

Nethanel Lipshitz

Johns Hopkins Berman Institute of Bioethics

nlipshi1@jhmi.edu

nethanellipshitz.com

EMPLOYMENT

Hecht-Levi Postdoctoral Fellow, Berman Institute of Bioethics, Johns Hopkins University, September 2021–present.

Postdoctoral Fellow, Bar-Ilan University, July 2019 – July 2021.

Teaching Fellow, Buchmann Faculty of Law, Tel-Aviv University, October 2020 – June 2021.

Postdoctoral Fellow, Edmond J. Safra Center for Ethics, Tel-Aviv University, October 2019 – September 2020.

Law and Philosophy Fellow, University of Chicago Law School, July 2018 - June 2019

EDUCATION

Ph.D. University of Chicago, Department of Philosophy, August 2018

B.A. Hebrew University, Psychology and *Amirim* Honors Program in the Humanities, *magna cum laude*, June 2006

AREAS OF SPECIALIZATION:

Political Philosophy, Normative Ethics, Bioethics

AREAS OF COMPETENCE:

Philosophy of Law, Philosophy of Education, Philosophy and Disability, Logic

DISSERTATION

Dissertation Title: “A Defense of Basic Equality”

Committee: Brian Leiter (co-chair), Martha C. Nussbaum (co-chair), Daniel Brudney.

ABSTRACT: According to the *basic equality* doctrine, all human beings are equal in a way that is important for ethics, politics and the law. I develop a novel defense of basic equality against the charge that it is inconsistent with the enormous variety found among humans. Unlike standard defenses of basic equality, I do not posit the existence of some attribute that all human beings possess to an equal degree, one that grounds their equal moral status. Instead, I argue that basic

equality is based on a more fundamental moral imperative to respect all human beings, which is consistent with human beings not having any personal attribute to an equal degree.

PUBLICATIONS

Nethanel Lipshitz, “Vulnerability and Cosmopolitanism,” *Law, Ethics, and Philosophy* (forthcoming)

Nethanel Lipshitz, “Inequality and the Puzzle of Exploitation.” *Tel Aviv University Law Review*, (forthcoming)

Nethanel Lipshitz, Ruth Faden and Jeffrey Kahn, “Pondering the Next Pandemic: Liberty, Justice, and Democracy in the COVID-19 Pandemic.” *Pandemic Ethics* (eds. Julian Savulescu and Dominic Wilkinson), Oxford: Oxford University Press, (forthcoming)

Nethanel Lipshitz and Efrat Ram-Tiktin, “The Value of Being a Child: An Intuitive Case for a Development View.” *The Journal of Value Inquiry* (2021).

Efrat Ram-Tiktin and Nethanel Lipshitz, “Why Adults have to be Children First.” *The Journal of Value Inquiry* (2021).

PAPERS UNDER REVIEW

“Binary Properties as the Basis of Equality” – argues against the view that binary or all-or-nothing individual characteristics cannot be used to defend basic equality.

“Moral Agency as a Basis of Equality” – argues that if one seeks a property that justifies basic equality, then moral agency, defined the capacity to perform actions for which one is morally responsible, is a promising candidate.

“Egalitarianism and the Gifted Child” – argues that egalitarianism in education is friendlier to gifted children than critics of egalitarianism claim.

“Exploitation, Relational Equality, and Friendship” – argues that considerations of relational equality help explain why certain economic transactions are exploitative.

“Equality and a Complete Ban on the Sale of Cigarettes” – argues against recent views that advocate for a complete ban on the sale of cigarettes for egalitarian reasons.

PRESENTATIONS

Refereed

“The Future of Frozen Embryos,” Association for Israel Studies, June 2022.

“The Moral Status of Frozen Embryos,” The Israeli Law and Society Association, June 2022.

“The Moral Status of Frozen Embryos,” Mid-Atlantic Bioethics Conference, University of Pennsylvania, April 2022.

“Economic Egalitarianism and Equal Access to Autonomy,” Israeli Philosophy Association, 24th conference, July 2021.

“Evil and Equality,” Hebrew University, Philosophy Department Colloquium, November 2020.

