is permitted only to curtail individual behavior that hurts others. In addition, society has the obligation to protect three liberties: liberty of thought and opinion (of any kind, as censoring the individual is morally wrong), liberty to plan our own lives, and liberty to associate with like-minded individuals for a common purpose (provided that it does not hurt anyone)³⁵.



Jane Reed/Harvard News Office

John Rawls (1921-2002) – In *A Theory of Justice*, John Rawls argues for his ideal social contract with the following thought experiment: a group of people assemble to decide the rules by which they wish to live. However, through some unusual form of amnesia, none of these people know who they are or anything about themselves (age, race, wealth, sex, social position, etc). As a result, they create this society without any reference to any specific interest group they might otherwise represent. Rawls contends that, under such conditions, the society that would result is one that a) would allow every person an equal right to the most liberty possible while allowing liberty for all, and b) would allow inequalities to exist in society if those inequalities would benefit the least well-off. Rawls argued that the people in the society would want to help the poorest in society because – since each person did not know whether he or she was poor or rich at first – they would play it safe, not knowing whether they would be in the poorest category. Rawls believed that the society that would result from placing its members under a “veil of ignorance” about their attributes stands as the most just³⁶.

Application – Social Contract and Public Health³⁷

The nation of Hypothetia provides health care to all its citizens through government provision. Hypothetians pay money in taxes to support this service. Recently, Dr. Utilla Tarian, one of the nation’s foremost surgeons, refused to perform a life-saving procedure on a patient of hers, arguing that this individual was a heavy smoker who refused to give up his habit and, as such, it was unlikely that the surgery would add to the patient’s life expectancy. In addition, Dr. Tarian stated that, if performed, the surgery would allocate treatment resources away from patients who could realize significantly greater benefits. Did the doctor act ethically?

-As her name suggests, our doctor bases her reasoning on utilitarian principles. Her refusal to operate in this situation could cause greater good by freeing up finite public health care resources

for other Hypothetians who could benefit more from those resources.

-However, others could argue that the public provision of health care is based on a social contract, in which a society agrees to contribute tax dollars in exchange for the government providing this service. The government, and all physicians employed by the government to administer the program, must hold up their end of the bargain and give the people of the society the medical treatment they need or desire. Therefore, Dr. Tarian's patient, assuming that he pays his taxes, should receive the operation.

Other Ethical Principles

The remainder of this section will list other principles commonly utilized in ethical decision making. Combined with knowledge of consequence-based, duty-based, freedom-based, and social contract ethics, you can apply a number of the principles listed below to help formulate strong arguments.

Beneficence – Belief that it is morally wrong to fail to increase the good of others when one is in a position to do so. The “good” to which this principle refers can be in the view of those others (respecting their autonomous right to self-determination), or as we perceive it (paternalism). Arguments for beneficence tend to strengthen when one assumes a lower risk or cost for performing the potentially beneficent act³⁸. In other words, believers in this principle would expect us to help a car accident victim get out of their overturned vehicle, but probably not so if that same vehicle was on fire.

Compensatory Justice – Concept that victims of some form of injury at the hand of a second party should receive fair compensation (compensation that restores an individual to a position they would have occupied had the injury not occurred³⁹).

Disclosure Rule - Asserts that a proper course of action is one that you can feel good explaining to a wider audience, such as family, friends, newspaper readers, or TV viewers. This principle does a good job at screening out actions based in greed, jealousy, or dishonesty, since a wider audience would find such motives abhorrent. Unfortunately, the disclosure rule often fails to assist us with ethical dilemmas that have several strong alternatives⁴⁰.

Double Effect, Principle of – Principle that recognizes that some actions can have both a good effect and an unintended evil effect, and asserts that the evil effects of such actions do not necessarily make the action unethical. According to this principle, one need not abstain from a good action with unintended bad effects provided that the following requirements are satisfied:

- The object of the act is not intrinsically evil.

- The person performing the act must intend to achieve the beneficial effects and only indirectly intend the harmful ones.
- One must avoid the harmful effects as much as possible.
- The harmful effects cannot be the means to achieve the beneficial effects.
- The beneficial effects must be equal to or greater than the harmful effects.
- The harmful effects cannot occur before the beneficial effects⁴¹.

Distributive Justice – Belief that the society should distribute benefits and burdens using impartial criteria. What criteria society uses, however, can vary:

Strict Egalitarianism – Every person should receive equal benefits and burdens.

