### 1

#### PIC: In a democracy, a free press should prioritize objectivity over advocacy except with black journalists, in which case they should prioritize their advocacies.

#### Objectivity is a tool to silence black voices and issues in media

Schneider 20 [Gabe Schneider, political journalist with a degree in Political Science and Urban Planning from University of California San Diego, 12-21-2020, "Journalism outlets need new social media policies," University of Missouri Reynolds Journalism Institute, https://rjionline.org/reporting/journalism-outlets-need-new-social-media-policies/]/Kankee

What should they look like? Pittsburgh Post-Gazette journalist Alexis Johnson was barred from protest coverage after joking about a Kenny Chesney concert on Twitter. She tweeted: “Horrifying scenes and aftermath from selfish LOOTERS who don’t care about this city!!!!! …. oh wait sorry. No, these are pictures from a Kenny Chesney concert tailgate. Whoops.” Johnson, a Black journalist, was punished for making a joke about the media framing of “riots” and “looting.” While one of her white colleagues called one alleged looter a “scumbag,” it was Johnson who was punished. “I was told it violated our social media policy. They kept calling it an educational conversation, but there was no warning, no ‘Hey can you take the tweet down?’ By Monday morning, they had decided I would no longer be able to cover it,” Johnson told CBS2. The harsh reactionary punishment applied to Johnson is ridiculous, but not unique. Other Black journalists have faced similar repercussions: Wesley Lowery was punished by the Washington Post for correctly framing the Tea Party as a racist reactionary movement. So was Kendra Pierre-Louis, who was punished by the New York Times for saying white supremacy is racist. The trend line is that reporters, often Black, are punished for their perspective, even if it’s rooted in reporting and facts. Punishment can mean being barred from covering a topic that is close to the reporter’s identity, like Johnson was, or an implied threat of being fired. The dynamic is so crystalized that, instead of individually challenging The New York Times for their op-ed calling on the president to use force against civilians, Black New York Times employees and their allies responded as a collective on Twitter, all tweeting: “This puts Black New York Times staff in danger.” But even in the wake of massive protests, even as management at many legacy newspapers committed to better social media policies, and even as journalism has shifted to a mostly online workforce, there’s been a lack of movement in newsrooms to craft a social media policy that allows journalists of color to just do their jobs. “Since the events of January 2020 and the summer, there’s been zero further conversation,” said B, a social media producer at a large legacy newspaper. “It’s just a standstill right now.” Journalists and social media managers I spoke with, like B, did not want their names published out of concern for how their managers might react to them being candid or because press requests required approval from newsroom leadership. But all of them, all younger reporters of color, had extensive thoughts on how newsrooms are failing to craft good social media policies and move the conversation beyond humanizing reporters of color. While social media has become a driving force for digital readership, and therefore ad revenue or donors, many legacy newsrooms have barely pushed the envelope in changing their social media policies. The New York Times adopted a new policy in 2017, which makes the blanket statement: “Our journalists should be especially mindful of appearing to take sides on issues that The Times is seeking to cover objectively.” The Washington Post also updated its policy in 2017, with many of the same themes. R, who recently interned for a different large legacy newspaper, said that they received clear instructions from management when they started: “They asked us not to tweet about Black Lives Matter, but didn’t address the complexity of that issue.” R said it is problematic to frame supporting a human rights issue, like Black Lives Matter, similarly to taking an open political stance. R doesn’t believe any reporter should be explicitly partisan (“don’t tweet about ‘blue’ or ‘red’”), but they do believe it makes you a better reporter if you’re able to be empathetic to readers who are affected by human rights issues, like police violence. “At the end of the day, it makes me a better reporter,” R, who is non-Black, said of saying “Black Lives Matter.” “I’m being empathetic to a movement that’s affecting my Black brothers and sisters. So therefore it would help me connect to readers who identify with that. And two: [It] just makes me more of a human, because I don’t think that people of another race should be shot and killed by police for no reason. I think that makes me a better reporter.” Z, an audience engagement editor at a newer digital publication, said the false equivalencies and double standards in current social media policy are exacerbated by the fact that racist readers are more willing to flag tweets for newsroom management. “It’s always been easier for white reporters to get away with saying things like that is because they’re white,” she said. “People automatically assume they don’t have any ties to a community and they don’t have any reason to say that thing other than it’s a fact.” Z said that the current conversation is way behind the times, in that newsrooms are still trying to figure out how to humanize their own Black and brown reporters. Instead, she’s looking to the future and thinking about the ways in which newsrooms should be expanding their audience. “I don’t see why more newsrooms aren’t sending out tweets in native languages,” she said. “I think that there is a huge population of people on the internet that are not being properly served; readers and persons of the community that don’t have access or can’t understand tweets that are coming from newsrooms because they’re not accessible.” Ultimately, B said that the divide in newsrooms is clear: on one side, there’s management, which is often whiter and older; on the other is the younger journalists, who are often more diverse. She said that management believes that you can separate your humanity from your work and younger journalists do not (although some editors, like The New York Times Dean Baquet, do not believe “there is a big gap”). “It’s like two schools of thought. And they’re both clashing in really ugly, really ugly ways. And one of the schools of thought is almost in every leadership position in the newsroom.” Newsrooms, especially older institutions, need to move on from the conversation of whether or not these social media policies are racist: if journalists of color are saying that the current structure of social media policies are applied unevenly and are racist, then they are racist. If journalists and social media managers from around the newsroom, especially those who are most impacted by these policies are given space to craft these policies, then perhaps we’ll soon see the necessary changes. If B were in charge of social media, she said her changes across the board are easy to articulate: No more penalizing reporters for the experiences they bring to the table. Instead: “Be honest, be truthful, be transparent when you get things wrong and just don’t be a bad person online. It’s very simple. It’s very short.”

