Seventh Edition

Analyzing
MORAL ISSUES

JUDITH A. BOSS

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Contents

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Preface

Although there are several approaches to teaching college ethics, the use of moral issues is probably the most popular as well as the most appealing to students. The moral issues approach, on its own, however, has some drawbacks. It often fails to provide students with the analytical tools necessary for making real-life moral decisions. Students may also come to confuse "ideology," or the holding of certain views on issues, with morality itself. This, in turn, may contribute to "moral passivity" in which

> great numbers of people, the young and educated especially, feel they have an adequate moral identity merely because they hold the "right" views on such matters as ecology, feminism, socialism, and nuclear energy. They may lead narrow, self-indulgent lives . . . yet still feel a moral advantage over those who actively work to help the needy but who are, in their eyes, ideologically unsound.*

Analyzing Moral Issues provides a corrective to these drawbacks by combining the appeal and strengths of the moral issues approach with a solid foundation in moral theory and moral reasoning. In addition to giving an overview of some of the major moral issues in our society, it introduces students to both Western and non-Western moral theories.

THE ORGANIZATION OF THE BOOK

The Moral Theory Chapter

Chapter 1 covers the major moral theories. It also includes a section on moral development. When grounded in moral theory, the moral issues approach can engage the students' interest and connect abstract theory to what is going on in the world around them. Connecting theory to real-life moral decisions encourages students to accept personal responsibility for their moral choices rather than substituting ideology for character development. This chapter is followed by ten short readings from world philosophers and scholars.

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*Christina Sommers, "Where Have All the Good Deeds Gone?" *Hastings Center Report,* August 1982, pp. 13–14.

THE READING SELECTIONS

The reading selections following Chapters 2 through 10 begin with a bridge between moral theory and moral issues by giving students an opportunity to apply moral reasoning to an actual philosophical reading on a moral issue. Each chapter includes readings from traditional Western moral philosophers as well as readings that represent non-Western, multicultural, feminist, religious, and legal perspectives. The readings have been selected to introduce students to diverse and opposing viewpoints regarding the particular issue under discussion.

The Nine Issues Chapters

Chapters 2–10 each cover a different contemporary moral issue. Each issue is related, when possible, to the students' everyday experience, thus connecting their lives as college students to wider societal issues. While students' lives may not be directly affected by broader issues such as capital punishment, as citizens in a democratic society they will be directly responsible for formulating policy regarding these issues. Bringing in broader social issues also requires students to extend their range of moral concern beyond their immediate community, which is one of the goals of a college education.

The introduction to each chapter includes a historical background of the issue and an overview of the traditional philosophical perspectives on the issue presented. Following is a summary of each of the nine chapters.

Chapter 2, Abortion: Despite its legalization, abortion remains one of the most divisive moral issues. This chapter looks at the history of the abortion debate and some of the key moral issues underlying this debate, such as women's rights and the moral status of the fetus. It also raises the issues of selective abortion and discrimination.

Chapter 3, Euthanasia: Euthanasia has become an important moral issue mainly because of advances in medical technology that permit physicians to extend life. The demand for legalized euthanasia is also a reflection of the emphasis on personal autonomy and freedom in modern society. This chapter focuses primarily on the question of voluntary, active euthanasia and the debate over physician-assisted suicide.

Chapter 4, The Death Penalty: The issue of capital punishment touches on the most basic questions of justice and what is meant by the moral value of human life. This chapter looks at both the legal and moral issues involved in the debate over the death penalty. In addition to questions regarding the morality of the death penalty, it also challenges students to think about the more basic question of the morality of punishing wrongdoers.

Chapter 5, Drug and Alcohol Use: Drug and alcohol use among college students has increased dramatically since 1990. This chapter looks at some of the moral issues involved in the use of both legal and illegal drugs. It also includes an examination of the disease model and the moral model of addiction.

Chapter 6, Feminism, Motherhood, and the Workplace: Feminism takes different forms. This chapter gives an overview of the types of feminism and how each addresses issues, such as the nature of men and women, motherhood, the division of labor in the home, and special rights for parents in the workplace.

Chapter 7, Freedom of Speech: Freedom of speech needs to be considered in context and in light of other values that may conflict with it. In this chapter, freedom of speech is analyzed

primarily in the context of hate speech—especially on college campuses—pornography, and restrictions on speech in cyberspace. Also examined are the moral implications of the First Amendment for regulating these types of speech.

Chapter 8, Racism, Economic Inequality, and Global Justice: Racism is perpetuated and reinforced at both the institutional and the individual level. This chapter examines the roots of racism in Western philosophy, American culture, and globalization, as well as policies—such as affirmative action, reparation for slavery, and redistribution of global wealth—that are designed to overcome the effects of racism.

Chapter 9, War, Weapons, and Terrorism: War and terrorism have become a prominent moral issue in the United States following September 11, 2001. This chapter discusses the differences between war and terrorism and examines the question of whether either is morally justified and, if so, under what conditions. Also addressed is the issue of gun violence as well as weapons of mass destruction.

Chapter 10, Animal Rights and Environmental Ethics: This chapter explores questions regarding the moral status of nonhuman animals and the environment, as well as our obligations toward other animals and nonhuman nature. In particular, it challenges students to rethink anthropocentrism and to question whether human practices such as meat-eating, animal experimentation, hunting, and deforestation are morally acceptable.

The Critical Reading and Discussion Questions

Analyzing Moral Issues encourages students to apply critical thinking skills to each reading through the use of critical reading and discussion questions. Each reading is preceded by a short introduction and a set of critical reading questions related to the main points raised in the reading. The discussion questions at the end of each reading require students to think more deeply about the arguments and concepts raised in that particular reading. The discussion questions also encourage students to relate these concepts and arguments to the different moral theories and other readings in the book as well as to real-life moral issues in their own lives.

Case Studies

Each moral issues chapter includes, at the end, several case studies related to the particular moral issue. The majority of these case studies are based on real-life events. The case studies have been updated for the seventh edition to reflect changes in policies and issues as well as national and international events. Placing issues within a real-world context encourages students to apply theory and moral reasoning to actual situations that they might encounter in their own lives.

Some of the case studies involve moral dilemmas that force students to defend a particular position on a controversial issue. Discussion of real-life moral dilemmas has been shown to enhance a student's ability to engage in effective moral reasoning. However, exclusive focus on dilemmas runs the danger of leaving students with the impression that there are no right and wrong answers and that morality is all relative. Therefore, other cases focus on issues that are fairly straightforward but that require introspection and reflection.

New to This Edition

New readings have been added to emphasize the most current of ethical debates:

- Chapter 2:
  Linda Lowen, "20 Arguments from Both Sides of the Abortion Debate" James Q. Wilson, "On Abortion"
- Chapter 3:
  Oregon Health Division, "A Year of Dignified Death"
  Brad Wenstrup, "Resolution before the United States House of Representatives Opposing Assisted Suicide"
  John B. Kelly, "Why Assisted Suicide Laws Are More Dangerous Than People Acknowledge"
  Ryan T. Anderson, "Commentary on Physician Assisted Suicide"
  Aaron Rothstein, "All Death Is Death Without Dignity"
- Chapter 4:
  David B. Muhlhausen, "How the Death Penalty Saves Lives"
  Matthew Schmitz, "The Death Penalty Is Just and Merciful"
- Chapter 5:
  Lynn Scarlett, "On the Legalization of Drugs,"
  Jeff Berg, "The Logic of Drug Legalization"
  Donald J. Trump, "Speech on the Opioid Crisis"
- Chapter 6:
  Kelly Oliver, "Fifty Shades of Consent: Rape Culture Versus Feminism"
  Anita Hill, "Opening Statement: Sexual Harassment Hearing Concerning Judge Clarence Thomas"
  Jonathan Andersen, "The Feminist Antidote: Reflections on Masculinity, Patriarchy, and Feminism"
- Chapter 7:
  Jonathan Marks, "Embarrassing Persistence of Campus Speech Codes"
  Traci Yoder, "Free Speech on Campus: A Critical Analysis"
- Chapter 8:
  Stephen Cox, "The Fallacy of Open Borders"
  Joel Newman, "My Favorite Three Arguments for Open Borders"
- Chapter 9:
  Barack Obama, "Gun Safety"
  Ron Paul, "Conscription–The Terrible Price of War"
- Chapter 10:
  James Garvey, "Climate Change and Moral Outrage"
  Al Gore, "Testimony on Climate Change"

New case studies include:

- Chapter 4: "Clarence Darrow"
- Chapter 6: "Commercial Surrogacy in Russia"
- Chapter 7: "Shouting Down a Speaker," and "Mandatory Patriotism"
- Chapter 8: "Environmental Racism in Flint, Michigan" and "Drugs, Socio-Economic Class, and Race"

ACKNOWLEDGMENTS

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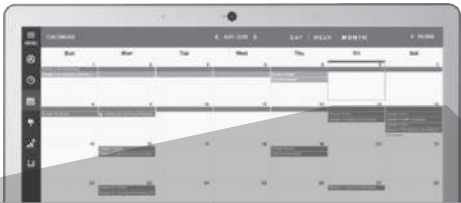
- Jordan Cunningham,
Eastern Washington University

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13	14
Chapter 12 Quiz	Chapter 11 Quiz
Chapter 13 Evidence of Evolution	Chapter 11 DNA Technology
	Chapter 7 Quiz
	Chapter 7 DNA Structure and Gene...
	and 7 more...
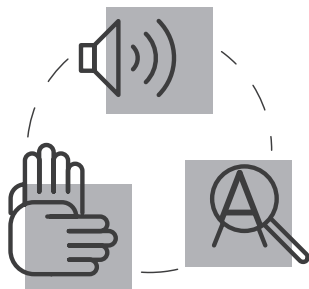
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Moral Theory

Adolf Hitler once said, "What good fortune for those in power that people do not think." In the early 1960s, Yale psychologist Stanley Milgram conducted an experiment on obedience to determine if Americans would be as ready to blindly follow the orders of an authority figure as were the Nazis.

In Milgram's experiment, subjects were led to believe that they were delivering a series of increasingly painful electric shocks as part of an experiment on the effect of punishment on learning. In fact, the person who was playing the role of the learner was an accomplice of the experimenter and was not actually receiving the shocks. When the subjects balked upon hearing the screams of pain from the learner, they were urged to continue by a person wearing a white lab coat. Despite the feigned protests of the learner, about two-thirds of the subjects obeyed the experimenter and continued delivering what they believed were potentially fatal electric shocks.

The findings of this experiment suggest that people can be persuaded to torture, and perhaps even kill, another person simply at the urging of an authority figure. A film made of the experiment revealed that those who were most likely to give in to the urging of the authority figure knew that what they were doing was wrong but were unable to articulate *why* it was wrong.[1] Those who were able to resist the authority figure, on the other hand, were able to provide justifications, in the form of moral principles and moral theory, for their refusal; they were able to say *why* continuing to deliver the shocks was wrong. Milgram wrote of his findings:

> Ordinary people, simply doing their jobs, and without any particular hostility on their part, can become agents in a terribly destructive process. Moreover, even when the destructive effects of their work become patently clear, and they are asked to carry out actions incompatible with fundamental standards of morality, relatively few people have the resources needed to resist.[2]

Like the subjects in the Milgram experiment, many of us also lack the resources necessary to critically analyze moral issues. For example, in a study of how college students judge social issues, such as abortion, pornography, and homosexuality, researchers found that many students had inconsistent "informational assumptions"; they were unable to offer a well-reasoned justification for their position on an issue, shifting positions depending on the questions asked.[3] This inability hinders many of us from engaging in thoughtful discussions of issues such as euthanasia, abortion, capital punishment, animal rights, and environmental ethics. Like the Milgram subjects, simply deferring to those in authority or refusing to take a stand can contribute to a life-and-death decision for those affected.

MORAL PHILOSOPHY

Moral philosophy is the study of the values and guidelines by which we live, as well as the justification of these values and guidelines. There are two traditional subdivisions in moral philosophy: (1) normative ethics and (2) theoretical ethics.

Normative ethics is concerned with the study of the values and guidelines by which we live. Normative ethics also includes the study of moral issues—the primary focus of this text. **Applied ethics** is the application of normative ethics to actual cases. The emerging field of global ethics, for example, is concerned with the application of normative ethics to global issues such as the disparities of wealth between nations, international trade and immigration policy, war and peace, and global warming.

Theoretical ethics, also known as **metaethics,** is concerned with the justification of these values and guidelines. These justifications involve skill in moral reasoning and critical thinking. The study of moral issues and applied or normative ethics is built on an understanding of moral reasoning and theoretical ethics.

A good moral theory is both universal and impartial; that is, moral principles of right and wrong apply equally to everyone in the same or similar circumstances. If we simply begin debating moral issues without first establishing this foundation, our arguments may be weak and can easily collapse like the proverbial house built on sand. Without the ability to critically analyze or offer theoretical underpinning for our position on an issue, we are unable to effectively defend it or respond to others' arguments. This inability contributes to the feeling that our position is simply a matter of personal opinion. "Well," we may say with a shrug of the shoulders, "we all have a right to our opinions." Having a right to our own opinion, however, is not the same as saying that all opinions are equally reasonable.

Or, in our frustration, we may resort to using logical fallacies, glaring at our opponents in an attempt to intimidate them, or attacking their character; we may make wild generalizations that we are unable to back up, or we may simply change the topic. We see this especially in highly polarized issues such as abortion where emotions run high. See page 3 for a list of some of the most common fallacies.