Merit – People should receive benefits from society proportional to their contribution to society.

Socialist – People should be assigned burdens according to their abilities, and receive benefits according to their need.

Libertarian – Burdens should be assigned as they are voluntarily accepted. Benefits should be assigned as they are voluntarily given by one party to another. Benefits can also be created as one creates them, through returns on investments made on things owned⁴².

Rawlsian – Society can justify an unequal distribution of benefits if such a distribution can better the lot of the most disadvantaged⁴³.

Egalitarian Theory – In contrast with libertarianism, this method of thinking stresses that members of a society should receive equal access to important social goods⁴⁴.

Ethical Egoism – Position that actions are morally right if they maximize one's own self interest. Such reasoning can still allow room for acts that help others, but only if they can lead to some sort of benefit for the decision maker⁴⁵.

The Golden Rule – Perhaps the most widely known accepted moral principle (most religions have different versions of it in their major texts), it asserts that one must treat others the way they would want to be treated. The principle can be quite effective due to its ease of use and its ability to force ethicists to consider the needs of others⁴⁶. However, a problem with the rule is that preferences among individuals are not universal⁴⁷: even though you might like steak yourself, using the golden rule to justify serving one to your vegetarian friend would be foolish.

Nonmaleficence – Principle that articulates that one should not harm others. It is linked to the popular Latin phrase *primum non nocere*, which translates to “first, do no harm.” Some ethicists interpret this principle rigorously, believing that if one cannot do good without causing

harm with a particular act, then one should not perform that act⁴⁸. Yet, in a world where even the best actions can have some harmful results, some tend to opt for a less strict interpretation.

Organization Ethic – Principle that preaches the subordination of the wills and needs of individuals to the overall welfare of an organization (such as a club, corporation, military, government, etc). Such an ethic, proponents argue, provides the cooperation and mutual trust needed for a group of any kind to thrive. This principle tends to lose justification, however, when loyalty to an organization is used to justify extreme wrongdoing⁴⁹. Former Nazis convicted at Nuremberg, for example, were left without an ethical (or legal) leg to stand on when they tried to argue that they “were just following orders” when they committed their crimes.

Retributive Justice – Belief in even-handed punishments that are proportionate to the transgressions committed⁵⁰.

Reversibility – Principle that suggests that an individual has acted ethically if the following question can be answered in the affirmative: “if I was the person affected by my actions, would I believe that the actions treated me with respect?”⁵¹

Veracity – Belief that one should tell the truth (“honesty is the best policy”)⁵².

More Information on Using Ethical Principles

Virtually all teams use ethical principles in their arguments, but the winners are the ones that use them effectively. When citing an ethical principle during an argument, use this three-step process to make your principle usage clear and concise for the judges.

1. *Clearly state which principle you are using.* Making a statement like “Under the principle of _____...” should suffice. You can also state which philosopher created the principle and in what work it came from with a sentence like “In *Foundations on the Metaphysics of Morals*, Immanuel Kant tells us of the categorical imperative...”
2. *Explain the principle.* Even though you and many ethicists might know the principle very well, one of your judges might not. Take a few seconds to give a quick explanation.
3. *Discuss how the principle applies to the specifics of the case and your argument.* Assuming that your judges will simply know why the principle of beneficence supports your argument might backfire. Link the principle to your case.

Bear in mind that ethical principles can supplement your argument, but they cannot stand alone. You need to do outside research as well to strengthen your points.

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V. During the Competition

Get ready for one of the most exciting days of your life. All that preparation – the plethora of team meetings, the seemingly endless research, and the late nights fine-tuning your arguments – has made your team ready to take on other talented students from universities all over your region (or the country, depending on the venue) in Ethics Bowl matches. The competition will challenge your reasoning skills, critical thinking abilities, and mental toughness while giving you an experience you will never forget – and one that you will thoroughly enjoy.

This final section will provide you with tips on effective Bowl performance.

Starting the match

One of the best things you can do to increase your chances of success occurs right at the beginning of a match. Teams may use paper and pencil during gameplay and the rules allow players to start writing as soon as both teams sit down – not when the moderator presents the question or tosses the coin, but when both teams sit down. What does this mean? It means as soon as everyone’s posteriors come in contact with the chairs...*start writing!* Do not wait. Use this time to have each specialist start writing out their outlines and any other notes for each case they have.