#### Systemic incentives to favor the accounts of police over victims means pro-police narratives will always be deemed objective

Mattar 20 [Pacinthe Mattar, Martin Wise Goodman Canadian Nieman Fellow at Harvard University 8-21-2020, "Objectivity Is a Privilege Afforded to White Journalists," Walrus, https://thewalrus.ca/objectivity-is-a-privilege-afforded-to-white-journalists/]/Kankee

I came out of my executive producer’s office with a look on my face that caught the attention of an older white male colleague, who asked me if I was okay. I told him what had happened. He spoke to the executive producer on my behalf. She relented. I’ve since faced several such roadblocks in my journalism career. Combined with the experiences of other racialized journalists, they represent a phenomenon I’ve come to think of as a deep crisis of credibility in Canadian media. There is the lack of trust toward the Black, Indigenous, and other racialized people whose stories we are supposed to cover as a reflection of the world we live in. Then there is the mistrust of the Black, Indigenous, and other racialized journalists who try to report on those stories. Our professionalism is questioned when we report on the communities we’re from, and the spectre of advocacy follows us in a way that it does not follow many of our white colleagues. There is a reckoning underway that has spared almost no industry, sparked by an alarming succession of killings of Black people in the US: Ahmaud Arbery, Breonna Taylor, George Floyd, and many more. The violence of those deaths, and the inescapable racism that underpinned them all, incited a tidal wave of anger and fatigue from Black people who had long been calling out the discrimination that they face in their daily lives. From academia to theatre, the beauty industry to major tech corporations, Black and other racialized employees are publicly coming forward and detailing how their organizations have perpetuated racism against them. Newsrooms in the US and Canada, for their part, have been forced to acknowledge that they have to do better: in who they hire, who they retain, who gets promoted, what they cover, and how they cover it. This moment has resurrected a question that’s haunted me since I returned from Baltimore: How can the media be trusted to report on what Black and other racialized people are facing when it doesn’t even believe them? IN MANY AMERICAN CITIES, the protests calling for justice following the killings of Black people like Ahmaud Arbery, George Floyd, and Breonna Taylor have been met with violent responses from police, who have tear-gassed, chased, shoved, beaten, and arrested protesters and journalists. In May, Omar Jimenez, a Black CNN reporter, was handcuffed and led away by police while the cameras rolled. Watching the recent police violence against protesters unfold reminded me of how my interview with the two men in Baltimore had ended. It was 10 p.m., meaning the city-wide curfew was now in effect, and we were standing just outside a subway station in the Penn North neighbourhood. Lonnie Moore, the young Black man who had first approached me, had just left. I was putting my recorder away when police came rushing into the block. They told Jarrod Jones and me we had to leave. We tried to enter a nearby subway station, but a police officer blocked the entrance. We tried to turn down a side street, but another officer told us we couldn’t go that way either. We tried every escape we could think of, but we were boxed in. Suddenly, one officer began charging at us, his baton out, swinging, shoving Jones and cursing at him. We ran away from him as fast as we could, my bag with my recording equipment bouncing clumsily behind me. None of this made it to air. I had made the rookie mistake of turning off my radio recorder as soon as the interview ended. But I probably would not have worked it into the documentary anyway; as a journalist, you want to avoid becoming part of the story. One of the core elements of journalism is for reporters to maintain a distance from those they cover, which is meant to provide a sense of objectivity. For many white journalists, that distance is built in to their very life experiences. But, for many other journalists, there is no distance between what happened to George Floyd and what could have happened to them. Distance is a luxury. When I got back to Toronto, I told my deskmates about my time in Baltimore in hushed tones. I felt at the time that to speak of it more openly would somehow implicate me, that my story could be seen through the lens of advocacy instead of hard-and-fast reporting. I also knew you never want to end up on the wrong side of police, especially as a racialized person, and leave it up to others to decide how your actions may have justified violence against you. In journalism, as in predominantly white societies at large, questioning police narratives is complicated. “The police play a very powerful role in defining what the nature and extent of crime is in our society,” says Julius Haag, a criminologist and sociology professor at the University of Toronto’s Mississauga campus. “Police also recognize that they have a powerful role in shaping public perceptions, and they use that ability within the media to help . . . legitimize their purpose and their responses.” A. Dwight Pettit, a Baltimore-based lawyer I interviewed for my documentary in 2015, told me something about why police accounts are rarely questioned by the media that stayed with me. Juries seem to have trouble confronting the violence in police-brutality cases, he said, because so often, people have grown up seeing police doing right by them and have trusted police with their safety. This is especially true for white people, who are less likely to be treated unfairly by police. Putting police on trial would be asking people to challenge their lifelong beliefs. Anthony N. Morgan, a racial-justice lawyer in Toronto, says this same dynamic plays out in Canada in both “obvious and indirect ways.” Racialized people can tell you about water cooler conversations they’ve had with white colleagues about racism they’ve experienced and witnessed, which “often end up in the ‘Did that really happen? What were they doing? Maybe we need to see more of the video?’ territory,” he says. “These kinds of frankly absurd ways of justifying and excusing murder or harm done to Black and Indigenous people play out in society more generally, and I think they play out in journalism too.” ON MAY 27, a twenty-nine-year-old Black Indigenous woman named Regis Korchinski-Paquet fell from a twenty-fourth floor balcony in Toronto while police were in her apartment, responding to the family’s call for help with her mental health crisis. Police were the only ones there during the fall, and questions about the moments before her death remain unanswered. The tragedy has also boosted calls from racialized journalists to challenge the media’s overreliance on police narratives. It wasn’t until the next day that media reports included any of her family members’ voices or began questioning the role of police in Korchinski-Paquet’s death. Not because the family didn’t want to talk to the media: the family’s social media posts are what had raised initial awareness about Korchinski-Paquet’s death. One journalist described arriving at the scene to talk to family members and seeing other reporters there. (This gap in the reporting may have stemmed from some family members’ initial social media posts, which effectively accused the police of killing Korchinski-Paquet and would have been impossible to independently verify at the time. The family’s lawyer later clarified their initial statements, saying they believed police actions may have played a role in Korchinski-Paquet’s death.) Instead, the very first news stories about Korchinski-Paquet’s death were based solely on a statement from the Special Investigations Unit (SIU), the civilian-oversight agency in Ontario that is automatically called to investigate circumstances involving police that have resulted in death, serious injury, or allegations of sexual assault. Some journalists asked their newsrooms and organizations to explain why early coverage excluded the family’s narrative. I know one journalist whose editor questioned her for reporting what the family had told her in the early hours. Korchinski-Paquet’s death is just the latest reminder of why some journalists have long been arguing that police versions of events—whether their own actions or the actions of those they police—should be subject to the same levels of scrutiny other powerful bodies garner, and that their accounts cannot be relied on as the only source. “The police are not, in and of themselves, objective observers of things,” said Wesley Lowery—who was part of a Washington Post team that won a Pulitzer Prize for its coverage of fatal shootings by police officers—in a Longform Podcast interview in June. “They are political and government entities who are the literal characters in the story.” Nor do police watchdogs offer a sufficient counternarrative. The SIU has long been plagued with concerns about its power and credibility. Former Ontario ombudsman André Marin released a 2008 report stating that Ontario’s system of police oversight has failed to live up to its promise due to a “complacent” culture and a lack of rigour in ensuring police follow the rules. More recently, the limited powers of the SIU have been made clear in the aftermath of the fatal shooting of D’Andre Campbell, a twenty-six-year-old Black man with schizophrenia, who was shot by a Peel police officer in April after he called the police for help. So far, that officer has refused to be interviewed by the SIU and has not submitted any notes to the police watchdog—nor can the officer be legally compelled to do so. In 2018, I would see these obstacles play out in my own reporting. I had helped produce a series of live town halls on racism across the country. The Vancouver edition focused on racism in health care, with one conversation centring the experiences of two Indigenous nurses. Diane Lingren, provincial chair for the Indigenous leadership caucus of the BC Nurses’ Union, recounted how she often saw non-Indigenous people who appeared to be intoxicated be “told to settle down, and then they get a cab ride” to an overnight shelter. With Indigenous people, she said, “I see the RCMP called. . . . I see them handcuff their ankles to their wrists so they can’t walk. . . . I see those people get taken away in the police cars.” The RCMP denied that account; their response included a statement about their practice of a “bias free policing policy.” In response to that statement, the executive producer on the series wanted to cut the Indigenous nurses’ anecdotes from the show entirely. (The producer could not be reached for confirmation.) My co-producers and I fought to retain them, to present them along with the RCMP’s statement. This shouldn’t have been a battle: our very role as journalists is to present all the facts, fairly, with context. But, in many newsrooms, police narratives carry enough weight to effectively negate, silence, and disappear the experiences of racialized people. That it’s racialized journalists who have had to challenge police narratives and counter this tradition is an immense burden—and it’s risky. “The views and inclinations of whiteness are accepted as the objective neutral,” Wesley Lowery wrote in a June op-ed in the New York Times. “When Black and Brown reporters and editors challenge those conventions, it’s not uncommon for them to be pushed out, reprimanded, or robbed of new opportunities.” That last point rings entirely too true for me. IN JULY 2017, I was guest producing on a weekly show for a brief summer stint. One story I produced was an interview with Ahmed Shihab-Eldin, an Emmy-nominated journalist who was in Jerusalem covering protests that had sprung up at the al-Aqsa mosque. Worshippers were praying outside the mosque, instead of inside, in an act of civil disobedience against the installation of metal detectors following the killing of two Israeli police officers by Israeli Arab attackers. In the interview, he explained the source of the tension, what the front lines of the protests looked like, and also touched on press freedom—Shihab-Eldin himself had been stopped, questioned, and jostled by Israeli security forces while he was reporting. From the moment I pitched having him on the show, the acting senior producer showed keen interest in the story. This enthusiasm made what happened next all the more confounding. We recorded the interview on a Friday. Shortly afterward, that same senior producer told me the segment was being pulled from the show and that she would not have the time to explain why. She had consulted a director, and together they had ultimately decided to kill it. The story never went to air. I spent a week trying to get an explanation. It wasn’t lost on me that the interview would have included criticism of Israeli security forces and that I was coming upon the intersection of two issues here: the media’s aversion to criticism of law enforcement coupled with its deeply ingrained reluctance to wade into the conversation about Israel and Palestine, especially if this means critiquing the Israeli government’s policies or actions. Bias or one-sidedness shouldn’t have been a concern: I had planned on incorporating the Israel Defense Force press office’s response