The moral rightness or wrongness of a position or action, such as delivering potentially lethal shocks to a subject in an experiment, is not a matter of personal feeling or opinion but of reason. The study of moral theory and reasoning helps us recognize and organize these general principles and moral concerns. It is up to us as critical thinkers to decide which arguments are the strongest and to come up with a well-reasoned position that takes into account the strengths of all sides of the argument.

WHAT IS THE PURPOSE OF MORAL THEORIES?

Most people, if given a choice, would prefer to skip moral theory and get on with discussions of real-life moral issues. Theory is often contrasted with action. This is a false dichotomy, since it is theory that informs our actions. Knowing how to ground discussions of moral issues in moral theory and good moral reasoning will make us less vulnerable to persuasive, but logically incorrect, thinking.

A **theory** is a conceptual framework for explaining a set of facts or concepts. In moral philosophy, theory *explains* why a certain action—such as torturing babies—is wrong and why we *ought*

> ### 🍃 EIGHT COMMON INFORMAL FALLACIES
>
> Informal fallacies are psychologically persuasive but incorrect arguments.
>
> 1. **Equivocation:** A key term shifts meaning during the course of an argument.
> 2. **Abusive (ad hominem):** We attack our opponent's character rather than address his or her conclusion.
> 3. **Appeal to force:** Force, threat of force, or intimidation is used to coerce our opponents into accepting our position.
> 4. **Popular appeal:** The opinion of the majority is used as support for our conclusion.
> 5. **Hasty generalization:** Our conclusion is based on a few atypical cases.
> 6. **Irrelevant conclusion:** Our argument is directed at a topic other than the one under discussion.
> 7. **Naturalistic:** We argue from what is nature, or what *is,* to what *ought* to be the case.
> 8. **Appeal to tradition:** We argue that something is moral because it is the tradition or custom.

to act in certain ways and be a certain type of person. Moral theory also helps us *clarify, critically analyze,* and *rank* the moral concerns raised by particular moral issues.

A good theory should also be able to explain the whole range or scope of morality, not just particular types of actions. For example, the theory that morality is a private choice is inadequate for dealing with choices such as rape, torture, and genocide, since these actions affect other people. In addition, a theory should take into account what we, upon reflection, believe to be right. Aristotle (384–322 B.C.E.), for example, takes as the starting point in developing his moral theory the moral intuitions of ordinary people (see reading by Aristotle at the end of this chapter). Moral theory, however, goes beyond our everyday notions about morality. It requires consistency in our thinking and the weeding out of those commonly held beliefs about morality that are inconsistent or superfluous.

Moral theories can be compared to road maps. A good theory offers *guidance* or signposts for thinking about and resolving moral issues. Although we may just happen to come upon a good solution, a moral theory, like a road map, makes it more likely that we will reach our destination with the least amount of wrong turns and aggravation. Like maps, not all theories are equally good. Some may be good as far as they go, but they leave out too much. In this case we may want to combine them with other theories or "maps." Other moral theories, such as ethical subjectivism, lead us down dead ends. Knowing about the strengths and weaknesses of the different moral theories can save us from heading down these dead ends!

Theories also shape our worldviews. We all approach the world with certain assumptions that, loosely, form our theories about what to expect in the world. In any culture there are certain theories that are so embedded in the cultural worldview that they are uncritically assumed to be true. For example, in Western culture the theory that humans are superior to and separate from other animals (**anthropocentrism**) is rarely questioned. This is reflected in our language, where the common use of the term *animal* does not include humans. Rather than uncritically adopting the prevailing theories of our culture, we need to ask first if their assumptions can be justified or if they embody false views.

THE TYPES OF MORAL THEORIES

There are two main types of moral theories: (1) ethical relativism and (2) universalist or objectivist. An **ethical relativist** claims that morality is invented or created by people; therefore morality, like fashion, cultural custom, or personal feeling, can vary from time to time and from person to person. **Universalist** or **objectivist moral theories,** in contrast, state that there are fundamental, objective moral principles and values that are impartial and universally true for all people, independent of their personal beliefs or culture. Because many people confuse morality with cultural customs or personal feelings, we begin our discussion of moral theory with ethical relativism.

In his study of moral development, psychologist Lawrence Kohlberg found that 90 percent of adult Americans believe that, for the most part, morality is relative to or created by society.[4] For the majority of Americans, being morally good means following the norms and values of their society or culture—whether this be their peer culture, their church,[5] their country, or a combination of these. For example, according to Gallup Poll public opinion on the morality of same-sex marriage shifted from 55 percent favorable in 2014 to 64 percent in 2017 following the Supreme Court ruling legalizing same-sex marriage nationwide.

The theory that morality is relative to societal norms is known in moral philosophy as **cultural relativism.** Rather than promote tolerance as a universal moral value, ethical relativism breeds suspicion of those who are different and allows exploitation of the weak by the powerful as long as it is culturally sanctioned.

Because of this, it is important that we learn how to analyze different moral theories. As critical thinkers and students of moral philosophy, we cannot be content with simply accepting the norms of our culture or dismissing morality as a matter of personal opinion. Rather than depend on the opinions of others and risk getting off course, we can use theory as a guide as we make our way through the often bewildering morass of moral issues that confront us in modern life.

EXERCISES

1. What do you mean when you say that something is morally right or morally wrong? Use specific examples from your life experience to illustrate your answer.
2. Make a list of guidelines and values you use in making moral decisions. Examine your list for consistency. Where did you get these guidelines and values? Do they give you sufficient guidance in resolving difficult moral issues? Explain.
3. Choose a moral issue. Discuss how the guidelines and values you listed in the previous answer help shape your position on that issue.

RELATIVISM IN ETHICS

> *There is one thing a professor can be absolutely certain of: almost every student entering the university believes, or says he believes, that truth is relative.*
>
> —Allan Bloom, *The Closing of the American Mind*

The fact of moral disagreement raises the question of whether there are objective or universal moral principles. Cultural and individual disagreements, fueled by popular clichés such as "morality is all relative," "do what you feel is right," "don't force your values on me," and "who

am I to judge?" create serious doubts in people's minds about whether moral issues can ever be resolved, or whether meaningful dialogue between those holding opposing positions is even possible.

According to ethical relativists, there are no independent or objective moral standards. Instead, morality is *created* by people. In other words, humans, either individually or collectively, are the ultimate measure of what is right and wrong.

Ethical Subjectivism

What I feel is right is right. What I feel is wrong is wrong.

—Jean-Jacques Rousseau

Ethical relativism can be subdivided into ethical subjectivism and cultural relativism. **Ethical subjectivists** claim that individual people create their own morality. There are no objective, universal moral truths—only individuals' **opinions** or preferences. What is right for you may be wrong for me, depending on our respective feelings. You may feel that racism is wrong; I may feel that white supremacy is morally right. You may feel that it is wrong to eat meat; I may feel it is right for me. The rightness or wrongness of our actions depends solely on how each of us *feels* about racism or meat-eating.

Do not confuse ethical subjectivism with the obviously true, descriptive statement that "whatever a person believes is right for him or her is what that person believes is right for him or her." Ethical subjectivism goes beyond this by claiming that sincerely believing or feeling that something is right *makes* it right for the individual. Because morality is merely a matter of personal opinion, we can never be mistaken about what is right and wrong. In other words, my actions in terrorizing black students on campus are morally commendable and perhaps even morally obligatory, so long as I personally feel that what I am doing is right.

When asked if he thought what he did was wrong, convicted serial killer Craig Price calmly replied, "Morality is a private choice." If morality is simply a matter of personal opinion, there is no point in trying to use rational arguments to convince the racist or the serial killer that what he did was wrong, any more than it would make sense to try to convince me that I really don't like cashew nuts. Furthermore, there would not be any point in proceeding further in a moral-issues course.

When people's views come into conflict, those who are strongest will be able to impose their agenda on others, as Craig Price did. Under ethical subjectivism we do not have to tolerate other people's views or even their lives unless, of course, we feel that tolerance is right for us. Ethical subjectivism, in other words, provides no guidance for reaching moral decisions when there is a question of what to do. Returning to the metaphor of moral theories as a road map, ethics subjectivism is rather like a map that always says "You're wherever you think you are." Clearly, such a map would not be of much use, especially if we are lost and trying to get to a particular destination.

What Would the World Be Like If We Took Ethical Subjectivism Seriously?   Ethical subjectivism is one of the weakest moral theories. If taken seriously, it permits people to exploit and hurt others without having to justify their actions. As a theory, it does not provide a satisfactory explanation for why certain actions are wrong. In real life we generally make moral judgments independently of anyone's feelings toward the action. Indeed, the fact that a serial killer enjoys torturing and killing his victims or that a child molester sincerely believes that his young victims

enjoy being raped only makes their actions more horrific. If ethical subjectivism was true, the opposite would be the case: Our moral heroes would be **sociopaths**—people who act solely on their feelings, without concern for any universal moral principles.

Cultural Relativism

We recognize that morality differs in every society, and is a convenient term for socially approved habits.

—Ruth Benedict (1933)

The modern theory of cultural relativism developed primarily out of late nineteenth- and early twentieth-century studies of "simple" cultures by prominent anthropologists such as Ruth Benedict, Emile Durkheim, William Graham Sumner, and Franz Boas. Like ethical subjectivists, **cultural relativists** maintain that standards of right and wrong are created by people. It is societal norms, however, rather than the opinions of isolated individuals, that form the basis of morality. Public opinion, not private opinion, determines what is right and wrong. There are no objective universal moral standards that hold for all people in all cultures, only different cultural customs.

Cultural relativists are not merely arguing that *some* moral values are relative to culture. They claim that *all* moral values are nothing more than cultural customs and laws. Because there are no universal moral standards, the moral values of one culture cannot be judged to be any better or worse than those of any other culture. Headhunting, for example, is right or wrong only within a particular cultural context. In some New Guinea cultures, it was once considered morally commendable for a young man to give his sweetheart a shrunken head as a trophy. In our country such an action would be regarded as highly immoral and evidence of serious mental illness. Similarly, if a culture believes that women should be kept in subjection, women have a moral obligation to be submissive to their fathers or husbands, and men have a moral right, and perhaps a moral duty, to use brute force should their women deviate from the cultural norm. While it is wrong in our culture for men to beat their wives, according to a cultural relativist it is wrong *only* because it goes against cultural norms.

Cultural Relativism Is Not the Same as Sociological Relativism   Do not confuse cultural relativism with sociological relativism. Cultural relativism is a moral theory about what *ought to be*. **Sociological relativism** is a descriptive rather than normative theory. It is simply the observation that there is disagreement among cultures regarding moral values. Unlike cultural relativism, sociological relativism draws no conclusions about the rightness or wrongness of these values. Sociological relativists leave open the possibility that a culture may be mistaken about its moral values (such as Nazi Germany or the headhunting cultures) and that there *may* be universal moral principles that all cultures ought to respect. Cultural relativism, on the other hand, claims that if a culture believes something is morally right, that in itself makes it morally right. Because morality is nothing more than custom, there are no legitimate grounds for criticizing the practices of other cultures.

Under cultural relativism, morality may also change within a culture over time, much like fashions. Slavery is now considered immoral in the United States. Two hundred years ago, however, slavery was not only *believed to be* morally acceptable by the majority, it *was,* according to cultural relativists, morally acceptable. If morality is synonymous with conformity to cultural norms, it was the abolitionists, not the slaveholders, who were immoral. Similarly, Martin Luther King Jr. was immoral for protesting the segregation laws of the South.

For cultural relativists, if something is legal or at least culturally acceptable, whether it be slavery, abortion, capital punishment, prostitution, or pornography, it is, by definition, morally acceptable. Things that are illegal—such as human cloning, polygamy, and nude bathing on public beaches—are immoral according to the cultural relativist.

Cultural Relativism Is Based on Faulty Reasoning   Cultural relativism argues from the fact that a culture believes something, such as slavery, *is* moral, to the conclusion that that is the way things *ought to be.* In logic this type of faulty reasoning is known as the naturalist fallacy. The **naturalist fallacy** draws a conclusion about what ought to be, based on what is. As noted earlier, the fact that people believe something to be true, whether it be the flatness of the earth, creationism, or the morality of slavery, does not make it true or moral in itself.

What If Cultural Relativism Is True?   Further analysis of cultural relativism reveals that, like ethical subjectivism, it is fraught with problems and contradictions.

Cultural relativism offers no criteria for distinguishing between reformers, such as Martin Luther King Jr. and Susan B. Anthony, who may break the law as an act of conscience, and common criminals. Both the social reformer and the criminal break cultural norms; however, identifying what is moral with what is legal is problematic, since some laws—such as laws supporting slavery or prohibiting women from voting—are clearly unjust and reasonable people believe they should be changed.

Because it identifies morality with maintaining the status quo, cultural relativism cannot explain moral progress. Yet most people believe that the abolition of slavery in the United States, and granting women full rights of citizenship all represented moral progress. Similarly, cultural relativism cannot account for the fact that most people believe that there are ways in which their own society can be improved. Not only does cultural relativism prevent criticism of other cultures, it also rules out the possibility of engaging in a rational critique of one's own cultural customs.

Cultural relativism encourages blind conformity to cultural norms. Rather than using reason or dialogue, we resolve a moral issue simply by taking a poll or calling a lawyer. But surely this is not an accurate description of how we make moral decisions or resolve moral issues. Legalizing abortion and capital punishment did not stop moral debate over those two issues. Furthermore, the fact that most Americans eat meat is irrelevant to someone who is struggling with the morality of meat-eating.