Teams that do not take advantage of this extra time invariably have to spend more of their conferral period jotting down their outlines. But since teams have only sixty seconds to confer after hearing the moderator’s question, it makes more sense to already have your notes prepared in front of you and to take that conferral time to discuss with your teammates how to best modify your outline to answer the question.

Answering the Moderator’s Question

This might seem obvious, but during the section when your team answers the moderator’s question, your team must actually *answer the moderator’s question*. Teams can lose a lot of points by presenting an argument that does not address the question, but instead discusses other ethical issues in the case. This error usually occurs when teams have trouble modifying or simply refuse to modify their outlines to answer the question. Outlines are an effective means to organize one’s thoughts and research about a case, but participants cannot simply repeat their outline during their argument if it does not properly answer the question.

Even though you might not get to use your prepared outline when answering the moderator’s question, you are still expected to give an organized, easy-to-follow answer (clarity and intelligibility alone make up $\frac{1}{4}$ of your score). Just like in your prepared outline, you still want to open your presentation by answering the moderator’s question up front; do not leave the judges wondering about the main idea of your argument. Depending on the complexity of your

answer, you might strongly consider verbally outlining your argument for the judges at the beginning as well (i.e. “I will present the following five arguments for Y”).

When speaking, stay relaxed and keep your oratory simple. Since the judges will not score your public speaking skills, what you say and not how you say it should remain your main focus. Finally, make sure that you end your argument with a strong conclusion that leaves no doubt as to where your team stands on the question.

Commentary on the Answer

If a team is not answering the moderator’s question during the round, they are providing commentary on their opponent’s answer. A team’s primary role here involves addressing their opponents’ points that were made during the answer section. Many participants unwisely shirk their responsibility here, though, and instead use the commentary section as a venue in which to give a five-minute version of their own answer to the question and nothing else. This will cost you big points. A commentary section requires just that: commentary. It involves listening to your opponents’ argument and addressing weaknesses in their points. This does not necessarily mean that the commenting team cannot provide their answer during their five minutes, but only if it helps in exposing the faults in their opponents’ argument.

Unlike in some other forms of competitive debate, the team providing commentary does not have to take a position opposite that of their opponents. Frequently, teams do not disagree on the answer, but rather on the reasoning (which can make for a pretty contentious back-and-forth by itself).

You must have a strong understanding of your opponents’ argument to craft effective commentary. Pay careful attention during the answer section, taking down copious notes and outlining your opponents’ premises. As you write, ask yourself the following questions relating to the strength of their argument.

- What are the consequences of my opponents’ actions? Are they desirable?
- Did my opponents make plausible assumptions to reach their conclusion?
- What legitimate counterarguments can be made against my opponents?
- Does my opponents’ reasoning apply in different situations?
- Do I know of any research or statistics that counter a claim of my opponents?
- Do I know of any ethical principles that counter a claim of my opponents?
- Did my opponents apply the ethical principles correctly?

- Could the same ethical principle be used to argue a different point of view?
- Does my opponents' conclusion follow logically from their premises?
- Did my opponents commit any logical fallacies (a listing of logical fallacies appears later in the section)?

All of your team members should have points of criticism written down after your opponents' argument. Use your one minute conferral period to compare your notes and plan a method of attack. Remember that more than one person from your team can speak during the commentary period, so feel free to split up your argument (though you might want your specialist on the case to do most of the talking).

Stay aware of time limits. Five minutes goes by fast, so only voice the criticisms that strike a significant blow and do not waste precious seconds nitpicking your opponents' minor errors. It is better to make two or three points that cast doubt on your opponents' fundamental premises than to just shoot off a laundry list of tiny faults with their argument.

Response to the Commentary

Those darn opponents of yours! Your team spent weeks researching and outlining a dazzling argument just so those lousy ingrates on the other side of the table could take jabs at your premises. Try not to take it personally, and do not think that you gave a bad argument just because your opponents had an active commentary session. Ethics debaters are smart people, and they will figure out a way to chip at your assertions, no matter how strong you made them.

You need not worry, though. The response period allows your team to have the last word in this back-and-forth exchange. Take notes during your opponents' commentary to gain a full understanding of their analysis and determine the legitimacy of their criticisms. Keep in mind that their commentary of your argument is, in effect, an argument in itself and thus you should ask yourself all of the same questions in the previous section to evaluate their presentation.