into the story. The story couldn’t, and wouldn’t, have run without it. In the end, the director, who had been the one to make the final call to not run the interview, wrote an apologetic email to Shihab-Eldin and me, which read, in part: “Our hope was that further work on our end would allow us to give our audiences more context so that they would not leave your interview with unanswered questions. . . . We ran into unexpected difficulties in doing so.” I had heard nothing about the story needing more context, or about questions that the director and senior producer felt were unanswered, before the decision was made. Nor did I have a clear understanding of what these “unexpected difficulties” were. (The senior producer and director say they felt the interview was too opinionated.) For his part, Shihab-Eldin responded to the senior director with: “Unfortunately I’m all too familiar with ‘unexpected difficulties’.” It was the first and only time in my ten years of journalism that a story was pulled—let alone without an open editorial discussion or transparency. And I did not realize just how much this experience would mark me and my future in this profession. TO BE A JOURNALIST in any media organization or newsroom is to navigate the crush of the daily news cycle; the relentlessness of deadlines; and the pressure, care, and complexity it takes to craft a story well. To be a racialized journalist is to navigate that role while also walking a tightrope: being a professional journalist and also bringing forward the stories that are perhaps not on the radar of the average newsroom but are close to home for many of us. And it takes a toll. The stories I’ve recounted are the ones that stood out the most over my ten years in journalism. There are countless other, smaller fights that took place. When asked to comment for this article, Chuck Thompson, head of public affairs at the CBC, wrote in an email: “We are actively reviewing our journalistic standards to ensure we are interpreting policies and practices through a more inclusive lens. . . . It is just one of several recommitments we have made including hiring more Black, Indigenous and people of colour within our teams but also into leadership positions. We can point to a half dozen recent hires and promotions that show that pledge to do better, is both authentic and genuine.” His email also referenced existing initiatives, such as the CBC’s Developing Emerging Leaders Program, “which identifies and trains people of colour, as well as Black and Indigenous people, who are indeed taking their rightful place at our leadership tables.” (I am a graduate of the inaugural cohort of that program.) Diversity is a feel-good term that is often held up as a goal and priority by industries from media to law to academia and beyond. It’s supposed to be the antidote to the experiences I’ve described and a signal that employers value and seek a range of perspectives, backgrounds, world views, and experiences that run the spectrum of age, gender, socioeconomic status, sexual orientation, race, and ability. If that feels like a massive umbrella of goals and classifications, that’s because it is. Just take a look at any Canadian newsroom, even in Toronto, a city that is over 50 percent nonwhite. As a starting point, our newsrooms do not reflect the world outside of them—which does not bode well for accurately representing the breadth of stories playing out every day. As a result, from the second so many racialized journalists walk into news organizations, we are still often the Only Ones in the Room. And, where there are racialized journalists at all, there are even fewer Black and Indigenous journalists. As you go higher up the ladder of these organizations, it’s not long before Black, Indigenous, and racialized journalists aren’t in the room at all. Meanwhile, news organizations regularly see our mere presence in their newsrooms as successful examples of so-called diversity even if our roles are overwhelmingly junior and precarious. This setup often ends up placing the responsibility on the Only Ones in the Room to guarantee a spectrum of experiences and stories in news coverage and to point out where coverage misses the mark, including when there is a story involving the actions of police. The responsibility is heavy. It’s a dynamic that Asmaa Malik, a professor at Ryerson University’s school of journalism, sees playing out regularly. Her research focuses on race and Canadian media as well as on the role of diversity in news innovation. “There’s an idea in many Canadian newsrooms that, if you have one person who checks the box, then you’re covered,” she says. “So the burden that puts on individual journalists is huge.” Everyone who’s been the Only One in the Room knows what it’s like. The silence that falls when a story about racism is pitched. The awkward seat shifting. The averted stares. We’ve felt it, and internalized it, and expected it. We know that there is often an unspoken higher burden of proof for these stories than for others, a problem that has long been exacerbated by the fact that race-based data is rarely collected in policing, health care, and other fields. Yet it is on us to fill this void and “prove” the existence of racism. As a result, we overprepare those pitches. We anticipate your questions. We get used to having the lives of our friends and families and the people who look like them discounted, played devil’s advocate to, intellectualized from a sanitized distance. A long-time producer at a major news organization, a Black woman whose name I agreed not to use because of fear for her job security, bristled at the suggestion that to cover stories that hit close to home, including anti-Black racism, police brutality, and the Black Lives Matter movement, is to somehow engage in advocacy. “There seems to be the assumption that we cannot coexist with the journalistic standards of being fair and balanced and impartial. Really, what we are fighting for, what we’ve always been fighting for, is just the truth.” In the meantime, when race and racism feature heavily in headlines, we are relied on to become sensitivity readers for our organizations, suddenly asked if things can be run past us or whether the show is hitting the right marks or whether we can connect other journalists to racialized communities and sources that are harder to reach. “This is in addition to the regular reporting that we do day-to-day. There’s just a level of work that goes unseen and unacknowledged,” the producer told me. “And the future of our institutions depends on us doing the work.” Under the banner of diversity, we are told to bring ourselves and our perspectives. But, if we bring too much of them, we are marked and kept back.