Cultural relativism does not work in pluralistic cultures. Although it may have been possible a century ago for anthropologists to identify the cultural norms of relatively isolated and static cultures, in the rapidly changing modern world it is becoming more and more difficult to draw sharp distinctions between cultures or even to figure out what our own cultural norms are. Most of us are members of several cultures or subcultures. We may be members of a Catholic, Cambodian, Native American, African American, or homosexual subculture whose values may conflict with those of the wider culture. Indeed, the so-called dominant cultural values are sometimes simply the values held by a small group of people who happen to hold the power in that culture.

We also cannot assume that simply because the majority holds a certain value that it is desirable. In his essay *On Liberty,* at the end of Chapter 7, John Stuart Mill (1806–1873) argues that basing public policy on the will of the people can result in the "tyranny of the majority." Suppression of freedom of speech and religion, censorship of the press, and discrimination against minorities have all, at some time, had the blessing of the majority.

The belief that there are no shared universal moral values can lead to suspicion and mistrust of people from other cultures or subcultures. We may feel that "they" do not share our values; that

people from other cultures may even have dangerous values. This contributes to the conviction that, as the source of moral values, our country or culture is morally superior to all others. In the United States this may be expressed in an uncritical belief in "American exceptionalism." Because cultural relativism rules out the possibility of rational discussion when cross-cultural values come into conflict and persuasion fails, groups may resort to either apathy and isolationism when the values of other cultures are not a threat, or to violence when another culture's values or actions create a threat to one's own way of life.

This being said, even though relativist moral theories may not stand up under the scrutiny of critical analysis, they contain at least a grain of truth. Cultural relativism reminds us that culture and history are important in the moral life. Our traditions, our religious values, and our political and social institutions all shape the way in which we apply moral values. Although culture may not be the source of fundamental moral principles and values, it influences how they are interpreted and prioritized. In their concern to disavow ethical relativism, too many philosophers have divorced morality from the actual historical and cultural settings in which we make our moral decisions. On the other hand, but cultural relativism takes this observation too far. Although the *application* of specific moral principles may be relative to cultures (as noted in the Eskimo example later in this chapter), this does not imply that these moral principles are the *creation* of cultures.

Ethical Relativism and Doublethink   The simplicity and popularity of the two types of ethical relativism make them particularly seductive. Ethical subjectivism absolves people of ever having to deliberate before making a moral judgment, whereas cultural relativism absolves people from moral responsibility so long as they follow the crowd. At the same time, almost everyone wants others to treat them with respect (a universal moral principle) and be held morally culpable for their hurtful actions.

In his book *1984,* George Orwell coined the term **doublethink** to describe when people simultaneously hold two contradictory views and believe both to be true. Some people jump back and forth between the different theories, depending on what is more expedient in a particular situation. For example, some students may argue that morality is a private choice when it comes to something they are doing, such as binge drinking or cheating on a test or using hate speech. At the same time, they may be morally critical of teachers who break cultural norms by using sexist or racist language in class or who play favorites when it comes to grading tests. Ethical subjectivism and cultural relativism, however, are mutually exclusive theories. A person cannot consistently believe both that morality is created by individuals and that morality is a cultural creation.

Some people who claim that they are relativists may try to sneak universal moral principles concerning justice, fairness, and respect in through the back door. They may argue that sexist and racist language is disrespectful or that playing favorites in grading is unfair. However, the moral principal of justice as fairness cannot be used by an ethical relativist to criticize another person's behavior as immoral. Because the two types of theories are based on contradictory claims regarding the source of morality, both forms of ethical relativism are incompatible with each other as well as with universalist theories.

What About Moral Disagreement?

But if ethical relativism is incorrect, how can we explain the lack of agreement among individuals and cultures? The fact that people disagree does not necessarily mean that there are no objective moral principles. People can disagree for a number of reasons. They may be mistaken about their facts.

At one time most people believed that the earth was flat, but it turns out they were mistaken. Physicians used to routinely lie to dying cancer patients, believing that the truth would be so upsetting that it might kill them. It wasn't until the 1970s that studies were carried out that showed physicians to be wrong. Similarly, there may be objective moral standards, even though disagreement may exist regarding their application to particular situations and issues.

Disagreement can also occur because natural conditions and religious beliefs influence the expression of a particular universal moral value. In 1941 Gontran de Poncins wrote the following about the Kabloona, an Eskimo culture living in the Canadian arctic.

> One observer was told of an Eskimo who was getting ready to move camp and was concerned about what to do with his blind and aged father, who was a burden to the family. One day the old man expressed a desire to go seal hunting again, something he had not done for many years. His son readily assented to this suggestion, and the old man was dressed warmly and given his weapons. He was then led out to the seal grounds and was walked into a hole in the ice into which he disappeared.[6]

Is cultural relativism the only way to explain the difference between the Kabloona and modern Americans? Modern Americans can hire caregivers or put their ailing parents or grandparents in nursing homes. The Kabloona, on the other hand, were a nomadic people. As such their lives depended on following the seal herds. To take a blind and ailing parent on one of these treks could have resulted in starvation, not just of the elderly parent, but of the whole family. In addition, the son, as was the tradition, respected his father's autonomy (a universal moral principle), waiting until he requested the "hunting" trip.

What was different here, in other words, were not the fundamental moral values of respect for life, family loyalty, and personal autonomy, but different conditions that placed limitations on how these values could best be *applied.* In other words, the Kabloona practice can be explained as an example of *sociological relativism.* Saving the lives of many took precedence over prolonging the father's life. The question of when, if ever, it is morally permissible to assist a terminally ill person in taking his or her life is not one limited to the Kabloona culture. The introduction of medical technology that can prolong the lives of the elderly and the dying has brought the issues of death with dignity and assisted suicide to the forefront in our own culture (see Chapter 3).

People may also disagree about moral issues not because they hold fundamentally different moral values, but because they *rank* or prioritize them differently. Both Aristotle and the Confucians give a high ranking to community and social values. Libertarians, on the other hand, place a higher value on individual autonomy and freedom. Moral theory helps us recognize and rank these values and in so doing helps us come to a resolution that honors as many moral values as possible.

Relativism, Personhood, and Moral Community

Variations in cultural norms can also occur because of differences in how cultures define their moral communities. According to anthropologist Clyde Kluckholn, there are universal moral values that are recognized by all cultures. No culture, for example, approves of indiscriminate lying, cheating, or stealing. Random violence is also prohibited universally. Every culture also makes arrangements for the care of its children. These moral values, however, apply only to members of a particular culture's **moral community**—that is, to those who are seen as having moral value. Headhunters, for example, always select their victims from outside their immediate community.

Beings who have moral worth are known in moral philosophy as **persons.** Persons are beings who are worthy of respect as valuable in themselves, rather than simply because of their usefulness or value to someone else. The widespread identification of *person* with *human being* in our culture betrays our anthropocentric bias; the use of the term *man* for all humans also shows our patriarchal bias. In coming up with a rational and consistent definition of the moral community, it is important to look beyond culturally biased terms.

Cultural Relativism and Ethnocentrism   Cultural relativism defines moral community in terms of **ethnocentrism:** The belief that one's culture or ethnic group is morally superior. According to this worldview, someone, or something, has moral value only because society grants this status. Those who are granted moral status by their culture receive the protection and support of the community. Moreover, those who are closer to the center of the moral community receive more privileges and protection. Those who are **marginalized**—such as blacks, women, and Muslim immigrants—have less access to economic and social benefits. When members of a marginalized group transgress cultural norms, they are not given the same protection as those in power. For example, in the United States, blacks are more likely to receive the death penalty.[7] Beings who are outside the moral community—such as nonhuman animals, fetuses, and the environment in our culture—can be treated as a "means only" and disposed of, eaten, or exploited solely for the benefit of those within the moral community.

In Buddhist cultures and some Native American cultures, the moral community is defined very broadly to include all living beings—human and nonhuman. Other cultures define their moral community more narrowly. For a group of beings to be excluded from the moral community, they first have to be "depersonalized." Before embarking on their "final solution," the German Supreme Court in 1936 ruled that "the Jew is only a rough copy of a human being, with human like facial traits but nonetheless . . . lower than any animal . . . otherwise nothing." In the 1857 *Dred Scott v. Sanford* decision, the United States Supreme Court reaffirmed that the slave was "property in the strictest sense of the word" and an "inferior being that had no rights which the white man was bound to respect." In the 1973 *Roe v. Wade* decision, which legalized abortion, the Court declared that "the word 'person,' as used in the Fourteenth Amendment, does not include the unborn" (see pages 80–81).

The cultural definition of the moral community is, to a large extent, politically and economically motivated and serves to maintain the status quo. By protecting the interests of those in power and morally sanctioning the marginalization and exploitation of other groups, cultural relativism promotes ethnocentrism and legitimates hatred and discrimination. Problems such as racism and sexism exist in our culture, in part, because the majority of American adults are cultural relativists.

The power of our cultural worldview is more pervasive than most of us realize. Many people, while giving lip service to the universal principle of equality, tacitly adopt the prevailing cultural view of the moral community. In the 1991 study mentioned earlier of how college students judge social issues, slightly more than half of the students interviewed evaluated homosexuality in a positive light, stating that it was a personal preference just like heterosexuality.[8] When the same students were presented with a hypothetical example of their own child being homosexual, however, 92 percent shifted their position, stating that this would not be morally acceptable or desirable. In other words, they shifted from a definition based on the principle of equality to the cultural definition of the moral community that marginalized homosexuals. To avoid getting mired in doublethink, it is important to be aware of how the cultural definition of the moral community shapes viewpoints on moral issues.

Unlike cultural relativism, universalist theories of morality require rational criteria for person-hood and that the exclusion of a particular group from the moral community be justified. Much of the dissension over abortion and animal rights stems from disagreement over the definition of moral community and personhood. Thus, any debate on these issues must be based on a rational and consistent definition of these key terms. Mary Anne Warren in her article on abortion (see Chapter 2), for example, devotes considerable space to defining personhood. Justifying practices such as meat-eating, abortion, or slavery on the grounds of tradition or legality just won't do.

EXERCISES

1. Philosopher Stephen Satris argues that the ethical relativism of most college students is intended not as a well-thought-out philosophical theory but as an "invincible suit of armor" to "prevent or close off dialogue and thought."[9] Do you agree? Discuss an instance when you, or someone else, used ethical subjectivism as a means of ending the discussion on a moral issue.

2. Do your views on issues coincide, for the most part, with those of your culture or subculture? To what extent do you use widespread agreement as support for the "rightness" of your position on issues such as abortion or capital punishment?

3. George Orwell predicted that doublethink would become more and more prevalent as people lost the ability to think critically. Do you agree with Orwell? Identify instances of doublethink in debates on moral issues.

4. Make a list of criteria you use to decide who or what is included in and excluded from the moral community. Are you satisfied with your criteria? Discuss how your definition of personhood affects your views on the moral issues included in this text.

MOVING BEYOND ETHICAL RELATIVISM

Moral thought, then, seems to behave like all other kinds of thought. Progress through the moral levels and stages is characterized by increasing differentiation and increasing integration, and hence is the same kind of progress that scientific theory represents.

—Lawrence Kohlberg, *The Philosophy of Moral Development* (1981)

Just as children must one day leave their parents and strike out on their own if they are to continue maturing, so too must we put behind us the dictates of our peer group or culture as the ultimate moral authority and seek a more solid and reliable foundation for everyday moral decisions. Both types of ethical relativism—ethical subjectivism and cultural relativism—are inadequate as explana-tions of how we make real-life moral decisions and as guides for what we ought to do. Universalist moral theories offer an alternative to ethical relativism. These theories claim that morality is universal and objective and, as such, exists independently of personal or cultural opinions.

The Stage Theory of Moral Development

According to developmental psychologists, there are innate cognitive structures that are fundamen-tal to all humans. These structures include—among others—causality, time and space, and moral excellence. In his study of moral reasoning, psychologist Lawrence Kohlberg (1927–1987) found that humans move through distinct **stages of moral development** (see chart on page 13). These stages are universal and cross-cultural and represent "transformations in the organization of

thought, rather than increasing knowledge of cultural values." The earlier stages are not so much replaced by higher stages as incorporated into them—much as elementary school arithmetic becomes part of understanding complex statistical analysis. People move on to the next or "higher" stage only when they find their current type of moral reasoning inadequate. This generally occurs when they encounter a crisis that their current mode of thinking cannot satisfactorily resolve.

Young children use primarily egoistic or preconventional moral reasoning. Morality is simply a matter of satisfying their own needs. While they recognize basic moral principles such as justice, they apply this principle egocentrically, demanding fair treatment for themselves but not caring whether others are treated justly.

In the second or conventional stage of moral reasoning, people look to others, whether it be their peers or societal norms, for their moral values. In other words, they adopt cultural relativism. The transition to the conventional stage generally takes place during early adolescence. While egoistic reasoning may be effective in helping the young child get what he or she wants, in high school and college, egoism is more likely to alienate the egoist from his or her peers.

Conventional moral reasoners are concerned with pleasing others and respecting social rules. Their position on a moral issue is generally determined by what their peers believe, or, at the higher level of conventional reasoning, what is legal. As a developmental stage, conventional moral reasoning helps to socialize young people and move them beyond egoism to a concern for community values and the needs of others.