Judges' Questions

The Q&A section can make or break teams. If a judge is sitting on the fence with your team's answer to the moderator's question, this is your last chance to gain his or her approval. Depending on the nature of your case – and the nature of your judges – you could face a set of softball questions or endure an excruciating grilling session. The type of queries you might hear span a wide range, and can include:

Clarification of a Point – the judges might want you to elucidate an aspect of your argument that they found unclear. They might feel this way because they did not understand

what you were trying to say, or you did not do a good enough job explaining it. Either way, clear things up for them or be prepared to lose points.

Challenge of a Point – just when you thought you suffered enough criticism from your opponents, now one of the judges wants to poke a hole or two in your reasoning. Whatever you do, be courteous and do not take it personally. Calmly argue your side while respecting their opinion. If you have any additional points of evidence or principles that bolster your point that you have not used yet, you might consider using them here.

Consequences and Implications – The judge might want you to analyze the consequences that your course of action might have.

Principle-Oriented - judging panels usually have at least one philosophy buff who might try to make you wish you stayed awake during more of your PHI 101 classes. These judges know the ethical principles like the back of their hand, so make sure you know them as well to capably field their questions. They might question the applicability of a principle you used or even call on you to address other philosophers' arguments. As long as you study the principles section in this paper, you should answer most of these with little difficulty.

New Situation – Judges love hypotheticals. Thus, they might try to examine the applicability of your answer to different situations. If you think something works for A, they might also want to know if you think it works for B. Carefully consider the differences in circumstances and apply your evidence to this new recommendation.

Stakeholder Acknowledgement – The judges might want more analysis on the effects of your arguments on a particular stakeholder group. They could just ask you to talk more about a stakeholder you already mentioned, or they might bring up a stakeholder you forgot (see the prostitute story in the previous section to understand why you do not want it to be the latter).

Whatever the question type, remember these two tips to maximize your effectiveness:

First, actually answer the question. Even if a judge throws a tough one at you, trying to dance around it will not make it go away. If you do not answer the question completely, the judge's follow-up will likely be a more impatient version of the same question.

Second, make it a point to confer with your teammates often during this session. The rules allow your team a brief conferral after each question, so use it. Talk each query over with your colleagues and figure out how you want to precisely attack it. Constant conferrals also keep things at a steady pace and prevent your teammates from losing their cool during the tough questions.

Special Section – Logical Fallacies

Fallacies are everywhere. Politicians, celebrities, and almost anyone else in a position to influence others often resort to faulty reasoning to try to advance their beliefs. In addition, many of us – whether we know it or not – have a tendency to sidestep coherent, logical, and legitimate argument, supplanting it instead with nothing more than rhetorically persuasive language.

Even though fallacious arguments can be quite convincing (sometimes more so than non-fallacious ones depending on your audience), they are still errors in reasoning and you should never use them in an Ethics Bowl setting to justify a claim. By knowing some of the more common fallacies listed below, you will gain the ability to strengthen your own ethics arguments; and, of equal importance, gain the ability to effectively criticize and rebut the fallacious arguments of your opponents.

For more information on fallacies, consult <http://www.fallacyfiles.org/slipslop.html>.

Argumentum Ad Hominem

Latin for “argument against the person,” ad hominem fallacies attempt to disparage a certain claim by attacking the source of the claim, rather than the claim itself. Fallacies of this nature are the most common of all mistakes in reasoning. Different types of ad hominem are listed below:

Personal Attack Ad Hominem – attributing a negative feature to the source of a claim in an effort to refute the claim itself. Though the negative feature may be true, in no way does it refute the claim’s merits.

Example: “Congressman Peters is a scoundrel with three ethics violations. The last thing we want to do is vote for his tax cut proposal” (*His tax cut proposal could be a good idea, regardless of the fact that the Congressman is a scoundrel*).

Inconsistency Ad Hominem – attempting to refute the source’s claim because the claim is inconsistent with something that the source has said or done. Just because the source is a hypocrite does not make the claim itself any weaker.

Example: “How dare these celebrities tell us not to drive big cars and waste fuel because it is bad for the environment when they fly around in big, fat, gas-guzzling, private jets?” (*Certainly a case of the pot calling the kettle black, but the claim that we should reduce fuel consumption should be examined on its merits*).