#### No link turns - only advocacy-based journalism can solve systemic racism

Liederman 21 [Mack Liederman, reporter with a master’s degree in journalism from Northwestern, 02-01-2021, "Let’s rethink objectivity," Redacted Magazine, https://redactedmagazine.com/2021/02/01/lets-rethink-objectivity/]/Kankee

In an op-ed that gained traction this summer in The New York Times, “A Reckoning Over Objectivity, Led by Black Journalists,” two-time Pulitzer Prize winning journalist Wesley Lowery attempts to use the momentum of Black Lives Matter to debunk the myth of objectivity. For Lowery, the stakes of objectivity are heavy. In fact, the Golden Rule may be better labeled as Thinly Veiled Racism. Lowery writes in summary, “The views and inclinations of whiteness are accepted as the objective neutral.” Look no further than the names spilling down any masthead (even this one), or to the TV newsrooms of The Wire, Spotlight, The Post and even Anchorman, and an essential reality becomes unavoidable: Journalism has been owned, operated, curated and defined by white people. The dogma of “quality journalism” has rested on the idea that the truth can stem only from objectivity, one that is defined by white reporters, their white editors, and their white bosses. The ones editing pages in red ink, assigning articles, hiring writers and framing the larger media narratives are the ones that ultimately get to decide what is and what is not objective journalism. While objectivity may be a powerful method of reporting, spurring journalists to strive toward factual accuracy, it is not an achievable goal. There is nothing objective about the subliminal and not-so-subliminal biases that seep into any given piece of journalism. How we interpret objectivity is inherently opinionated. And what’s objective about an opinion? Even your wiry professor, your wholesome English teacher and your loud gum-chewing colleague would know the clear answer to that one. Yet it is the sacred myth of objectivity that has long left it unquestioned, untouched and under-scrutinized in predominantly white spaces. The promises of objective reporting allow for white journalists to cover Black communities from a safe distance, supplying a baseline of journalistic credibility where none should be assumed. The consequence of white-framed objectivity has been an underserving of coverage on Black issues and a general silencing of reporters that dare to challenge the conventions of their profession. Objectivity is not an ideal — it’s a racial issue. Lowery chooses to look forward. While America can never truly uproot itself from the enduring appeal, familiarity and continuously consequential history of white supremacy, journalism stands in a strong position to challenge the status quo. The democratization of information through the internet has allowed for more Black voices to be heard and more Black stories to be told. The changing demographics and increasingly diverse readerships of major publications have leveraged its most powerful galvanizing agent — C.R.E.A.M. (Cash Rules Everything Around Me) — toward hiring and promoting the work of non-white staff. These favorable trends are not nearly enough. Our collective reckoning on race calls for a reckoning on our media — the total dismantlement of objectivity. Redacted Magazine hopes to play its (albeit small) part in a new direction forward. As pre-professional writers and editors, we believe that we have the runway and the independence (from potential future employers) to build a platform that begins with a socially equitable ethos. And when we fall short, we ask to be called out. This is how we become not objective journalists — but fair journalists. Let’s ditch the Golden Rule and forget objectivity. That’s the only way we can begin to tell the truth.

### 2

#### The standard is maximizing expected well-being, or hedonistic act utilitarianism.

#### 1] Actor spec—governments must use util because they don’t have intentions and are constantly dealing with tradeoffs—outweighs since different agents have different obligations—takes out calc indicts since they are empirically denied.

#### 2] Death is bad and outweighs – a] agents can’t act if they fear for their bodily security which constrains every ethical theory, b] it destroys the subject itself – kills any ability to achieve value in ethics since life is a prerequisite which means it’s a side constraint since we can’t reach the end goal of ethics without life

#### 3] Neuroscience- pleasure and pain *are* intrinsic value and disvalue – everything else regresses.

Blum et al. 18 [Kenneth Blum, 1Department of Psychiatry, Boonshoft School of Medicine, Dayton VA Medical Center, Wright State University, Dayton, OH, USA 2Department of Psychiatry, McKnight Brain Institute, University of Florida College of Medicine, Gainesville, FL, USA 3Department of Psychiatry and Behavioral Sciences, Keck Medicine University of Southern California, Los Angeles, CA, USA 4Division of Applied Clinical Research & Education, Dominion Diagnostics, LLC, North Kingstown, RI, USA 5Department of Precision Medicine, Geneus Health LLC, San Antonio, TX, USA 6Department of Addiction Research & Therapy, Nupathways Inc., Innsbrook, MO, USA 7Department of Clinical Neurology, Path Foundation, New York, NY, USA 8Division of Neuroscience-Based Addiction Therapy, The Shores Treatment & Recovery Center, Port Saint Lucie, FL, USA 9Institute of Psychology, Eötvös Loránd University, Budapest, Hungary 10Division of Addiction Research, Dominion Diagnostics, LLC. North Kingston, RI, USA 11Victory Nutrition International, Lederach, PA., USA 12National Human Genome Center at Howard University, Washington, DC., USA, Marjorie Gondré-Lewis, 12National Human Genome Center at Howard University, Washington, DC., USA 13Departments of Anatomy and Psychiatry, Howard University College of Medicine, Washington, DC US, Bruce Steinberg, 4Division of Applied Clinical Research & Education, Dominion Diagnostics, LLC, North Kingstown, RI, USA, Igor Elman, 15Department Psychiatry, Cooper University School of Medicine, Camden, NJ, USA, David Baron, 3Department of Psychiatry and Behavioral Sciences, Keck Medicine University of Southern California, Los Angeles, CA, USA, Edward J Modestino, 14Department of Psychology, Curry College, Milton, MA, USA, Rajendra D Badgaiyan, 15Department Psychiatry, Cooper University School of Medicine, Camden, NJ, USA, Mark S Gold 16Department of Psychiatry, Washington University, St. Louis, MO, USA, “Our evolved unique pleasure circuit makes humans different from apes: Reconsideration of data derived from animal studies”, U.S. Department of Veterans Affairs, 28 February 2018, accessed: 19 August 2020, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6446569/>] R.S.

**Pleasure** is not only one of the three primary reward functions but it also **defines reward.** As homeostasis explains the functions of only a limited number of rewards, the principal reason why particular stimuli, objects, events, situations, and activities are rewarding may be due to pleasure. This applies first of all to sex and to the primary homeostatic rewards of food and liquid and extends to money, taste, beauty, social encounters and nonmaterial, internally set, and intrinsic rewards. Pleasure, as the primary effect of rewards, drives the prime reward functions of learning, approach behavior, and decision making and provides the **basis for hedonic theories** of reward function. We are attracted by most rewards and exert intense efforts to obtain them, just because they are enjoyable [10].