The final stage, according to Kohlberg, is that of principled reasoning. In justifying this as a more desirable or higher stage than the previous stages, he points out that people at this stage prefer it to their earlier stages. In addition, most world philosophers have long held that autonomous moral reasoning, universality and impartiality, and a concern for justice for all are the hallmarks of sound moral reasoning.

Kohlberg used only males in formulating his theory on moral development. Not surprisingly, his stage theory has been criticized for not taking into account the way women think about moral issues. Through her interviews with women and a study of women in literature, New York University psychologist Carol Gilligan concluded that women's moral development tends to follow a different path than men's: Men tend to be duty- and principle-oriented; women are more context-oriented and tend to view the world in a more emotional and personal way.[10] Women's moral judgment, Gilligan found, is characterized by concern for themselves and others, accepting and maintaining responsibility within relationships, attachment, and self-sacrifice.

Although Gilligan's and Kohlberg's theories emphasize different aspects of moral development, their stages are roughly parallel. The preconventional stage in both theories includes the egoists and ethical subjectivists who put their needs before those of others. Conventional moral reasoners, in both theories, are cultural relativists. The different descriptions of the conventional stage are not surprising given the different ways in which men and women are socialized in our culture. Men, for the most part, are socialized to be the upholders of law and order—whether it be the law of the land or the rules laid down by their peer culture. Women, on the other hand, are taught that being a good woman involves self-sacrifice and placing the welfare of others before her own. The #MeToo movement, in which women who have been sexually harassed or raped by men in positions of power, represents a shift from conventional to postconventional reasoning (for more on sexual harassment, see Chapter 6, 237–238).

The postconventional stage is represented by autonomous moral reasoning, in which a person looks to transcultural universal values—whether in the form of abstract principles of justice and respect or moral sentiments such as compassion and empathy. Developing an awareness that

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🍃 STAGES OF MORAL REASONING

Stage	Kohlberg[11]	Gilligan[12]
Preconventional	Punishment (avoid punishment) Egoist (satisfy one's own needs; consider the needs of others only if it benefits you)	Self-centered (view one's own needs as all that matters)
Conventional	Good boy/nice girl (please others; concern for others' approval; conformity to peer norms) Society-maintaining (respect authority and social rules; maintain the existing social order)	Self-sacrificing (view others' needs as more important)
Postconventional	Social contract (obey useful social rules as long as minimal basic rights are safeguarded) Conscience and universal principles (autonomously recognize universal rules, such as justice and equality; respect for equal dignity of each individual)	Mature care ethics (balance one's own needs and the needs of others)

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respect applies to all persons involves being able to empathize with others. Sociopaths, who lack the ability to empathize, also lack any sense of moral duty. In addition, Gilligan's postconventional stage entails that women realize that principles of justice and respect apply to themselves as well as to others. Recent research has shown that most people—men and women alike—use both the care and the justice perspective in their moral reasoning. Both Gilligan and Kohlberg came to acknowledge that moral maturity involves the development and integration of both perspectives.[13]

The preference for one of the two perspectives can show up in how students debate moral issues. Women, as well as some men, at the conventional stage of moral reasoning may fail to speak up or challenge someone for fear of offending them. Males at Kohlberg's conventional stage may conform to the rules of their peer culture or confuse what is moral with what is legal. Studies of drinking on campuses, for example, show that freshmen men are more likely than women to succumb to peer pressure to engage in heavy drinking and drug use. Female freshmen, in contrast, are more likely to refrain from drinking and drug use, because of concern for how it will affect their families.[14] (For more on the issue of drinking on campuses, see Chapter 5.)

Being wary of peer pressure and being concerned about the impact of our actions on our relationships are both important in moral decision making. Being aware of your own moral-decision-making style can help you cultivate your strengths and overcome your weaknesses, as well as appreciate the strengths and contributions of other perspectives in moral decision making and discussions of moral issues.

College and Moral Development

Moral maturity entails making our own well-reasoned moral decisions rather than simply following the dictates of the crowd or going with our selfish desires.

When young people begin college, they may discover that what they thought were clear-cut cultural norms and values are not so uncontroversial after all. Their cherished worldviews may come into conflict with those of others, especially people from different cultural backgrounds. This, in turn, leads them to question some of their own cultural norms. During this transition period, students are torn between the rejection of moral values that are culturally relative and the reluctance to commit to universal moral principles (postconventional moral reasoning). This conflict can manifest itself in hedonistic disregard for any moral values—either relative or universal.[15]

Unfortunately, like the majority of Americans, most college students do not complete the transition to postconventional moral reasoning, but instead move into a higher level of conventional moral reasoning. Although they may become less dependent on the opinions of their peers, the trade-off is that they become more conforming to wider societal norms. The good news is that college experiences such as community service learning, contact with people from diverse backgrounds, and classes in which moral worldviews are challenged can significantly enhance a student's moral development.[16]

The Importance of Moral Development and Ethics Education

Could culturally approved holocausts like the one that happened in Nazi Germany happen today in the United States? Most of us think that we would draw the line at participating in such atrocities. If laws were enacted ordering, let's say, the euthanasia of all people over 75, or mandatory destruction of all genetically "imperfect" fetuses, would we go along with these laws? Although these practices may make us feel uncomfortable, if we identify morality with cultural norms, on what grounds are we going to oppose them?

One purpose of ethics education is to help us make the transition to postconventional moral reasoning by providing us with the resources to make effective moral decisions that we will not come to regret later. Unlike moral indoctrination, ethics education is not about telling people what is right and wrong. Most people "know" right from wrong.[17] In the Milgram experiment, for example, many of the subjects were openly distressed and "knew" that what they were doing was wrong, but they were unable to say why. Ethics education helps us articulate moral values and apply moral theory and moral reasoning to a particular issue or real-life moral decision.[18]

The study of moral theory and the reasoning underlying moral issues also help motivate people. Research has found that people who are morally mature and better at moral reasoning are more motivated to act on their beliefs.[19] People at the higher stages of moral development not only sympathize with those who are suffering, but take active steps to help alleviate that suffering. They are willing to speak out on behalf of themselves and others when they witness an injustice and will take effective and well-thought-out action to correct the injustice.

Moral action also involves striving to be the best person we can be. Virtuous people, those who regard morality as important to their self-identity, are more likely to do the right thing and to get involved in social action.[20] Taking a class in ethics helps us on our journey to becoming the best people we can be.

EXERCISES

1. Which perspective—Kohlberg's justice or Gilligan's care perspective—best describes the way you approach discussions of moral issues? To what extent do you draw from both perspectives? Illustrate your answer with specific examples.

2. Has the college experience enhanced your moral development and, if so, how? Discuss what motivated you to change. Explain, using specific examples.
3. Have your views on any of the issues covered in this chapter changed or been called into doubt as a result of your college experience? Explain.
4. Think of a time when you went along with others even though you "knew" that what they were doing was morally questionable. Discuss strategies you might have used that would have made it easier for you to resist peer pressure and to do the right thing (engage in moral action).

MORALITY AND RELIGION

A list of virtues or duties drawn up by a Buddhist would not differ very greatly from one drawn up by a Christian, a Confucianist, a Muhammadan or a Jew. Formally all of the ethico-religious systems are universalist in scope.

—Morris Ginsberg, *Reason and Unreason in Society* (1947)

Many people look to religion for moral guidance. The concept of God in the major world religions is intimately connected with that of moral goodness.[21] People worship God, in part, because God represents perfect goodness. Worshipping reaffirms these moral values. This raises the question of the connection between religion and morality. Is morality dependent on religion, or does it exist independently of religion?

The Divine Command Theory

Divine command theory states that something is moral merely because God approves of it. Just as morality for the cultural relativist is relative to cultural norms, for the divine command theorist, morality is relative to what God commands or wills. There are no independent, universal moral standards by which to judge God's commands. No other justification is necessary for an action to be right other than God's commanding it. The story of Abraham and Isaac in the Bible, in which God commanded Abraham to sacrifice his son, is often used as an example of divine command theory. Abraham was not the last parent to claim that God commanded them to kill their child. In 2001, Texas housewife Andrea Yates drowned her five children, ranging in age from six months to seven years, to save them from Satan. Her justification: God commanded her to do so.

Even more disturbing is the use of divine command theory to justify terrorism. Radical Islamic terrorist groups such as al-Qaeda believe that God has commanded them to destroy infidels (see Chapter 9). The terrorists who flew the airplanes into the World Trade Center and the Pentagon on September 11, 2001, justified their actions using the divine command theory. Divine command was also invoked by former President George W. Bush, who believed that he was given a divine mandate to carry out God's will in declaring war on these radical Islamic groups.[22] If we respond that God would not have commanded anyone to do something horrible, we are implying that there are independent moral standards by which we can judge God's commands.

If we accept the divine command theory, the only way to resolve a moral issue would be to wait for God to speak to us. There are no other criteria for deciding right from wrong. If someone claims that God spoke to her and commanded her to blow up a bus, we have no independent criteria for judging whether she, in fact, heard God or not. Most religious people reject divine command theory. They believe that actions such as genocide are not arbitrary but a matter of reason.

Natural Law Theory

Natural law theorists maintain that God commands something *because* it is moral, not the other way around. Whereas religious teachings may affirm universal moral principles, morality exists independently of religion and God's commands. According to the natural law theory, morality is grounded in rational human nature rather than in God's commands or personal feelings or cultural norms. Morality is universally binding on everyone, no matter what their religion or lack thereof.

According to Thomas Aquinas (c. 1225–1274), it is through the "light of natural reason," given to us by God, that humans discern moral or natural law (see page 372). These moral laws are very general and exist in the form of guidelines, such as the Golden Rule and the Ten Commandments (Decalogue). The Muslim Qur'an also contains a universal moral code similar to the Decalogue that is a universal "message to all the worlds" (81:27). Moral law is also teleological; it directs us toward a particular purpose or goal of the natural order. It is incumbent upon us as rational beings to discern how these moral laws apply at a particular time in history and in a particular case. In her article on the death penalty (see pages 172–176), Helen Prejean adopts this approach by asking if God (see reading by Helen Prejean at the end of Chapter 5) would return pain for pain and torture for torture. She concludes that God would not.

Although natural law theory is often identified with the Catholic Church, one need not be Catholic—or even believe in God—to subscribe to this theory. Martin Luther King Jr. subscribed to natural law theory and rejected divine command theory. Aristotle, on the other hand, believed that, rather than being created by God, the moral law has always been part of the natural order. Variations of natural law theory are also found in non-Western cultures, such as the Akan tribe of Ghana.[23]

Natural law ethicists reject cultural relativism. According to them a human or civil law (legislation) or a tradition is moral only to the extent that it is in accord with natural or moral law. If a law is unjust, we may have a moral obligation to disobey it. A human law is unjust if it is degrading to humans, such as laws that permit torture or slavery. Laws that are discriminatory, such as segregation laws and, perhaps, affirmative action, may also be unjust.

Civil disobedience, on the grounds of obedience to a higher moral law, has a long history in this country. In engaging in civil disobedience, the dissident can use only moral means and must be nonviolent and open about his or her actions. Members of animal liberation groups break into laboratories and set animals free; anti-abortionists block women from entering abortion clinics; anti-nuclear activists block roads leading to nuclear power plants and military establishments; and in the back of his Volkswagen van, Dr. Jack Kevorkian (1928–2011)—despite repeated warnings from the courts—continued to assist terminally ill people in ending their lives, until he was put in jail. In each of these cases, the people engaged in civil disobedience justified their actions on the grounds of a higher moral law. (For a more in-depth discussion of civil disobedience, see page 378.)

Universality and Religious Ethics

In discussing moral issues, it may be tempting to dismiss a particular position as a religious issue, especially if we are unsure of how to defend our own position. Antislavery arguments were dismissed for many years as the rantings of fanatic Quakers who were trying to force their religious views on the southerners. Today certain moral positions on abortion, stem cell research, and homosexuality are dismissed as religious views. The fact that a specific religion takes an official

stand on a certain moral issue, however, does not imply that the issue is religious rather than moral. In discussing these and similar issues, we must be careful to separate the moral issues involved from specific religious doctrines.

Most theologians and philosophers maintain that morality can exist independently of religion. Although a moral code is incorporated into and reinforced by the doctrine of most religions, moral issues can be discussed without appealing to religion. When people who are religious use the terms *right* and *wrong,* they generally mean the same thing as someone who is not religious. Religious differences tend to fall away in most serious discussions of moral issues because moral disputes can be discussed and even resolved without bringing religion into the equation.[24]

EXERCISES

1. Discuss how, if at all, your religious beliefs have shaped your morality. Is there a difference between religious and secular morality in your life? What happens when your religion and your culture take different positions on a particular moral issue? Explain how you resolved the conflict. Use specific examples.
2. Fyodor Dostoyevsky in *The Brothers Karamazov* (1880) writes, "If God doesn't exist, everything is permissible." Discuss his claim that morality is dependent on the existence of God. Discuss what, if anything, would be different about your moral beliefs and behavior if God did not exist.
3. Discuss a case in which someone justified a position that most people would consider immoral, such as an act of aggression against a particular group of people, on the grounds that God commanded him or her to take this position. How would you respond to such a person?
4. Choose a controversial topic, such as abortion, euthanasia, or genetically engineered babies, that is sometimes regarded as a religious issue. Can the morality of these practices be discussed without bringing in religious doctrine? Support your answer.

UNIVERSAL MORAL THEORIES

Two things fill the mind with ever new and increasing admiration and awe, the oftener and more steadily we reflect on them: the starry heavens above and the moral law within.