"The Moral Status of Individuals in Permanent Vegetative States," American Philosophical Association, the Central Division Meeting, February 2020.

“Unconditional Welcome and Moral Status,” Monash University, Conference: What Thinking about Disability Can Teach us about Different Parts of Philosophy, December 2018.

“Evil and Equality,” Bar-Ilan University, Philosophy Department Colloquium, December 2018.

“Sufficientarianism about Respect,” Center for Cognition and Neuroethics, Michigan, Ethics and Political, Social and Legal Annual Conference. November 2018.

“On the Moral Equality of Stalin and Martin Luther King?” APA Central Division Meeting, February 2018.

“On the Moral Equality of Stalin and Martin Luther King?” Illinois Philosophical Association Meeting, October 2017.

“Formal Equality and Skepticism about Basic Equality,” British Postgraduate Philosophy Association Conference (BPPA), University of Reading, September 2016.

“If Human Beings should be Treated Equally, it is not because Equal Cases should be Treated Equally,” Poster Presentation, Rocky Mountain Ethics Congress, August 2016.

“Moral Agency as a Foundation of Moral Equality,” The Centre for Moral and Political Philosophy at the Hebrew University of Jerusalem, June 2016.

Comments

on Mylan Engel’s “Demystifying Animal Rights,” Illinois Philosophical Association Conference, October 2017

on Jesse Summers’s “How Poverty Diminishes Moral Agency,” Rocky Mountain Ethics Congress, August 2016

on Dan Korman’s and Dustin Locke’s "Debunking Arguments Needn't Make Us Insecure," Illinois Philosophical Association Conference, November 2015

on Saul Smilansky's "Free Will, Time and Illusion," Skepticism about Freedom and Responsibility Conference at The University of Chicago, April 2014

on Amanda Greene's "Consent and Political Legitimacy," The University of Chicago Practical Philosophy Workshop, November 2014

Workshop presentations

"Statism and Human Equality," The Edmond J. Safra (Tel-Aviv University), End-of-Year Fellows conference.

"The Moral Status of Individuals in Permanent Vegetative States," University of Chicago Law School Faculty Work-in-Progress Workshop, June 2020.

"A Defense of Basic Equality," The University of Chicago Practical Philosophy Workshop, February 2016.

"Formal Equality and Fundamental Equality," The University of Chicago Practical Philosophy Workshop, February 2014.

AWARDS AND FELLOWSHIPS

Graduate Student Prize for Excellence in Teaching, University of Chicago, 2018

APA Graduate Student Travel Grant, Central APA Meeting, 2018

Pozen Family Center for Human Rights, Graduate Lectureship in Human Rights Prize for a course of my own design entitled "Cognitive Disabilities and Human Rights".

Mellon Foundation Dissertation-Completion Fellowship, University of Chicago, 2016-2017

Franke Institute for the Humanities, Affiliate Fellow, 2016-2017

Stuart Tave Teaching Fellowship for a course of my own design, entitled "Moral Status: Who Deserves Moral Consideration?" (competitive Division of the Humanities fellowship based on course design), University of Chicago, 2016-7. (Declined for a Mellon Foundation Dissertation Completion Fellowship).

PhD Summer Workshop on The Value of Equality, The Centre for Moral and Political Philosophy at the Hebrew University of Jerusalem, Summer 2016, Stipend

Department of Philosophy, University of Chicago Doctoral Fellowship, 2011-2016
Tuition and stipend

The Pepita Haezrachi Award, The Hebrew University, 2010

Awarded for an outstanding paper on “Wholeheartedness and Autonomy”

The *Amirim* Honors Program Fellowship, The Hebrew University, 2004-2006

Tuition and stipend

REVIEWS FOR JOURNALS

- Australasian Journal of Philosophy, July 2022
- Law, Ethics, and Philosophy, March 2022
- Mind, April 2020
- Canadian Journal of Philosophy, February 2021
- Tel Aviv University Law Review, May 2021

SERVICE IN ETHICS BOARDS

- Sinai Hospital, Baltimore, Since October 2021
- The Israeli Fertility Association (IFA), 2019-21
- The Sheba Hospital Nursing School, 2019-21