Pleasure is a passive reaction that derives from the experience or prediction of reward and may lead to a long-lasting state of happiness. The word happiness is difficult to define. In fact, just obtaining physical pleasure may not be enough. One key to happiness involves a network of good friends. However, it is not obvious how the higher forms of satisfaction and pleasure are related to an ice cream cone, or to your team winning a sporting event. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure [14].

Pleasure as a hallmark of reward is sufficient for defining a reward, but it may not be necessary. A reward may generate positive learning and approach behavior simply because it contains substances that are essential for body function. When we are hungry, we may eat bad and unpleasant meals. A monkey who receives hundreds of small drops of water every morning in the laboratory is unlikely to feel a rush of pleasure every time it gets the 0.1 ml. Nevertheless, with these precautions in mind, we may define any stimulus, object, event, activity, or situation that has the potential to produce pleasure as a reward. In the context of reward deficiency or for disorders of addiction, homeostasis pursues pharmacological treatments: drugs to treat drug addiction, obesity, and other compulsive behaviors. The theory of allostasis suggests broader approaches - such as re-expanding the range of possible pleasures and providing opportunities to expend effort in their pursuit. [15]. It is noteworthy, the first animal studies eliciting approach behavior by electrical brain stimulation interpreted their findings as a discovery of the brain’s pleasure centers [16] which were later partly associated with midbrain dopamine neurons [17–19] despite the notorious difficulties of identifying emotions in animals.

Evolutionary theories of pleasure: The love connection BO:D

Charles Darwin and other biological scientists that have examined the biological evolution and its basic principles found various mechanisms that steer behavior and biological development. Besides their theory on natural selection, it was particularly the sexual selection process that gained significance in the latter context over the last century, especially when it comes to the question of what makes us “what we are,” i.e., human. However, the capacity to sexually select and evolve is not at all a human accomplishment alone or a sign of our uniqueness; yet, we humans, as it seems, are ingenious in fooling ourselves and others–when we are in love or desperately search for it.

It is well established that modern biological theory conjectures that **organisms are** the **result of evolutionary competition.** In fact, Richard Dawkins stresses gene survival and propagation as the basic mechanism of life [20]. Only genes that lead to the fittest phenotype will make it. It is noteworthy that the phenotype is selected based on behavior that maximizes gene propagation. To do so, the phenotype must survive and generate offspring, and be better at it than its competitors. Thus, the ultimate, distal function of rewards is to increase evolutionary fitness by ensuring the survival of the organism and reproduction. It is agreed that learning, approach, economic decisions, and positive emotions are the proximal functions through which phenotypes obtain other necessary nutrients for survival, mating, and care for offspring.

Behavioral reward functions have evolved to help individuals to survive and propagate their genes. Apparently, people need to live well and long enough to reproduce. Most would agree that homo-sapiens do so by ingesting the substances that make their bodies function properly. For this reason, foods and drinks are rewards. Additional rewards, including those used for economic exchanges, ensure sufficient palatable food and drink supply. Mating and gene propagation is supported by powerful sexual attraction. Additional properties, like body form, augment the chance to mate and nourish and defend offspring and are therefore also rewards. Care for offspring until they can reproduce themselves helps gene propagation and is rewarding; otherwise, many believe mating is useless. According to David E Comings, as any small edge will ultimately result in evolutionary advantage [21], additional reward mechanisms like novelty seeking and exploration widen the spectrum of available rewards and thus enhance the chance for survival, reproduction, and ultimate gene propagation. These functions may help us to obtain the benefits of distant rewards that are determined by our own interests and not immediately available in the environment. Thus the distal reward function in gene propagation and evolutionary fitness defines the proximal reward functions that we see in everyday behavior. That is why foods, drinks, mates, and offspring are rewarding.

There have been theories linking pleasure as a required component of health benefits salutogenesis, (salugenesis). In essence, under these terms, pleasure is described as a state or feeling of happiness and satisfaction resulting from an experience that one enjoys. Regarding pleasure, it is a double-edged sword, on the one hand, it promotes positive feelings (like mindfulness) and even better cognition, possibly through the release of dopamine [22]. But on the other hand, pleasure simultaneously encourages addiction and other negative behaviors, i.e., motivational toxicity. It is a complex neurobiological phenomenon, relying on reward circuitry or limbic activity. It is important to realize that through the “Brain Reward Cascade” (BRC) endorphin and endogenous morphinergic mechanisms may play a role [23]. While natural rewards are essential for survival and appetitive motivation leading to beneficial biological behaviors like eating, sex, and reproduction, crucial social interactions seem to further facilitate the positive effects exerted by pleasurable experiences. Indeed, experimentation with addictive drugs is capable of directly acting on reward pathways and causing deterioration of these systems promoting hypodopaminergia [24]. Most would agree that pleasurable activities can stimulate personal growth and may help to induce healthy behavioral changes, including stress management [25]. The work of Esch and Stefano [26] concerning the link between compassion and love implicate the brain reward system, and pleasure induction suggests that social contact in general, i.e., love, attachment, and compassion, can be highly effective in stress reduction, survival, and overall health.

Understanding the role of neurotransmission and pleasurable states both positive and negative have been adequately studied over many decades [26–37], but comparative anatomical and neurobiological function between animals and homo sapiens appear to be required and seem to be in an infancy stage.

Finding happiness is different between apes and humans

As stated earlier in this expert opinion one key to happiness involves a network of good friends [38]. However, it is not entirely clear exactly how the higher forms of satisfaction and pleasure are related to a sugar rush, winning a sports event or even sky diving, all of which augment dopamine release at the reward brain site. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure.