—Immanuel Kant, *Critique of Practical Reason* (1788)

Like natural law theorists, most moral philosophers believe that there are moral principles that are universal. There are several different *universalist theories,* including natural law theory, ethical egoism, utilitarianism, deontology, rights ethics, and virtue ethics. They all agree, however, that there are universal moral principles that are impartial and binding on all people regardless of their personal opinions, culture, or religion and that these moral principles are *discovered* rather than created by people. Although individual interests or cultural customs, as noted in the example about the Kabloona, can influence how a particular moral principle is applied, fundamental moral principles are universal and transcultural.

Just as scientists disagree about the origin of the universe or the nature of gravity, people may disagree about the source and nature of these principles and sentiments. Some philosophers

believe that we intuitively know what is morally right and wrong; others argue that reason is the primary source of moral knowledge. The fact of disagreement, however, does not mean that universal moral principles do not exist, anymore than it follows that disagreement about the source of the universe or the nature of gravity means that the universe and gravity do not exist.

There is a lot of overlap between the different universalist theories. Instead of being mutually exclusive, like ethical subjectivism and cultural relativism, universalist theories, for the most part, emphasize particular aspects of morality.

ETHICAL EGOISM

The achievement of his own happiness is man's highest moral purpose.

—Ayn Rand, *The Virtue of Selfishness* (1964)

Ethical egoists argue that morality involves the pursuit of our rational self-interests. It differs from ethical subjectivism in that it is concerned with a person's best interests, not simply what each individual person feels is right for him or her. We may feel something is the right action for us only to later discover the error of our ways. Ethical egoists also maintain that egoism should be universalized and that the world would be a better place if we all pursued our rational self-interests.

Psychological Egoism and Ethical Egoism

The story of Gyges's ring in Plato's *Republic* is often used to illustrate psychological ethical egoism. In this dialogue, Glaucon tries to convince Socrates that it is better for people to do only that which benefits themselves. "Those who practice justice," Glaucon argues, "do it unwillingly because they lack the power to do injustice." To make his point, he tells the story of Gyges, a shepherd who finds a gold ring. Before long, Gyges notices that when he turns the setting of the ring so it faces the inside of his hand, he becomes invisible to those around him. When he realizes his power, he arranges to become a messenger to the king. When he arrives at the king's residence, he seduces the queen, kills the king, and takes over the empire. (For the full text of Gyges's ring, go to http://classics.mit.edu/Plato/republic.3.ii.html.)

There are two main types of egoism: ethical egoism and psychological egoism. **Ethical egoism** is a normative or moral theory about how things *ought* to be. We ought to act in our own best self-interests. **Psychological egoism,** in contrast, is a descriptive theory about how things *are.* Humans by nature are selfish and out for themselves.

Thomas Hobbes (1588–1679) was a psychological egoist. He believed that people are innately selfish, aggressive, and quarrelsome.[25] Without society, he argued, we would all live in a "**state of nature**" in which life would be "solitary, poor, nasty, brutish, and short." We agree to live within a society and obey certain rules only because it benefits us. To those opponents of psychological egoism who point out people who do noble deeds, Hobbes replies that we perform great acts of charity and altruism only because we delight in demonstrating our powers and superiority by showing the world that we are more capable than those we serve. (To read Chapters 13–15 in Hobbes's *Leviathan,* in which he discusses ethical egoism, go to http://oregonstate.edu/instruct/phl302/texts/hobbes/leviathan-contents.html)

Sociobiologists, such as E. O. Wilson, also believe that humans, like other animals, are genetically programmed to act in ways that further their own self-interests. Even altruism is fundamentally selfish, because it increases our chances of passing on our genes to future generations.

One of the problems with the theory or psychological egoism is that it is not falsifiable. No matter what happens, psychological egoism argues that it must have been motivated by self-interest. People smoke because it gives them pleasure; they sabotage relationships because it gets them off the hook; they commit suicide to escape a painful existence or, in the case of suicide bombers, to enter the bliss of heaven. Thus, as a theory, psychological egoism is based on circular reasoning and, as such, is useless in explaining human behavior or offering guidelines for what we should do.

Ayn Rand and Rational Ethical Egoism

According to Ayn Rand (1905–1982), humans are rational and fundamentally solitary individuals, each pursuing his or her own personal self-interests. Unlike psychological egoists, ethical egoists do not believe that we always act in our best self-interests. We need to use our reason to determine what is best for us. Also, we should do things for others only when we can expect to get something of similar value in exchange. This type of voluntary cooperation Rand referred to as the principle of trade or justice. When we each pursue our rational self-interests, we actually promote the common good. In line with this, Rand concluded that laissez-faire capitalism is the only economic system compatible with respect for the integrity of the individual human.

While E. O. Wilson believes that altruism is compatible with egoism, Rand maintained that altruism is a vice. Altruists, according to her, give things to people who have neither earned them nor deserve them. This turns the recipients of altruism or charity into parasites or second-handers. The only good people can do for each other, Rand writes, is "hands off." Because of this she was opposed to the welfare state or any sort of handouts as degrading to both the giver and the receiver. Taxing people to redistribute resources to second-handers is, in her view, a form of theft. The sole purpose of government is to protect our individual rights to pursue our rational self-interests. If everyone were allowed to pursue their rational self-interests and engage in voluntary trade, the result would be the most efficient use of resources and human talent.

To learn more about Rand's rational ethical egoism, see the reading in this chapter from her novel *The Fountainhead.*

ETHICAL EGOISM: CONSIDERATIONS FOR THINKING ABOUT MORAL ISSUES

- **Determine what is in your rational self-interests:** What will bring me the greatest happiness? Am I being reasonable in considering what is in my best self-interests?
- **Act in ways that promote your rational self-interests:** Which action or plan will best promote my goal of happiness?
- **Interact with others based on the principle of trade:** Will this exchange give me back something of equal value? Or are other people asking for something that they neither have earned nor deserve?

The Strengths and Limitations of Ethical Egoism

One of the strengths of ethical egoism is that it contains two important truths: (1) We all want to be happy, and (2) pursuing our interests is important to our happiness. Ethical egoism encourages us to stand up for ourselves, to take responsibility for our lives, and not to let other people take advantage of us.

But are there only two alternatives: self-sacrifice or the pursuit of our self-interests? Is the pursuit of our self-interests even the best path to happiness? By having individual happiness as its only goal, ethical egoism becomes self-defeating—a phenomenon known as the **hedonist paradox.** If we focus only on our own happiness, we often end up feeling frustrated and alienated. A review of studies worldwide on what makes people happy found that "self-actualization values" such as inner-directedness, independence, individualism, and productive work were not associated with greater happiness. Instead, values and activities that were not motivated by self-interest—such as helping others, sympathy, friendship, tolerance, and forgiveness—were most highly correlated with happiness.[26]

In addition, ethical egoism does not provide guidelines for resolving conflicts of interest between people. Protecting people's liberty rights is insufficient to guarantee that everyone will have the freedom to pursue their rational self-interests. In a world of limited resources and opportunities, people's self-interests sometimes come into conflict. When this happens, the rich and powerful will generally be able to assert their self-interests at the expense of those with less power. In the United States, the gap between the rich and the poor has grown steadily since 1980 with the top 1 percent of income earners now receiving 20 percent of the income—the equivalent of that received by the bottom 40 percent of income earners.[27] Ethical egoism may work well in a community of equals. However, the world falls far short of this ideal. The devastating effects of this ideology on people and nations that are not in positions of economic power are becoming more evident with the increasing accumulation of wealth in the hands of fewer and fewer people and the destruction of the environment in the name of economic progress.

EXERCISES

1. Imagine that you found a ring that could make you invisible. Discuss how you might use such a ring. For example, would you use it to cheat on tests or to rob banks in order to distribute the money to the needy? Would the world be a better place if everyone had such a ring? Support your answers.

2. Discuss the claim by psychological egoists that people, by nature, are selfish as well as how you might go about proving or disproving the theory.

3. Discuss how your life would be affected if all your interactions with other people were based on "trade." Do you agree with Rand that the principle of trade is the same as justice? Support your answer.

4. Are students who receive government-funded college scholarships parasites or second-handers under Rand's definition? If so, do we have a moral obligation to get rid of any scholarship assistance? Support your answers.

5. Discuss the possible ramifications of ethical egoism and Rand's principle of trade for globalization and economic trade between wealthy and developing countries. How about programs such as Social Security, unemployment insurance, and Medicare—should they be privatized or even dismantled?

UTILITARIANISM

The happiness of the individuals, of whom a community is composed, that is their pleasures and their security, is the end and the sole end which the legislator ought to have in view.

—Jeremy Bentham, *Principles of Morals and Legislation* (1789)

Modern utilitarian theory was developed by English philosopher and social reformer Jeremy Bentham (1748–1832) in response to the flagrant injustices and the desperate needs of workers during the Industrial Revolution. Bentham's goal was to develop a practical ethical theory that could provide a secure, scientific foundation for developing social policy and legislation.

Jeremy Bentham: Father of Modern Utilitarian Theory

Bentham's utilitarian theory was inspired primarily by the theories of Epicurus (341–270 B.C.E.) and David Hume (1711–1776). Hume and Epicurus both argued that certain traits are virtues because of their utility, or usefulness. Those traits that promote happiness have the greatest utility. Bentham took this one step further by arguing that utility provides the *only* source of political obligation; it is utility alone that proves the test of what a law ought to be and which laws ought to be obeyed.

Utilitarianism states that the morality of an action or policy is determined solely by its consequences. Utilitarians maintain that the desire for happiness is universal and that we intuitively recognize it as the greatest good. Happiness is synonymous with pleasure, unhappiness with pain. Actions are right to the extent that they tend to promote overall happiness, and wrong to the extent that they tend to promote overall unhappiness. Furthermore, what counts is not just individual or even human happiness, but the sum of the happiness of the whole community of **sentient beings**—that is, those beings who are capable of feeling pleasure and pain.

The Principle of Utility: Promoting Happiness and Minimizing Pain

Although the **principle of utility** is useful in making individual decisions, such as what major we should choose, Bentham intended the principle primarily for developing social policy. In determining which action or policy has the greatest utility (produces the greatest amount of happiness) we cannot rely on a majority vote, since people's choices are not always well-informed. The majority, either because of ignorance about an issue or because of irrational traditions and prejudice, may be mistaken about what is the best course of action. Nor can we rely on feelings alone, such as sympathy, because feelings can also mislead us. Instead, we need a rational principle by which to guide our actions. This principle is the *principle of utility,* or the *greatest happiness principle:*

Actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.[28]

In deciding which action or policy is the most morally compelling, we need only measure the total amount of pleasure and the total amount of pain involved in the alternatives, and choose the alternative with the greatest net pleasure. Because the interests of all sentient beings count, the pain caused by human practices to other animals—such as animal agriculture and research using nonhuman animals—also has to be taken into consideration (see reading by Jeremy Bentham at the end of this chapter).

🌿 THE UTILITARIAN CALCULUS: SEVEN FACTORS TO TAKE
INTO CONSIDERATION IN DETERMINING THE MOST
MORAL ACTION OR DECISION

1. *Intensity:* Strength of the pleasure and pain. The greater the pleasure the higher the value; the greater the pain the lower the value.
2. *Duration:* Length of time the pain and pleasure will last.
3. *Certainty:* Level of probability that the pleasure or pain will occur.
4. *Propinquity:* How near in time the pleasure or happiness will occur.
5. *Fecundity:* Extent to which the pleasure will produce more pleasure.
6. *Purity:* The pleasure does not cause pain at the same time.
7. *Extent:* The number of sentient beings affected by the action.

John Stuart Mill's Reformulation of Utilitarianism

Jeremy Bentham advocated equality and impartiality. He argued that all pleasures, whether those of a pig or a human, are equal. **Equality,** according to him, is not a description of actual equality of ability; rather, it is a moral ideal or prescription of how we ought to treat all sentient beings. The happiness of any one individual is no more or less important than that of any other.

Utilitarian John Stuart Mill disagreed with Bentham, arguing that intellectual pleasures, such as listening to a symphony or reading a great book, are *qualitatively* better than those of the body, such as eating or basking in the sun. In other words, the intellectual pleasures experienced by humans, though they may be less intense at times, are morally preferable to the simple pleasures of a pig (see reading by John Stuart Mill at the end of this chapter). This is not to say that the pleasures of the pig should not count at all. In fact, utilitarians continue to be in the forefront of the animal-welfare movement.

Utilitarianism and Social Reform

Utilitarian theory has had a profound influence on social reform and the shaping of public policy. Jeremy Bentham was an advocate of animal welfare and prison reform. John Stuart Mill spoke out eloquently on behalf of equal opportunities for women, freedom of the press, and the legalization of homosexual acts between consenting adults. Contemporary discussions of capital punishment, euthanasia, animal welfare, genetic engineering, stem cell research, pornography, legalization of drugs, and environmental ethics all have utilitarian components.

Unlike most moral theories, utilitarian theory adopts a practical bottom-up approach. It begins with the actual happiness of people and other sentient beings rather than imposing morality and social ideals on them from above. The principle of utility requires that we do not take refuge in ideological slogans, cultural traditions, or personal opinion, but that we instead examine our position on moral issues in light of the actual consequences. This entails overcoming our ignorance regarding the extent to which our lifestyle is built upon the suffering of other people or animals.