TEACHING EXPERIENCE

Johns Hopkins Berman Institute of Bioethics (Baltimore, MD)

As Primary Instructor

- Foundations of Bioethics (Fall 2022)

Buchmann Faculty of Law, Tel Aviv University (Tel Aviv, Israel)

As Primary Instructor

- Equality in Political Philosophy (2020-21, two semesters)

University of Chicago Law School (Chicago, IL)

As Primary Instructor

- Discrimination: Legal and Philosophical Perspectives (Spring 2019)

As Co-Instructor

- Law and Philosophy Workshop: Enlightenment Ethics and its Critics (Fall 2018)

University of Chicago, Philosophy Department (Chicago, IL)

As Primary Instructor

- Cognitive Disabilities and Human Rights (Spring 2018)
- Equality and its Value (Winter 2018)
- Philosophical Perspectives I: Ancient Philosophy (Fall 2017)

As Teaching Assistant — responsible for leading discussion sections and marking assignments

- The Nature of Practical Reason (Spring 2018)
- Philosophy of History: Narrative and Explanation (Winter 2016)
- Human Rights (Spring, 2015)
- Introduction to Political Philosophy (Winter, 2015)
- Elementary Logic (Autumn, 2015)
- Moral Theory (Winter, 2014)

As Writing Intern — responsible for leading writing seminars to first-year students

- Philosophical Perspectives–2 (Winter, 2016)

The Hebrew University (Jerusalem)

As Teaching Assistant — responsible for leading discussion sections and marking assignments

AMIRIM Honors program:

- Philosophy of Science (Spring, 2011 and Autumn, 2010)
- Logic and Analytic Philosophy (Autumn, 2011 and Autumn, 2010)
- Guided Reading in Philosophy (Autumn and Spring, 2011)
- Capitalism and Emotions (Autumn, 2010)
- Introduction to Christianity (Spring, 2009)
- Introduction to Talmud (Spring, 2009)

The Law School:

- Jurisprudence (Spring, 2011)

The Philosophy Department:

- Language-Between Man and World (Spring, 2011).

PEDAGOGICAL TRAINING

Department of Philosophy Pedagogy Program Certificate, included workshops on student learning, syllabus design, and leading a classroom discussion, as well as feedback from professors and peers on teaching sessions.

Midcourse Review, included videotaping a session I teach, reviewing the video with a professional teaching consultant, and identifying areas for improvement.

Workshop on Teaching in the College, two-day intensive training for serving as a lecturer in undergraduate classes, Center for Teaching & Learning, University of Chicago, Summer 2016.

Seminar and Workshop on Course Design, Center for Teaching & Learning, University of Chicago, Summer 2016.

Creative Assignments Workshop, Center for Teaching & Learning, University of Chicago, Fall 2015.

Pedagogies of Writing course, Writing Center, University of Chicago, Quarter-long course on teaching effective writing in humanities core classes, Summer 2013.

SERVICE

Assistant Director of Undergraduate Studies, University of Chicago, Philosophy Department, July 2017-June 2018

PRISM (“Planning Resources and Involvement for Students in Majors”) Coordinator for the Philosophy Department, University of Chicago, July 2017-June 2018

Research Assistant to Martha Nussbaum, 2013-December 2017

Research Assistant to Eric Posner, 2013

GRADUATE WORK (* audited)

Ethics

- * Medical Ethics: Central Topics, UChicago, 2017
- * Recognition in Ethics, Matthias Haase, UChicago, 2017
- * Human Dignity, Adam Etinson, UChicago, 2015
- * Utilitarian Ethics, Martha Nussbaum, UChicago, 2014
- * Autonomy: Kant’s Conception of the Essence of Morality, Anselm Mueller, UChicago, 2013
- The Problem of Evil, Michael Kremer, UChicago 2012
- * Between Metaethics and Political Philosophy, David Enoch, Hebrew U, 2010
- Smith’s *A Theory of Moral Sentiments*, Daniel Attas, Hebrew U, 2008