Remarkably, there are pathways for ordinary liking and pleasure, which are limited in scope as described above in this commentary. However, there are **many brain regions**, often termed hot and cold spots, that significantly **modulate** (increase or decrease) our **pleasure or** even produce **the opposite** of pleasure— that is disgust and fear [39]. One specific region of the nucleus accumbens is organized like a computer keyboard, with particular stimulus triggers in rows— producing an increase and decrease of pleasure and disgust. Moreover, the cortex has unique roles in the cognitive evaluation of our feelings of pleasure [40]. Importantly, the interplay of these multiple triggers and the higher brain centers in the prefrontal cortex are very intricate and are just being uncovered.

Desire and reward centers

It is surprising that many different sources of pleasure activate the same circuits between the mesocorticolimbic regions (Figure 1). Reward and desire are two aspects pleasure induction and have a very widespread, large circuit. Some part of this circuit distinguishes between desire and dread. The so-called pleasure circuitry called “REWARD” involves a well-known dopamine pathway in the mesolimbic system that can influence both pleasure and motivation.

In simplest terms, the well-established mesolimbic system is a dopamine circuit for reward. It starts in the ventral tegmental area (VTA) of the midbrain and travels to the nucleus accumbens (Figure 2). It is the cornerstone target to all addictions. The VTA is encompassed with neurons using glutamate, GABA, and dopamine. The nucleus accumbens (NAc) is located within the ventral striatum and is divided into two sub-regions—the motor and limbic regions associated with its core and shell, respectively. The NAc has spiny neurons that receive dopamine from the VTA and glutamate (a dopamine driver) from the hippocampus, amygdala and medial prefrontal cortex. Subsequently, the NAc projects GABA signals to an area termed the ventral pallidum (VP). The region is a relay station in the limbic loop of the basal ganglia, critical for motivation, behavior, emotions and the “Feel Good” response. This defined system of the brain is involved in all addictions –substance, and non –substance related. In 1995, our laboratory coined the term “Reward Deficiency Syndrome” (RDS) to describe genetic and epigenetic induced hypodopaminergia in the “Brain Reward Cascade” that contribute to addiction and compulsive behaviors [3,6,41].

Furthermore, ordinary “liking” of something, or pure pleasure, is represented by small regions mainly in the limbic system (old reptilian part of the brain). These may be part of larger neural circuits. In Latin, hedus is the term for “sweet”; and in Greek, hodone is the term for “pleasure.” Thus, the word Hedonic is now referring to various subcomponents of pleasure: some associated with purely sensory and others with more complex emotions involving morals, aesthetics, and social interactions. The capacity to have pleasure is part of being healthy and may even extend life, especially if linked to optimism as a dopaminergic response [42].

Psychiatric illness often includes symptoms of an abnormal inability to experience pleasure, referred to as anhedonia. A negative feeling state is called dysphoria, which can consist of many emotions such as pain, depression, anxiety, fear, and disgust. Previously many scientists used animal research to uncover the complex mechanisms of pleasure, liking, motivation and even emotions like panic and fear, as discussed above [43]. However, as a significant amount of related research about the specific brain regions of pleasure/reward circuitry has been derived from invasive studies of animals, these cannot be directly compared with subjective states experienced by humans.

In an attempt to resolve the controversy regarding the causal contributions of mesolimbic dopamine systems to reward, we have previously evaluated the three-main competing explanatory categories: “liking,” “learning,” and “wanting” [3]. That is, dopamine may mediate (a) liking: the hedonic impact of reward, (b) learning: learned predictions about rewarding effects, or (c) wanting: the pursuit of rewards by attributing incentive salience to reward-related stimuli [44]. We have evaluated these hypotheses, especially as they relate to the RDS, and we find that the incentive salience or “wanting” hypothesis of dopaminergic functioning is supported by a majority of the scientific evidence. Various neuroimaging studies have shown that anticipated behaviors such as sex and gaming, delicious foods and drugs of abuse all affect brain regions associated with reward networks, and may not be unidirectional. Drugs of abuse enhance dopamine signaling which sensitizes mesolimbic brain mechanisms that apparently evolved explicitly to attribute incentive salience to various rewards [45].

Addictive substances are voluntarily self-administered, and they enhance (directly or indirectly) dopaminergic synaptic function in the NAc. This activation of the brain reward networks (producing the ecstatic “high” that users seek). Although these circuits were initially thought to encode a set point of hedonic tone, it is now being considered to be far more complicated in function, also encoding attention, reward expectancy, disconfirmation of reward expectancy, and incentive motivation [46]. The argument about addiction as a disease may be confused with a predisposition to substance and nonsubstance rewards relative to the extreme effect of drugs of abuse on brain neurochemistry. The former sets up an individual to be at high risk through both genetic polymorphisms in reward genes as well as harmful epigenetic insult. Some Psychologists, even with all the data, still infer that addiction is not a disease [47]. Elevated stress levels, together with polymorphisms (genetic variations) of various dopaminergic genes and the genes related to other neurotransmitters (and their genetic variants), and may have an additive effect on vulnerability to various addictions [48]. In this regard, Vanyukov, et al. [48] suggested based on review that whereas the gateway hypothesis does not specify mechanistic connections between “stages,” and does not extend to the risks for addictions the concept of common liability to addictions may be more parsimonious. The latter theory is grounded in genetic theory and supported by data identifying common sources of variation in the risk for specific addictions (e.g., RDS). This commonality has identifiable neurobiological substrate and plausible evolutionary explanations.

Over many years the controversy of dopamine involvement in especially “pleasure” has led to confusion concerning separating motivation from actual pleasure (wanting versus liking) [49]. We take the position that animal studies cannot provide real clinical information as described by self-reports in humans. As mentioned earlier and in the abstract, on November 23rd, 2017, evidence for our concerns was discovered [50]

In essence, although nonhuman primate brains are similar to our own, the disparity between other primates and those of human cognitive abilities tells us that surface similarity is not the whole story. Sousa et al. [50] small case found various differentially expressed genes, to associate with pleasure related systems. Furthermore, the dopaminergic interneurons located in the human neocortex were absent from the neocortex of nonhuman African apes. Such differences in neuronal transcriptional programs may underlie a variety of neurodevelopmental disorders.