Circumstantial Ad Hominem – Attempting to refute the source’s claim because of the source’s particular circumstances. Though the source’s circumstances could call the source’s motives into question, in no way does such a situation refute the claim’s merits.

Example: “Congressman Peters thinks that we should use tax dollars to help build a highway in his district. It’s obvious that he’s just doing this to try to get reelected, so we should vote against the project.”

Example: “Of course Nathan thinks tax breaks for energy corporations are good for the American economy. After all, he is the CEO of EnerCorp.”

Begging the Question (Circular Reasoning)

Fallacy that occurs when one attempts to prove a conclusion by using the conclusion itself as its premise. If your argument attempts to prove X, then you cannot use X to help prove your argument, because such a tactic would presuppose that X has already been proven.

Example: “It would be immoral for the university clinic to sell the morning-after pill. Allowing the university to do something like that runs contrary to all things good, honest, and decent” (*In other words, advertising the morning-after pill is immoral because, well, its immoral*).

Example: “Women should not be bungee jumpers because bungee jumpers can and should be men.”

False Dilemma

A fallacy that occurs when one attempts to limit considerations to only two extreme alternatives when more alternatives exist..

Example: “You are either with us or against us in the fight against terror” – President George W. Bush (*Bush presents one of the most classic false dilemmas here, refusing to afford people a middle ground*).

Example: “We have to send Jimmy to the expensive baseball camp this summer, or else he will get fat” (*Not necessarily, maybe Jimmy could go to a less expensive camp instead, or not go away to camp and just exercise more during the summer, or go on a diet. Again, there are gray areas within the extremes*).

Example: “If you let EnerCorp open a power plant, you have no concern for the environment” (*This one’s a little trickier, but the two extremes are impossible to ignore: Either you prohibit the plant, or you hate the environment. What if you let EnerCorp open the plant, but only if they took some measures to harm the environment less? Clearly, this would show some concern for our ecosystem that our speaker asserts you do not have*).

Irrelevant Appeal to Authority

We often like to bolster certain claims by asserting that a credible source holds the same belief. What better way to prove the crime rate is decreasing than by citing statistics from the Department of Justice, or to attest to the strength of the American economy then by quoting the Chairman of the Federal Reserve? Unfortunately, some of us fallaciously attempt to strengthen a claim by appealing to a source that possesses irrelevant or no credentials to address the issue at hand. Tom Cruise might think that the crime rate is going down, but chances are he lacks the expertise to legitimately dissertate on the subject; and, even though Stephen Hawking is an exceedingly brilliant individual, he is not an expert on the American economy, and thus his opinions on the subject should not carry much weight.

Example: “My Uncle Bill has been a deer hunter for his entire life, and he says that companies have no legal right to prevent people from keeping guns in their car, even when the car is on company property” (*Unless Uncle Bill became a law professor in between hunting seasons, this is probably an irrelevant appeal to authority*).

Example: “Prominent Americans like John Roberts, Condoleezza Rice, Bill Gates, Oprah Winfrey, and Neil Armstrong all say that a low-carb diet can adversely affect cardiovascular health” (*Prominent? Yes. Successful in their respective fields? Yes. Experts on cardiovascular health? No.*)

Line-Drawing

Belief that, because you cannot specifically specify the exact point when A becomes B in a given situation (determine the line when force becomes excessive force or when speech becomes obscenity), that one must concede that we can never identify *some* point where B has occurred. Such reasoning stands flawed.

Think of it this way: imagine you are broke. A kind individual approaches you, offering to give you one dollar every minute for the rest of your life. It would be very difficult to pinpoint the exact time you would become “rich” (is it after 100,000 minutes? 100,001? 100,002?). Rest assured, though, after the kind man has put a billion dollars in your pocket, no one would rightfully call you poor anymore.

Example: “We should not abort human life. No one knows precisely when in the gestation period a fetus becomes human life, so policymakers should outlaw abortion throughout a woman’s entire pregnancy” (*Just because no one can determine the exact point when a fetus becomes a human does not mean that there isn’t a point when a fetus has yet to achieve a human state*).

Perfectionist Fallacy

Some might try to argue that a certain policy or idea should not be implemented simply because it will not meet its goal to perfection. Those who do this commit the perfectionist

fallacy. If such idea stands as the best option possible or available, one would want to implement it anyway.