Political Philosophy

- * Aristotle’s *Politics*, Gabriel Lear, UChicago, 2014
- * Rawls, Martha Nussbaum, UChicago, 2014
- Kant’s *Doctrine of Right*, Ben Laurence and Anton Ford, UChicago, 2013
- Global Inequality, Martha Nussbaum, UChicago, 2013
- Global Justice: Distributive Justice/Humanitarian Concerns, Dan Brudney, UChicago, 2012
- * Libertarianism, Ben Laurence, UChicago, 2012
- Equality and (a Bit) of Fraternity, Dan Brudney, UChicago, 2012
- Justice After Rawls, David Heyd, Hebrew U, 2009

Law

- * Introduction to International Law, Eliav Lieblich, Tel Aviv University, 2020

- * Introduction to Criminal Law, Eitan Kidron, Tel Aviv University, 2020
- * Evidence, Tel Aviv University, Talia Fischer, 2019
- * Roman Law, Richard Epstein, 2019
- * Constitutional Law III: Equal Protection and Substantive Due Process, David Strauss, 2018
- Workshop: Law and Philosophy (on freedom and responsibility), Brian Leiter, UChicago, 2012

Philosophy of Action

- Anscombe on Action and Ethics, Anton Ford, UChicago, 2012
- Deliberation and Self-Knowledge, Jason Bridges and David Finkelstein, UChicago, 2011
- Autonomy, Moshe Halbertal, Hebrew U, 2010

Logic, Metaphysics and Epistemology

- * Introduction to Bayesian Epistemology, Anubav Vasudevan, UChicago, 2016
- * Logic for Philosophy, Malte Willer, UChicago, 2015
- * Algebraic Logic & Its Critics, Marko Malink, UChicago, 2014
- * Ontological Dependence, Marko Malink and Anat Schechtman, UChicago, 2013
- Aristotle on Substance and Essence: *Metaphysics Zeta*, Marko Malink, UChicago, 2012
- Kant: *Critique of Pure Reason*, James Conant, UChicago, 2013
- * Advanced Logic, Kevin Davey, UChicago, 2012
- Intermediate Logic, Michael Kremer, UChicago, 2012
- * Conditionals, Malte Willer, UChicago, 2012
- * Foundations of Probability: A Historical Approach, Anubav Vasudevan, UChicago, 2011
- * Philosophy of Mathematics, Kevin Davey, UChicago, 2011
- Philosophy of Science, Kevin Davey, UChicago, 2011

EMPLOYMENT PRIOR TO GRADUATE SCHOOL

NITE - National Institute for Tests and Evaluation (Jerusalem, Israel)

Test development and teaching, 2007-2011

- Wrote the verbal section of the Psychometric Exam (the Israeli equivalent of the SAT)
- Developed non-cognitive measurements for applicants to medical schools
- Delivered test-writing workshops in medical and nursing schools

COMMUNITY SERVICE

The Jerusalem Open House (a non-profit organisation working with the LGBTQ+ communities in Jerusalem.) 2004-2005, 2010

- Established and coordinated a social group for orthodox gay men (2004-2005)
- Served on board (2010)

LANGUAGES

Hebrew (Native Speaker), English (Native-Speaker Proficiency), German (Reading)

REFERENCES

Daniel Brudney

Professor of Philosophy
And Associate Faculty, MacLean Center for Clinical Medical Ethics
Department of Philosophy
University of Chicago
1115 E. 58th St., Chicago, IL 60637
dbrudney@uchicago.edu
For a letter of recommendation: send.Brudney.F02BD004F2@interfolio.com

Brian Leiter

Karl N. Llewellyn Professor of Jurisprudence
and Director, Center for Law, Philosophy, and Human Values
University of Chicago
1111 E. 60th St. Chicago, IL 60637
bleiter@uchicago.edu
For a letter of recommendation: send.Leiter.86AD6C2E38@interfolio.com

Martha C. Nussbaum

Ernst Freund Distinguished Service Professor of Law and Ethics
University of Chicago
1111 E. 60th St., Chicago, IL 60637
martha_nussbaum@law.uchicago.edu
For a letter of recommendation: send.Nussbaum.8DD15FBBD@interfolio.com