In simpler terms, the system controls the production of dopamine, a chemical messenger that plays a significant role in pleasure and rewards. The senior author, Dr. Nenad Sestan from Yale, stated: “Humans have evolved a dopamine system that is different than the one in chimpanzees.” This may explain why the behavior of humans is so unique from that of non-human primates, even though our brains are so surprisingly similar, Sestan said: “It might also shed light on why people are vulnerable to mental disorders such as autism (possibly even addiction).” Remarkably, this research finding emerged from an extensive, multicenter collaboration to compare the brains across several species. These researchers examined 247 specimens of neural tissue from six humans, five chimpanzees, and five macaque monkeys. Moreover, these investigators analyzed which genes were turned on or off in 16 regions of the brain. While the differences among species were subtle, **there was** a **remarkable contrast in** the **neocortices**, specifically in an area of the brain that is much more developed in humans than in chimpanzees. In fact, these researchers found that a gene called tyrosine hydroxylase (TH) for the enzyme, responsible for the production of dopamine, was expressed in the neocortex of humans, but not chimpanzees. As discussed earlier, dopamine is best known for its essential role within the brain’s reward system; the very system that responds to everything from sex, to gambling, to food, and to addictive drugs. However, dopamine also assists in regulating emotional responses, memory, and movement. Notably, abnormal dopamine levels have been linked to disorders including Parkinson’s, schizophrenia and spectrum disorders such as autism and addiction or RDS.

#### 4] No intent-foresight distinction for democracies

Enoch 07 Enoch, D [The Faculty of Law, The Hebrew Unviersity, Mount Scopus Campus, Jersusalem]. (2007). INTENDING, FORESEEING, AND THE STATE. Legal Theory, 13(02). doi:10.1017/s1352325207070048 https://www.cambridge.org/core/journals/legal-theory/article/intending-foreseeing-and-the-state/76B18896B94D5490ED0512D8E8DC54B2

The general difficulty of the intending-foreseeing distinction here stemmed, you will recall, from the feeling that attempting to pick and choose among the foreseen consequences of one’s actions those one is more and those one is less responsible for looks more like the preparation of a defense than like a genuine attempt to determine what is to be done. Hiding behind the intending-foreseeing distinction seems like an attempt to evade responsibility, and so thinking about the distinction in terms of responsibility serves 39. Anderson & Pildes, supra note 38. I will use this text as my example of an expressive theory here. 40. See id. at 1554, 1564. 41. For a general critique, see Mathew D. Adler, Expressive Theories of Law: A Skeptical Overview, 148 U. PA. L. REV. 1363 (1999–2000). 42. As Adler repeatedly notes, the understanding of expression Anderson & Pildes work with is amazingly broad, so that “To express an attitude through action is to act on the reasons the attitude gives us”; Anderson & Pildes, supra note 38, at 1510. If this is so, it seems that expression drops out of the picture and everything done with it can be done directly in terms of reasons. 43. This may be true of what Anderson and Pildes have in mind when they say that “expressive norms regulate actions by regulating the acceptable justifications for doing them”; id. at 1511. http://journals.cambridge.org Downloaded: 03 Aug 2014 IP address: 134.153.184.170 Intending, Foreseeing, and the State 91 to reduce even further the plausibility of attributing to it intrinsic moral significance. This consideration—however weighty in general—seems to me very weighty when applied to state action and to the decisions of state officials. For perhaps it may be argued that individuals are not required to undertake a global perspective, one that equally takes into account all foreseen consequences of their actions. Perhaps, in other words, individuals are entitled to (roughly) settle for having a good will, and beyond that let chips fall where they may. But this is precisely what stateswomen and statesmen—and certainly states—are not entitled to settle for.44 In making policy decisions, it is precisely the global (or at least statewide, or nationwide, or something of this sort) perspective that must be undertaken. Perhaps, for instance, an individual doctor is entitled to give her patient a scarce drug without thinking about tomorrow’s patients (I say “perhaps” because I am genuinely not sure about this), but surely when a state committee tries to formulate rules for the allocation of scarce medical drugs and treatments, it cannot hide behind the intending-foreseeing distinction, arguing that if it allows45 the doctor to give the drug to today’s patient, the death of tomorrow’s patient is merely foreseen and not intended. When making a policy-decision, this is clearly unacceptable. Or think about it this way (I follow Daryl Levinson here):46 perhaps restrictions on the responsibility of individuals are justified because individuals are autonomous, because much of the value in their lives comes from personal pursuits and relationships that are possible only if their responsibility for what goes on in the (more impersonal) world is restricted. But none of this is true of states and governments. They have no special relationships and pursuits, no personal interests, no autonomous lives to lead in anything like the sense in which these ideas are plausible when applied to individuals persons. So there is no reason to restrict the responsibility of states in anything like the way the responsibility of individuals is arguably restricted.47 States and state officials have much more comprehensive responsibilities than individuals do. Hiding behind the intending-foreseeing distinction thus more clearly constitutes an evasion of responsibility in the case of the former. So the evading-responsibility worry has much more force against the intending-foreseeing distinction when applied to state action than elsewhere.

#### 5] Only consequentialism explains degrees of wrongness—if I break a promise to meet up for lunch, that is not as bad as breaking a promise to take a dying person to the hospital. Only the consequences of breaking the promise explain why the second one is much worse than the first which is the most intuitive.

### Case