Utilitarianism requires that we first do our research. For example, is capital punishment, in fact, an effective deterrent? Does viewing pornography and violence, in fact, cause people to

behave more violently? Does permitting people who are openly homosexual to teach in schools, in fact, make children more likely to become homosexuals?

We also need to look at possible consequences of our decisions. Would censorship of hate speech and pornography cause more harm than allowing hate speech and pornography? Is assassination or a preemptive attack on another country ever justified if other avenues have failed to remove a leader who inflicts massive suffering on his people? Would legalizing recreational drugs result in more or in less drug abuse and drug-related crime? Would condoning voluntary euthanasia put us on the slippery slope toward involuntary euthanasia?

Finally, we need to balance harm and benefit. Is the harm that human activities cause to the environment and to other animals justified by the benefit the products bring to humans? Would permitting parents to genetically engineer their children result in more overall happiness for society, or less?

The Strengths and Limitations of Utilitarianism

Utilitarian theory is a powerful tool for formulating social policies. It is also a reminder that tradition alone cannot serve as a foundation for morality.

One of the strengths of utilitarian theory is that it challenges us to rethink our traditional notions about moral community. If we are going to exclude or marginalize people or other animals, we have to offer a rational justification for our decision. We cannot exclude other animals based on irrational religious doctrines that claim that only humans are created in the image of God. Nor can we justify expending expensive limited resources on humans who are no longer sentient simply on the grounds that they are human (see Chapter 2, pages 104–105).

The utilitarian insistence on equality and impartiality is both one of its greatest strengths and one of its weaknesses. Justice as impartiality assumes that people living in a community share a common conception of the good. In reality, however, people have different needs and goals. The capitalist's idea of happiness, for example, is not the same as that of the religious contemplative. Philosopher John Rawls (1921–2002) pointed out that justice demands not only impartiality, but that we treat people fairly and in proportion to their needs and merits. A person who works hard deserves a raise or a good grade because he or she has done a good job. Utilitarians, in contrast, are not concerned with what a person deserves, but whether giving rewards based on merit produces the most utility.

There are other desirable goals in life besides pleasure. Most people agree that goals such as friendship, spiritual growth, and appreciation of the aesthetic are also desirable. On the other hand, utilitarian theory reminds us that one of the primary purposes of morality is not to make our lives more tedious or to make us feel more guilt-ridden, but to improve the quality of our lives by promoting ideals and behavior that provide optimal conditions for us to flourish, both as individuals and as a community.

By claiming that only consequences count, utilitarianism underplays the importance of individual integrity and personal responsibility. In considering only consequences utilitarian theory may require us to act in ways that violate our integrity and our conscience. For example, say that a particularly heinous murder, which the community believes to have been racially motivated, has created racial tension, looting, and killing in that community. The police have been unable to find the murderer. It also seems fairly certain that the community rampage will continue until someone is brought to "justice." In desperation the police arrest a man—an unsavory character who has a history of petty crime—who they know is not guilty of the murder. As a judge, you can bring about more pleasure and restore social harmony by convicting the man and giving him the

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🌿 UTILITARIAN CONSIDERATIONS FOR THINKING ABOUT MORAL ISSUES

- **Determine who or what will be affected:** Who will be caused pain or pleasure?
- **Look at the possible consequences:** What are both the long-term and short-term consequences of the different alternatives?
- **Maximize happiness:** Which solution will bring about the greatest net happiness?
- **Minimize pain:** Which solution will cause the least pain and suffering to those affected by the decision?

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death penalty. What should you do? The utilitarian would probably say we should send the man to death row. But our actions do not happen just as part of a wider context of the general good; each of us is also responsible for what we do as individuals.

Because only pleasure has intrinsic value, utilitarian theory allows us to use people as a means toward that end, rather than requiring us to respect people as ends in themselves. In the previous example, the accused man was used as a means to social harmony. In addition, to pressure the judge into bringing about the death of an innocent person to prevent the death of others is also to treat the judge as a means only.

Utilitarian theory is not so much wrong as incomplete. Despite its limitations, utilitarian theory provides valuable guidelines for discussions of issues in social ethics. Although other moral philosophers may regard other moral considerations as more fundamental than the principle of utility, as John Rawls writes, "all ethical doctrines worth our attention take consequences into account in judging rightness. One which did not would simply be irrational, crazy."[29]

EXERCISES

1. Utilitarian theory is frequently used to formulate social policies regarding issues like AIDS testing and distribution of social benefits such as scholarships and medical care. Find some examples of utilitarian thinking in current public or college policies. Explain why these policies represent utilitarian thinking.

2. President Donald Trump uses trickle-down theory, which is based on utilitarianism, to justify lowering taxes on corporations and businesses, arguing that the tax breaks given to rich business owners will benefit or "trickle down" to the middle and lower classes in the forms of more jobs and higher pay. Using the utilitarian calculus, critically analyze this policy. Remember to take into account human nature in your analysis.

3. Critically analyze Mill's claim that human intellectual pleasures have greater moral value than the pleasures of other animals. Discuss how adopting either Bentham's or Mill's position would influence public policy on the use of nonhuman animals to benefit humans.

4. Both Confucianism and feminist care ethics teach that our concern should be strongest for our family and friends. Utilitarian theory, in contrast, teaches that our concern for others' happiness should be impartial. Discuss these two competing concepts of moral obligation. Support your answer using examples from your own life as a college student.

DEONTOLOGY: THE ETHICS OF DUTY

Look to your own duty; do not tremble before it.

—Bhagavad Gita

Deontological theories regard duty as the basis of morality. *Duty,* or doing what is right for its own sake, is the foundation of morality. There are strong strands of deontology in Confucianism and Hindu ethics as well as in many Western philosophies.

Immanuel Kant and the Categorical Imperative

Deontologist Immanuel Kant (1724–1804) believed that we should do our duty purely out of **good will,** not because of rewards or punishment or other consequences. A person of good will can be depended on to do what is right, even when other motives are absent.

Good will is related to proper self-esteem. For Kant, the development of good will and proper self-esteem is the only way to ensure that we will consistently do our duty. A person of good will can be counted on to do what is right independently of external pressures or emotions. An action that is done out of conformity to cultural or peer norms, or even out of sympathy or because one enjoys helping others, may be praiseworthy but it has no moral value. For example, a college student decides to volunteer helping homeless people living on the street because he feels sympathy toward them and because it makes him feel good to know his fellow students will see him as a kind and charitable person. But when the homeless people show little gratitude and a few even reject his offer of help, he may become angry or offended and quit. Persons of good will, such as Mother Teresa, on the other hand, will continue to offer their assistance to those in need, even in the face of adversity. Kant also argued that if there is a universal moral law and if it is to be morally binding, it must be based on reason. According to Kant, the most fundamental moral principle is the **categorical imperative.** He came up with two formulations of the categorical imperative. The first formulation states:

> Act only on that maxim by which you can at the same time will that it should become
> a universal law.

Kant believed that all rational beings would recognize the categorical imperative as universally binding. Because reason provides the foundation of morality, this makes humans and other rational beings very special in Kant's mind. Whereas rational beings have free will, everything else in nature operates according to physical laws. Because autonomy is essential for dignity, only rational beings have intrinsic worth. Rational beings can therefore never be treated as expendable, but must be treated with dignity as ends in themselves. This ideal is summed up in the second formulation of the categorical imperative:

> So act as to treat humanity, whether in thine own person or in that of any other, in every
> case as an end in itself, never as a means only.

The categorical imperative is a formal principle that provides a framework for deriving moral maxims or duties, such as "Do not lie" and "Help others in distress," that can be applied in specific situations. When deciding if a particular maxim creates a moral duty, we need only ask, keeping in mind that rational beings must be treated with dignity, whether we would will that it be a universal law.

The *Golden Rule* in Judeo-Christian ethics, and the law of **reciprocity** in Confucian ethics are both similar to the categorical imperative. The Golden Rule states, "Do unto others as you would have them do unto you." Similarly, when Confucius (551–479 B.C.E.) was asked if there is a single principle that can be used as a guide to conduct in our lives, he replied, "Do not impose on others what you yourself do not desire."[30] (See reading by Confucius at the end of the chapter.)

Universalization

Universalization is one of the trademarks of morality: Moral maxims or duties, by their very nature, apply to everyone and under all circumstances. It is inconsistent, for example, to argue that it is wrong for others to lie but that it is okay for us. If it is wrong to lie, it is wrong for everyone. If we could make an exception of ourselves whenever it is to our advantage, the moral rule "Do not lie" would be meaningless. If we are unwilling to universalize a particular moral maxim—that is, apply it consistently in all similar cases—we should either modify the maxim or toss it out.

A good moral maxim must be consistent with the demands of the categorical imperative. But, unlike the categorical imperative itself, moral maxims are open for debate. For example, many people question whether we would want to universalize, as did Kant, a maxim that states, "Do not commit suicide." Kant, of course, was writing in the days before medical technology could artificially extend the dying process. Some people believe that refusing to help someone die who is suffering terribly is disrespectful and, hence, violates the second formulation of the categorical imperative shown above. What moral maxims, then, can we come up with for shaping a policy on euthanasia and assisted suicide? Would we want to universalize a maxim that states, "Physicians have a duty to carry out the requests of their patients"? This may sound good in some situations, but what about one in which a student is temporarily depressed because she got a poor grade on an exam and requests medical assistance in committing suicide? Further consideration of this proposed maxim reveals so many exceptions that it proves to be of little use in making moral decisions.

W. D. Ross: Duties Are Prima Facie

Kant argued that universalizing moral maxims requires that they be absolutely binding in all circumstances. If it is wrong to lie, then, according to him, it is *always* wrong to lie, no matter what the circumstance. He also believed that because morality is based on reason, there could never be a conflict between moral duties.

Most moral philosophers, while agreeing with Kant that moral duties or maxims are universal, disagree that they are also absolute. Moral duties are prima facie rather than absolute. **Prima facie duties** are universal moral duties that may on occasion be overridden by stronger moral claims.

According to W. D. Ross (1877–1971), moral duties cannot be absolute, because there are particular situations in which they come into conflict. The moral duty of nonmaleficence or "do no harm," for example, could conflict with the moral duty to keep a promise when keeping that promise could result in death or injury. Because duties are context-bound, the particular circumstances and possible consequences will affect which moral duties are most important in any given situation.

Unlike Kant, Ross also believed that consequences matter when applying moral principles. Moral duties, however, cannot be overridden by nonmoral duties or considerations such as

obeying the law or financial success. When there is a conflict between moral and nonmoral duties, we ought to do what is morally right.

Seven Prima Facie Duties

Ross came up with a list of seven prima facie duties that he claimed we intuitively know. These include duties concerning the consequences of our actions, such as the duty of **nonmaleficence** (do no harm) and the duty of **beneficence** (increase happiness)—two duties also recognized by utilitarians. **Ahimsa,** or the principle of nonviolence, in Buddhist ethics, is a version of the principle of nonmaleficence. Buddhists oppose meat-eating because it violates this principle.

Although almost all ethicists agree that we have a positive duty to refrain from harming others, they disagree about whether we have a positive duty of beneficence— that is, to perform altruistic actions. Margaret Pabst Battin in "The Case for Euthanasia" (Chapter 3) explores the question of whether we have a positive duty of beneficence to the unborn and those who are dying, and, if so, what the limits of this duty are.

We also have duties that stem from past obligations. The duty of **fidelity** arises from past commitments and promises. We have a commitment to our fellow students, to our parents, and to our children. The duty of fidelity or filial piety is particularly important in Confucian ethics and generally takes precedence over individual liberty rights. Some philosophers argue that part of the physician's commitment to his or her patients is to assist dying patients who request assistance in committing suicide. Others argue that the duty of nonmaleficence is more compelling in this case and that physicians should refuse to carry out actions that cause lethal harm to their patients.

The duty of **gratitude** is evoked when we receive gifts or unearned favors and services from others. Some environmental ethicists argue that we have a duty of gratitude toward the earth because it nourishes and sustains us. (See Chapter 10, pages 416–420.)

The duty of **reparation** is also based on past actions. It requires making up for past harms we have caused others. Affirmative action is an attempt to make up for past harms to women and

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🍃 W. D. ROSS'S SEVEN PRIMA FACIE DUTIES

Future-Looking Duties
    Beneficence the duty to do good acts to promote happiness
    Nonmaleficence the duty to do no harm and to prevent harm

Duties Based on Past Obligations
    Fidelity duties arising from past commitments and promises
    Reparation duties that stem from past harms to others
    Gratitude duties based on past favors and unearned services

Ongoing Duties
    Self-Improvement the duty to improve our knowledge and virtue
    Justice the duty to give each person equal consideration

minorities (see Chapter 8, pages 328–329). Some philosophers argue that affirmative action is unjust and that justice in this case is a more compelling duty than reparation.

Finally, there are two ongoing duties: self-improvement and justice. **Self-improvement** entails striving to improve our moral knowledge and our virtue. Self-improvement requires that we work to overcome our ignorance by becoming well-informed about moral issues and that we be open to new ideas. In addition, being a virtuous person requires that we use our moral knowledge to make this world a better place.

Justice

Justice is the seventh prima facie duty. The ongoing duty of **justice** requires that we give each person equal consideration. Because laws and social institutions are generally the agencies for balancing conflicting interests, the issue of justice is closely tied with that of "the good society." As noted earlier, however, not all laws are just, nor are all demands for justice addressed by law.