Example: “The NFL should not use instant replay to help make calls. No matter how many cameras they have on the field, they are still going to get some calls wrong” (*yeah, but they’ll get a lot less wrong*).

Popularity, Argument from

Also known as the “everybody knows...” fallacy, arguments from popularity occur when one urges another to accept a claim because a substantial number of people (other than authorities or experts) agree with your claim. People often employ this fallacy in an effort to mask the fact they do not actually have an argument.

Example: “Most people believe in God. Therefore, God exists” (*The statement, in no way, proves the conclusion. If most people did not believe in God, using that as evidence of God’s nonexistence would stand as equally fallacious*).

Example: “I saw on the news that most Americans support the new tax bill. I had my reservations about the bill at first, but if that many people favor it then it must be good legislation.”

Post Hoc, Ergo Propter Hoc

The name of this fallacy (known as “Post Hoc” for short) is Latin for “after it, therefore because of it.” It refers to any argument where, just because something happened *after* event X, that it was necessarily the result of event X. You might wake up before the sun rises every morning, but it is foolish to assert that your awakening *causes* the sun to rise. To avoid committing this fallacy in general, you would need to provide some insight into how X causes the event in question.

Example: “I wear my lucky bracelet every day that I take an exam. I have received an A on every exam. I should probably wear my bracelet to my exam tomorrow or I won’t get an A” (*unless we are dealing with some sort of magic bracelet, the test taker’s superstitious reasoning stands quite fallacious*).

Example: “More people are going to college than ever before, and now felonies are at their highest point in history. Clearly, our university system is creating a generation of criminals.”

Slippery Slope

When debating an issue on its ethical merits, one can make a very convincing argument by examining the positive or negative consequences a particular action may create. However,

take special care not to say that action X will absolutely lead to result Y unless you have evidence of such. To do otherwise constitutes a slippery slope fallacy. You cannot make an argument that one occurrence will inevitably follow another without an argument for that inevitability.

Example: “If we say that it is ethical for our newspaper to fire the columnist, then the next thing you know no reporters will try to push the envelope at all anymore for fear of their jobs. It will be the end of freedom of the press as we know it.”

Example: “If you allow prayer in school, you’re going to open the floodgates. Next year, teachers will have to read a verse from the bible to start class each day. The year after that, all students will have to recite the ‘Our Father’ at lunchtime. The year after that, our schools will require church attendance every day” (*There is no argument provided here that leads us to believe that school prayer will lead to any of those consequences*).

Example: “If today you can take a thing like evolution and make it a crime to teach it in the public school, tomorrow you can make it a crime to teach it in the private schools, and the next year you can make it a crime to teach it to the hustings or in the church. At the next session you may ban books and the newspapers. Soon you may set Catholic against Protestant and Protestant against Protestant, and try to foist your own religion upon the minds of men. If you can do one you can do the other.” – Clarence Darrow at the Scopes Trial (*Logical fallacies can even be made on generally accepted positions, and can be made by even the most famous of arguers*).

Example: “What is next? Will our courts now strip ‘so help me God’ from the pledge taken by new presidents? This is the worst kind of political correctness run amok.” – U.S. Senator Kit Bond, reacting to a Federal Appeals Court ruling that the phrase “one nation under God” makes the Pledge of Allegiance unconstitutional.

Straw Man

Among the most commonly used fallacies, straw manning occurs when one misrepresents, oversimplifies, or distorts a claim and then attempts to refute the new, weaker, claim (akin to a fighter building a man made out of straw because such an opponent would be easier to defeat than an actual man).

Example: “[Animal rights groups] view me with some measure of hostility because I am constantly challenging their fundamental premise that animals are superior to human beings.” – Rush Limbaugh

Example:

A: We need to stop letting society’s children just run amok

B: Oh, *that* makes sense. Let's just lock them up in their houses all day. Let's treat them like common prisoners. (*B distorts A's claim, making it much easier to refute*).

Tradition, Appeal to

Also known as the appeal to common practice, one engages in the fallacious appeal to tradition when arguing that something is better or more correct simply because it is older, or that "things have always been done that way." The quality of being an older course of action in itself does not inherently make it better than a newer action.

Example: "The University Health Center has offered the morning-after pill for years. Why rock the boat? (*If it would be better for the center not to offer the pill, then why not rock the boat?*)"