Larry Temkin

Distinguished Professor and Chair
Department of Philosophy
Rutgers, The State University of New Jersey
106 Somerset St. 5th Floor
College Avenue Campus
New Brunswick, NJ, 08901
ltemkin@rci.rutgers.edu
For a letter of recommendation: send.Temkin.95729D6DD3@interfolio.com

Hanoch Dagan

Stewart and Judy Colton Professor of Legal Theory and Innovation
The Buchmann Faculty of Law
Tel Aviv University
Trubowicz, Room 300
Tel Aviv, 6997801
daganh@tauex.tau.ac.il
For a letter of recommendation: send.Dagan.7C8090A034@interfolio.com

DISSERTATION ABSTRACT | A DEFENSE OF BASIC EQUALITY

Nethanel Lipshitz

What is the moral significance of being human? According to a popular humanistic doctrine known as *basic equality*, all human beings have a unique and equal moral status. In other words, the interests of human beings matter significantly from the moral point of view, and they matter equally. A growing number of philosophers (“the skeptics”) believe that basic equality is false, based on the idea that human beings are too different from one another to have equal moral status. The goal of this dissertation is to attack the central motivation for this skeptical argument and to develop a new account of basic equality that can answer it.

Basic equality is foundational to modern moral philosophy. For example, basic equality has been evoked to defend the test of universalizability in Kantian ethics, as well as the strong principle of impartiality in Utilitarian ethics. Basic equality also has important implications for political philosophy: it has been used to defend democracy and universal human rights and to explain what is wrong with wrongful discrimination. If basic equality is false, these notions will lose a fundamental unifying principle that underlies them all.

The skeptics argue that basic equality is not plausible, since it violates a widely held assumption, which I will refer to “Correlationism.” It states that the moral status of individuals is *correlated* with the extent to which they possess some significant non-normative property, such as rationality, autonomy or subjectivity. Correlationists believe that if basic equality is true, then it is because human beings possess such a property equally. In other words, “descriptive equality” of some kind is true of them. Some Correlationists, such as Elizabeth Anderson, John Rawls, George Sher and Jeremy Waldron, believe this not to be a problem for basic equality, since descriptive equality is indeed true. However, a number of philosophers have observed that it is quite difficult to identify any sense in which descriptive equality can be true. For this reason, some Correlationists, such as Richard Arneson and Jeff McMahan, worry that basic equality might be false, while others (such as Louis Pojman, Jan Narveson and Uwe Steinhoff) argue that it is more likely than not to be false.

I begin my defense of basic equality by challenging Correlationism. Correlationism’s central motivation is that basic equality, if true, follows from a more general normative principle known as *formal equality*, according to which equal cases should be treated equally and unequal cases unequally. The idea that only if human beings are “equal cases” — that is, only if there is some descriptive sense in which they are equal — is it true that they deserve to be treated as equals. In response, I argue that basic equality, if true, does not follow from formal equality. According to formal equality, I argue, it is just as wrong to treat equal cases unequally as it is to treat unequal cases equally. Basic equality, however, implies that unequal treatment of humans is worse than equal treatment of humans and nonhumans. This feature of basic equality could not be explained by those who take basic equality to be derived from formal equality. If that is the case, I argue, Correlationism loses its central motivation, as does the skeptical argument against basic equality.

I then turn to developing a positive account of basic equality, one that does not rely on descriptive equality. I argue that basic equality is not grounded in formal equality but in a different ethical principle, namely the obligation to respect certain individuals, and that we can have such an obligation even if descriptive equality is false in the case of those individuals. I call this account the “Respect View”.

A central thesis of the Respect View is that a certain kind of respect— one that is similar to what Stephen Darwall calls “recognition respect” — is comparative and egalitarian: if two individuals deserve this kind of respect, then interests of one should not be treated as less important than those of the other. Thus, the burden of justifying basic equality shifts from trying to identify a property that all human beings have equally to identifying reasons to treat all human beings with this kind of recognition respect. I propose one way of showing that all human beings indeed deserve such respect despite being descriptively unequal, and from this I conclude that all human beings deserve that their interests be given equal consideration, in other words, that they have equal moral status. I end by discussing the implications of the Respect View for animals.