There are two types of justice: retributive justice and distributive justice. **Retributive justice** requires punishment for wrongdoing in proportion to the magnitude of the crime. Immanuel Kant argues that the only suitable punishment for murder is the death penalty. Hugo Adam Bedeau and Helen Prejean, on the other hand, claim that the death penalty is immoral because it violates the underlying moral principle of respect for persons. Buddhist philosophers also oppose the death penalty as being in conflict with the principle of nonviolence (*ahimsa*).

Distributive justice refers to the fair distribution of benefits and burdens in a society. Benefits include education, emergency medical care, police protection, legal representation, and economic opportunities. Taxes, jury duty, and military conscription are examples of shared burdens. Distributive justice becomes a concern when (1) there are conflicts of interest and (2) people have competing claims for certain limited or scarce societal goods. Because there are not enough good jobs and college scholarships for everyone, the distribution of these goods is an issue of justice. Other support euthanasia on the grounds that it is unjust that those who are dying long, lingering deaths get such a disproportionate share of medical and other resources. In cases such as these, we may have a duty to die.

Distributive justice also requires impartiality. We should treat equals equally and unequals in proportion to their differences. Defenders of military maintain that conscription is the best way of fairly distributing the responsibility of defending the country. In addition, in a just society, we all deserve a fair opportunity to pursue our goals. Charles R. Lawrence III argues that hate speech creates an atmosphere on campuses in which certain groups of people are denied this opportunity (see Chapter 7, pages 291–299). Aristotle focused more on merit as the key criterion in distributive justice. He was opposed to democracy, preferring instead an oligarchy, or an elitist political system based on merit. Those who are most talented and most virtuous, and who have contributed most to society, ought to get a greater share of the privileges and opportunities.

John Rawls and Justice as Fairness

In his book *A Theory of Justice,* John Rawls maintains that justice requires not only impartiality but also treating people fairly and in proportion to their needs as well as their merits. There are inequalities of birth and natural endowment (what Rawls calls the "natural lottery") and historic circumstances, such as slavery, that create undeserved disadvantages for certain people.

Simply redistributing opportunities or wealth does not solve the root problem as long as the underlying conditions that disadvantage certain people still exist. What is needed, Rawls argues, is a change in the social system so that it does not permit these injustices to occur in the first place.

Rawls's solution is to base justice upon a social contract that is unbiased and impartial. To do this, he proposes that we use a conceptual device that he calls the **"veil of ignorance,"** where everyone is ignorant of the advantages or disadvantages he or she will receive in this life. Under these conditions, Rawls argues, all rational people would agree upon the following two principles of justice:

1. Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.

2. Social and economic inequalities are to be arranged so that both are (a) reasonably expected to be to everyone's advantage and (b) attached to positions and offices open to all.

While it is impossible to truly forget our advantages and disadvantages in this life, the "veil of ignorance" provides a conceptual tool for thinking impartially about moral issues. Rawls's theory of justice has been used to reform social institutions and to develop policy in areas such as health care reform and education.

Moral Dilemmas and Resolving Moral Issues

Any of the above duties can come into conflict with one another. When moral duties conflict, we have a **moral dilemma.** Because moral duties are prima facie, when an issue involves a moral conflict, we must carefully weigh each duty, decide which are the most compelling, and try to arrive at a resolution that honors as many duties as possible.

According to W.D. Ross, there is no formula for determining what we should do in a moral dilemma. Whereas the general duties may be self-evident, judgment about our duties in a particular case is not. Because of this we need to use reason and creativity in making judgments. Ross believed that this lack of clarity is due to the nature of moral decision making, which, he claims, is more like creating a work of art than solving a mathematical problem. When there is a moral dilemma, no solution is going to be completely satisfactory. Different people may come to different solutions because they prioritize duties differently. The purpose of moral deliberation is to arrive at the *best* solution, given the circumstances.

✒ DEONTOLOGY: CONSIDERATIONS FOR THINKING ABOUT MORAL ISSUES

- **Universality:** Are we willing to universalize our rules and assumptions?
- **Reciprocity:** How would we want to be treated in a similar situation?
- **Respect:** Is our position on an issue respectful of all persons affected, or does it entail treating some as a means only?
- **Impartiality:** Are we treating equals equally?
- **Identify relevant duties:** What are the relevant duties in this particular situation?
- **Prioritize duties:** If there is a conflict of duties, which duties are the most important?

Strengths and Limitations of Deontology

Kant's deontology suffered a decline in popularity during the past century. It is making a come-back, however, in part because of disillusionment with ethical relativism. Many contemporary philosophers, such as John Rawls, while adopting the basics of deontology, have revised it or combined it with the strengths of other theories, such as social contract theory and utilitarian-ism, so it is more useful in everyday moral decision making.

Kantian deontology, with its claim that duties are absolute and that there are no conflicts between moral rules, cannot provide guidance in situations where there is a moral dilemma. Although prima facie deontology has overcome this limitation to some extent, it has been criticized for failing to provide a strategy for ranking conflicting duties.

Deontology sacrifices community in the name of individual autonomy. In Kantian deontology in particular, the private life replaces the public life as the sphere of moral actions. Kant's assumption that people are basically autonomous, private units who are free to carry out the moral law fails to take into consideration that we are all part of a wider social network of relation-ships that places restraints on the actions of some people and bestows privilege on others.

The deontologist's overriding concern with duty and justice fails to take into account the import-ant role of sentiment and care in morality. Feminist care ethicists, such as Carol Gilligan, claim that deontology, or what they call the "justice perspective," ignores caring in relationships. Prac-tical morality, they argue, is constructed dialectically through interaction with others, not merely by an autonomous examination of the dictates of reason. Indeed, as studies with sociopaths have shown, reason without the ability to empathize with others seems unable to produce the categor-ical imperative or to inspire us to respect others.

Deontology ignores consequences. Kant's denial that consequences are morally relevant has been criticized by utilitarians as well as by modern deontologists. Even if we agree that conse-quences are not as important as duty, most philosophers still believe that they must be taken into consideration. Indeed, John Stuart Mill points out that the categorical imperative by its very nature requires that we take consequences into account when adopting moral rules. According to Mill, rational people would not universalize a moral rule that would harm, rather than benefit, the moral community.

Few philosophers accept Kant's deontology in its entirety; nevertheless, Kantian deontol-ogy is one of the most influential moral philosophies in modern history. Despite its shortcom-ings, the strengths and richness of deontology far outshine its weaknesses.

It would be a mistake to consider any philosophical or scientific theory a complete statement about a phenomenon. One of the characteristics of a good theory is that it is open-ended and gen-erates further thought. In this respect, deontology has made important contributions to the study of ethics. In particular, with its emphasis on the dignity of the individual, deontology has had a major influence on the development of rights ethics in Western and non-Western philosophies.

EXERCISES

1. List the fundamental moral assumptions or maxims that you use in discussing moral issues such as capital punishment, affirmative action, or use of nuclear weapons in war. Examine each of these maxims in light of universality.
2. Select a moral issue that involves a moral dilemma. List the duties that support the "pro" side of the issue, then list the moral duties that support the "con" side of the issue. Which duties are the most compelling? Discuss possible solutions that take the most duties into account.

3. Is it morally acceptable to euthanize people who have terminal illnesses and who request physician-assisted suicide? Discuss the contributions both utilitarians and deontologists would make to a debate on this issue.
4. Discuss whether the use of torture on terrorist suspects, who in all likelihood have information that endangers the American public, violates Kant's categorical imperative. Discuss also how a utilitarian would answer this question and how Kant might respond to their argument.

RIGHTS-BASED ETHICS

> *We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.*
>
> —United States Declaration of Independence (July 4, 1776)

The language of rights in Western philosophy emerged primarily in the context of the growing confrontation with the principle of absolute sovereignty. Moral rights are not the same as legal rights, although in a just society the two would overlap. Moral rights instead are generally seen as either (1) natural and existing independently or (2) derived from duties.

John Locke's Natural Rights Ethics

The philosophical doctrine of **natural rights** first appeared in Western philosophy in the seventeenth century as a demand for equality for all people. According to natural rights ethicists such as John Locke (1632–1704), these rights stem from our human nature and are self-evident and God-given. (See reading by Locke at the end of this chapter.) Humans alone have moral rights because of our creation in the image of God. These natural rights include a right to own property, a right to marry and have children, and a right to punish someone who has wronged us. The right of private punishment, which exists in a state of nature, is turned over to the state when we agree to form a civil society.

The doctrine of natural rights had a profound influence on the thinking of Thomas Jefferson, who drafted the Declaration of Independence. The impact of natural rights in the United States is evident in the way that moral rights are generally equated with human rights and are discussed without any reference to correlative duties. For example, freedom of speech, in the cases of pornography and hate speech, is sometimes depicted as a natural right that exists independently of any duty of nonmaleficence or concerns for the harm caused to others by the speech.

Whether hate speech constitutes a legitimate interest that should be protected is up for debate. In Chapter 7, Charles R. Lawrence III argues that we do not have a right to use hate speech because it causes harm to those targeted by it.

Ayn Rand and Laissez-Faire Capitalism

Ayn Rand (1905–1982) was one of the foremost modern defenders of natural rights ethics. According to her, the United States is the first society created upon natural rights ethics. Only through free enterprise and laissez-faire capitalism, she argued, can individual rights and a free society be sustained (see reading by Rand at the end of this chapter).

🖋 TWO TYPES OF MORAL RIGHTS

- **Liberty rights:** The right to be left alone to pursue our legitimate interests. *Legitimate interests* are those that do not violate other people's similar and equal interests. Examples include freedom of speech and freedom of religion.
- **Welfare rights:** The right to receive certain social goods necessary for us to pursue our legitimate interests. Examples include public schools and police protection.

Like Locke, Rand believed that rights exist prior to and independently of duties. Moral rights define and protect our freedoms without imposing obligations on anyone else. For example, the right to own property does not entail an obligation to provide people with property. The ideal society is one that protects people's individual liberty rights so they can freely pursue their interests.

Although she agreed with John Locke that rights exist prior to and independent of duties, she disagreed with him about the source of these rights. The source of our rights, she argued, is not God, but man's rational nature.

Rights and Duties

Most philosophers maintain that moral rights do not stand on their own but are linked to or derived from duties. Utilitarians and deontologists both see rights as entailing duties. For example, the duty of nonmaleficence requires that people refrain from interfering with other people's rights to pursue their legitimate interests. Rights, as noted earlier, are also limited by the duty of nonmaleficence. The duty of fidelity entails a right to expect others to keep their promises and the right of children to receive proper care from their parents. According to duty-based rights ethics, rights protect us as persons who ought to be treated with respect. Because we are entitled to certain rights, others have a duty to honor these rights. Not all duties have corollary rights. For example, as we noted earlier, we have a duty of beneficence to help those most in need; but, we do not have a right to expect gratitude from them.

Natural rights ethicists like Locke and Rand, in contrast, maintain that our possession of a right does not imply that someone else has a duty to honor that right. Under natural rights ethics, being able to actually claim our rights boils down to having the power—generally political or economic power—to assert ourselves. Because the environment and nonhuman animals lack the power of assertion, they lack rights.

Unlike John Locke, some right ethicists argue that rights stem from interests (see Chapter 10, pages 423–424). Because nonhuman animals have interests, such as not being confined or eaten, they also have rights that we have a duty to respect.

Liberty and Welfare Rights

Moral rights are generally divided into liberty rights and welfare rights. **Welfare rights** entail the right to receive certain social goods such as education, medical care, and police protection. Welfare rights are important because without a minimal standard of living or education, we cannot pursue our legitimate interests. For example, several states, including West Virginia, Tennessee, and Rhode Island, offer free education at a state community college to high school graduates. Socialist and Marxist countries place more emphasis on welfare rights.

Liberty rights, in contrast, entail the right to be left alone to pursue our legitimate interests without interference from the government or other people. Liberty rights include autonomy, privacy, freedom of speech, freedom to own property, and freedom from harassment and confinement. Our **legitimate interests** are those that do not violate other people's similar and equal interests. For example, a misogynist may have an interest in keeping women out of the workplace, but this does not give him the right to discriminate in hiring, because doing so would violate women's rights to equal opportunity.

In the United States, we tend to place more emphasis on liberty rights. For example, most countries regard health care as a welfare right, arguing that without health people cannot pursue their legitimate interests. The United States, on the other hand, sees health care as a liberty right that should be available to people who wish to purchase it, but not as a welfare right, such as a public education that is universally available to everyone. People, such as Ayn Rand, who emphasize liberty rights as paramount are known as **libertarians.** Libertarians believe that personal **autonomy**—the freedom to make our own decisions—is the highest moral value. According to libertarians, respect for others means allowing them freedom to develop and exercise the capacities that are necessary for them to pursue their concept of the good. This includes freedom of speech and privacy as well as freedom from coercive interference from the government.

According to deontologists, our liberty rights are limited by our duty to respect others as well as ourselves; we do not have a right to harm ourselves or neglect our own welfare. Kant regarded suicide as "an abomination because it involves the misuse of freedom to destroy oneself and one's freedom."[31] In contrast, Dr. Jack Kevorkian, a libertarian, considers suicide to be one of our most fundamental rights.

The emphasis on liberty rights at the expense of welfare rights tends to handicap those who are unable to assert their liberty rights either because of natural disadvantages or because of traditional roles that limit their options. Supporters of affirmative action, such as Bernard Boxill, point out that merely being granted access to societal goods, such as jobs and education, will not ensure that people will be able to purchase these goods without facing discrimination (see Chapter 8, pages 342–347).

Like duties, most rights are prima facie and may come into conflict with one another or with duties. A white man's right to a college education may conflict with a duty of reparation toward African Americans who have been harmed (in terms of a poor quality of education) by our public education system. The welfare rights of nonhuman animals, if they have rights, may come into conflict with our search for a cure for cancer using animals as subjects.

The Strengths and Limitations of Rights Ethics

Rights ethics is an important component of a comprehensive moral theory. Nevertheless, there are some shortcomings, especially with natural rights ethics.

The theological basis of natural rights ethics, which privileges humans as a special creation, is difficult, if not impossible, to justify on either rational philosophical or empirical grounds. Natural rights ethics has given a moral blessing to the exploitation of other animals and the environment. The reduction of nonhuman animals and the environment to the status of resources for humans has had a devastating effect on the environment.

The separation of rights from duties fails to take into account the limitations placed on marginalized groups by societal traditions. Natural rights ethicists such as Rand and Locke assume that in a free society everyone is equally able to pursue their concept of the good life. Not all people

> 🖋 RIGHTS ETHICS: CONSIDERATIONS FOR THINKING ABOUT MORAL ISSUES
>
> ▪ **Identify the relevant rights:** What are the liberty rights in the moral issue? What welfare rights are at stake in the issue?
> ▪ **Identify the legitimate interests:** Does exercising any of these rights infringe on the equal and similar rights of others?
> ▪ **Prioritize rights and duties:** If there is a conflict of rights and/or duties, which ones are most important?

are equally capable of asserting their rights, however. Traditional roles, for example, give men and people born into wealthy families greater access to resources, thus disadvantaging women and poorer people in a free marketplace. If the right to accumulate property is not constrained by the duty of distributive justice, the gap between the haves and have-nots will become greater and greater, especially in developed countries.

The claim that pursuing liberty rights does not impose obligations on others is false. The libertarian model of rights actually depends on the backing of an extensive and expensive legal and police system. Liberty rights to own property and businesses, for example, are protected by tax monies, some of which are forcibly taken from people who are too poor to own property.

The assertion by natural rights ethicists that rights are self-evident leaves us with no criteria for determining which claims are legitimate rights. The belief that rights need no justification has led to a proliferation of demands for certain rights. Former U.S. ambassador to the United Nations Jeane Kirkpatrick compares the current proliferation of rights declarations with "writing letters to Santa Claus"; they are based on wishful thinking rather than any reasonable expectations.[32] Without any criteria for justifying rights, there is no way to decide which rights are frivolous and which should be taken seriously. For this reason, most philosophers argue that rights must be grounded in duties and, in particular, the fundamental duty of respect for the dignity of others.

Although rights ethics is problematic if it is used as a complete explanation of morality, rights are important because they protect our dignity as persons. If we do not have rights, all our claims to be treated with respect simply amount to requests for favors and privileges.

Although few philosophers deny that rights are morally meaningful, the origin and nature of rights have been the focus of considerable debate. The claim that rights are based on the principle of equality has prompted some animal rights advocates to question why this principle should not also be extended to other animals (see Chapter 10). Buddhist ethicists go even further and extend the concept of rights to all of nature. The extension of the concept of rights to all humans—and even to nonhumans—has been a difficult endeavor, but one that has been very fruitful in calling our attention to the dignity of those who are different from us.

EXERCISES

1. Are rights self-evident, as natural rights ethicists argue? List some rights that you consider to be important in making moral decisions. On what grounds do you justify these rights? Which are welfare rights? Which are liberty rights?
2. Using specific examples, analyze Ayn Rand's claim that capitalism is the only system that can protect our individual freedoms. Use specific examples to support your answer.

3. Discuss whether we have a moral right to property and inheritance acquired through someone else's forced labor, such as slave labor and the exploitation of people living under conditions of poverty. If not, do we have a duty of reparation to those who were forced to work to provide us with our property? Explain.

4. Select a moral issue that involves a conflict between rights or between rights and duties. List the rights and duties that support the "pro" side of the issue, then list the rights and duties that support the "con" side of the issue. Which rights and/or duties are the most compelling? Discuss possible solutions that take the greatest number of rights into account.

5. Do young people have a moral right to a free or affordable college education? Support your answer.

6. In the current national debate on health care, some people believe that health care should be a welfare right rather than just a liberty right as it is currently, except for seniors and people who are poor. Critically analyze both positions. Develop a public health care policy based on your analysis.

VIRTUE ETHICS

> *The rule of virtue can be compared to the Pole Star which commands the homage of the multitude of Stars without leaving its place.*
>
> —Confucius, *The Analects,* book 4:4

Virtue ethics emphasizes right being over right action. The sort of people we are constitutes the heart of our moral life. More important than the rules or principles we follow is our character. Virtue ethics, however, is not an alternative to ethical theories that stress right conduct, such as utilitarianism and deontological theories. Rather, virtue ethics and theories of right action complement each other.

A **virtue** is an admirable character trait or disposition to habitually act in a manner that benefits ourselves and others. The actions of virtuous people, or people of good will to use Kant's terminology, stem from a respect and concern for the well-being of themselves and others. Compassion, courage, generosity, loyalty, and honesty are all examples of virtues.

Virtues are often spoken of as though they were discrete, individual traits; but virtue is more correctly defined as an overarching quality of goodness that gives unity and integrity to a person's character. "If the will be set on virtue," Confucius taught, "there will be no practice of wickedness."[33] Because virtuous people are motivated to act in ways that benefit society, the cultivation of a virtuous character is an important aspect of social ethics. For example, generous people are more likely to act in ways that benefit those who are least well-off in society. Honesty is an important social virtue because without honest communication, society would soon collapse.

Buddhism, care ethics, and the moral philosophies of David Hume, Aristotle, and Jesus of Nazareth are often classified as virtue ethics. Confucian ethics has strong strands of both virtue ethics and deontology.

Aristotle: Reason and Virtue

Aristotle divided virtues into two categories: intellectual virtues and moral virtues. The intellectual virtues are cultivated through growth and experience, the moral virtues through habit. Wisdom is the most important virtue because it makes all other virtues (intellectual and

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🍃 ARISTOTLE'S DOCTRINE OF THE MEAN[34]

Deficit (Vice)	Mean (Virtue)	Excess (Vice)
cowardice	courage	foolhardiness
inhibition	temperance	overindulgence/intemperance
miserliness	liberality	prodigality/extravagance
shabbiness	magnificence	bad taste/vulgarity
poor spiritedness	gentleness	irascibility
peevishness/surlyness	friendliness	obsequiousness/flattery
malice	righteous indignation	envy
boorishness	wittiness	buffoonery
shamelessness	modesty	shame

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moral) possible. The role of **habituation,** including repeated exposure to particular types of stimuli and behavior, in the development of virtuous and vicious behavior is one of the questions involved in censorship of pornography and campus restrictions on drinking and drug use.

Aristotle believed that all life has a function that is peculiar to its particular life-form. The function peculiar to human life, he claimed, is the exercise of reason. The function of the excellent man, therefore, "is to exert such activities well." Virtue, which is essential to the good life, involves living according to reason. Only by living in accord with reason can we achieve happiness and inner harmony.

Aristotle also believed that people by nature are political animals. The purpose of the state is to promote the virtuous or good life. Justice is the primary virtue of the state; unless a state is just and encourages the development of virtue in its citizens, it has no power to make its citizens good.

According to Aristotle's **doctrine of the mean,** most virtues entail finding the mean between excess and deficiency. For example, courage is the mean between cowardice (a deficit) and foolhardiness (an excess); liberality lies between miserliness and extravagance. Aristotle writes, "virtue discovers the means and deliberately chooses it."

This should not be misinterpreted as advising us to be wishy-washy or to compromise our moral standards. The doctrine of the mean is meant to apply to virtues, not to our positions on social issues. By suggesting that we seek the mean, Aristotle was not referring to being lukewarm or a fence-straddler but to seeking what is *reasonable.* In fact, the abolitionists and early feminists were considered extremists and fanatics.

The doctrine of the mean is found in moral philosophies throughout the world. Confucians as well as Buddhist ethicists teach that the mean is that which is consistent with harmony and equilibrium, or **the Way (Tao)**.

Confucian Virtue Ethics

Confucius was one of the most important Chinese philosophers. Although he died one century before the birth of Aristotle, there are remarkable similarities between the two men. Both taught

that virtue, in general, involves hitting the mean between excess and deficit; both emphasized the role of habituation in the cultivation of virtue; and both believed that virtue is essential for individual and social harmony. Confucius also taught, as did Kant, that a virtuous person is a person of good will who puts duty first.

Like Aristotle, Confucius believed that a virtuous society and individual virtue are inseparable. People are happiest and most virtuous when they are living in a just and well-ordered society. It is the rulers, therefore, who have the greatest power to promote virtue in society and individuals. If the actions and policies of the government are consistent with the Way, the people will also be good, and there will be no need for the government to use punishment to maintain order.

Buddhist Virtue Ethics

Buddhist ethics affirms the absolute worth of all living beings. Buddhism rejects individualism as an illusion; we exist only as members of a community. Because we are all part of the same web of being, to be true to ourselves is to extend concern for everything that lies in our path of experience. The virtuous person is motivated not by self-interest, but by a concern to benefit all living beings.

Like Aristotle and Confucius, Buddhists believe that good and evil—virtue and vice—are expressed in our actions. Engaging in destructive actions makes it more likely that we'll repeat that behavior; engaging in virtuous actions makes it more likely that we'll repeat that behavior in the future. A good society encourages the development of virtue. We cannot resolve the problems that plague modern society by encouraging an individualism that allows people to pursue their concept of good at the expense of other human and nonhuman beings.

Nietzsche and the *Übermensch*

Friedrich Nietzsche was an outspoken critic of cultural relativism, what he called *herd morality.* He was particularly critical of traditional bourgeois Christian morality that, he claimed, forms the basis of modern Western morality. This morality, which extols meekness, unconditional forgiveness, self-sacrifice, and equality as virtues, he argued, is destructive to individual integrity and growth.

Nietzsche's *Übermensch,* or superman, is a person of integrity and self-mastery who is able to rise above the morality of the crowd and exercise the "will to power," which entails the will to

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VIRTUE ETHICS: CONSIDERATIONS FOR THINKING ABOUT MORAL ISSUES

- **Seeking the mean:** Does the trait we are encouraging represent a balance between excess and deficiency?
- **Social policies:** Does this social policy or resolution to a social issue encourage the development of virtue in the people affected by it?
- **Relationships:** What relationships are involved in this moral issue?
- **Caring and caring for:** How can we best nurture these relationships both as the "ones-caring" and the "ones-cared-for"?

grow, courage, generosity toward the vanquished, and human nobility. In contrast, weak people extol humility and self-sacrifice as virtues. Thus, traditional Christian or Western bourgeois morality drags the best and strongest people down to the lowest common denominator.

Nietzsche's ethics have often been misinterpreted as the will to dominate and subjugate others. However, truly strong or virtuous people are not cruel, nor do they desire to subjugate others. While Nietzsche apparently admired Jesus as an example of an *Übermensch,* he condemned modern Christianity, arguing that it bears little resemblance to that which was promoted by Jesus.

Care Ethics

Care ethics emphasizes caring over considerations of justice and impartiality. Care ethics, as a moral theory, developed primarily out of Carol Gilligan's study of women's moral reasoning. In her interviews with women and through her study of women in literature, Gilligan concluded that women's moral development tends to follow a path different from men's. Men, she found, tend to base their moral decisions on duty- and principle-oriented moral theories; women are more context-oriented and concerned with relationships.[35]

Care ethics has also been influenced by David Hume's ethics, which emphasizes moral sentiment over moral reasoning. According to him, it is primarily sympathy rather than reason that motivates us to act morally. Sympathy opens us up to others by breaking down the "we/them" barriers that impede the development of caring relationships.

According to feminist care ethicists, we are at our moral best when we are "caring and being cared for." Ecofeminists expand care ethics to include all living creatures and all of nature. Unlike abstract moral principles, sympathy joins us to others in a caring relationship. It is care, not an abstract sense of duty, that creates moral obligations. Caring is also ranked highly in Confucian ethics, where family ties and loyalty are very important.

Care, however, is not enough. When our personal inclination to care is lacking, our commitment to an ideal or principle of caring motivates us to do what is right. On this point care ethicists and deontologists find common ground. A person of good will—a person who is truly virtuous and caring—can be counted on to act out of a sense of duty even when the immediate emotional inclination to do so is lacking.

Care ethicists maintain that moral sentiments such as compassion and sympathy are forms of knowledge that should be taken seriously in formulating social policy. Philosopher Virginia Held, for example, disagrees with the traditional division wherein justice belongs to the public sphere and care to the private domain of family, friends, and charity.[36] Just as justice is needed in the family, so is the care perspective needed in the public domain. Care ethics plays a central role in the hospice movement's opposition to euthanasia and its belief that we should work on providing a more caring and supportive environment for those who are dying. In her article, Helen Prejean enjoins her us to see prisoners who are condemned to death row from a care perspective as well as a justice perspective (see Chapter 4, pages 172–176).

Like Prejean, care ethicists do not want to dispense with justice; rather, they want to see the two approaches used together in formulating social policy. Care ethics serves as a corrective to our traditional views by demanding that we recognize welfare rights as basic rights. It also requires that we respect others in relationships as individuals with their own needs, rather than adopting a paternalistic attitude. Although care ethics is often associated with feminism, some feminists reject it on the grounds that it reinforces traditional stereotypes of women's roles in the family and in society.