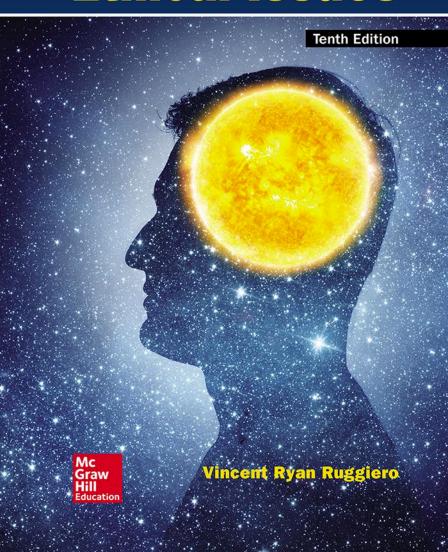
Thinking Critically About

Ethical Issues





THINKING CRITICALLY ABOUT ETHICAL ISSUES

TENTH EDITION

VINCENT RYAN RUGGIERO

Professor Emeritus State University of New York, Delhi





THINKING CRITICALLY ABOUT ETHICAL ISSUES, TENTH EDITION

Published by McGraw-Hill Education, 2 Penn Plaza, New York, NY 10121. Copyright © 2020 by McGraw-Hill Education. All rights reserved. Printed in the United States of America. Previous editions © 2015, 2012, and 2008. No part of this publication may be reproduced or distributed in any form or by any means, or stored in a database or retrieval system, without the prior written consent of McGraw-Hill Education, including, but not limited to, in any network or other electronic storage or transmission, or broadcast for distance learning.

Some ancillaries, including electronic and print components, may not be available to customers outside the United States.

This book is printed on acid-free paper.

1 2 3 4 5 6 7 8 9 LSC 21 20 19

ISBN 978-1-259-92265-7 (bound edition) MHID 1-259-92265-0 (bound edition)

ISBN 978-1-260-68636-4 (loose-leaf edition) MHID 1-260-68636-1 (loose-leaf edition)

Product Developer: Alexander Preiss Marketing Manager: Nancy Baudean

Content Project Managers: Lisa Bruflodt, Danielle Clement

Buyer: Sandy Ludovissy Designer: Beth Blech

Content Licensing Specialist: Sarah Flynn

Cover Image: ©Shutterstock/Triff Compositor: Lumina Datamatics, Inc.

All credits appearing on page or at the end of the book are considered to be an extension of the copyright page.

Library of Congress Cataloging-in-Publication Data

Cataloging-in-Publication Data has been requested from the Library of Congress.

The Internet addresses listed in the text were accurate at the time of publication. The inclusion of a website does not indicate an endorsement by the authors or McGraw-Hill Education, and McGraw-Hill Education does not guarantee the accuracy of the information presented at these sites.

To the memory of Vincent V. Ruggiero, my father, Filomena Ruggiero, my grandmother, Francis and Michael Ruggiero, my uncles, and Edith and Bernhard Theisselmann, my "extra parents," whose quiet lessons and example first introduced me to the subject of this book.

PREFACE ?

No introductory textbook can do complete justice to the subject of ethics. The best it can do is to help students develop a basic competency in ethical analysis and acquire a measure of confidence in their judgment; it should also stimulate enough interest in the subject that they will want to continue learning about it, formally or informally, when the final chapter is completed and the course is over. Even that relatively modest aim is difficult to achieve. The author must strike the right balance between the theoretical and the practical, between breadth and depth of treatment, and between rigor and relevance, so that students are challenged but not daunted.

This book is based on several specific ideas about how that crucial balance is best achieved:

The emphasis should be on DOING ethics rather than on studying the history of ethics. This does not mean that students should not become familiar with historical developments and the contributions of great ethicists. It means that more attention should be given to applying ethical principles to specific cases; that is, to conducting ethical analysis. This approach, which Alfred North Whitehead termed an emphasis on principles rather than details (and which he proposed as the standard for all education), is the same approach that many educators are recommending to promote the development of critical thinking skills in philosophy, the social sciences, and the humanities.

Careful attention should be given to overcoming students' intellectual impediments to ethical analysis. Today's students have been exposed to numerous misconceptions about ethical analysis—indeed, about thinking in general. For example, it is fashionable today to regard all value judgments as undemocratic. This fashion has led many students to the belief that whatever one *feels* is right is by that very fact right. Even when they manage to avoid that notion, many students adopt other erroneous notions—for instance, that the majority view is necessarily the best view or that morality is a religious matter only, without any secular dimension. Unless students get beyond such crippling notions, their efforts at ethical analysis are unlikely to be effective and meaningful.

The fundamental concerns in ethical analysis should be presented first, and more complex concerns reserved, wherever possible, until later. This may seem too obvious to state. Yet it is a consideration that many textbooks in ethics ignore. Such textbooks present a concept in detail, with all the conflicting

interpretations of it that have been advanced by various ethical schools. This conflicting information can paralyze students' efforts. Instead of applying the concept in their work, as the authors intend, students often think, "If the experts disagree, how can I be expected to make sense of this?" The time for identifying complexities is after students have been introduced to the basic concepts and have become comfortable applying them in their analyses.

SPECIAL FEATURES OF THIS BOOK

The influence of the foregoing ideas accounts for certain features that distinguish this book from other texts. The most significant of these features are the following.

ORGANIZATION

The history of ethics and the contributions of great ethicists are presented at the end of the book (in Chapter 12) rather than at the beginning or throughout. This arrangement reflects the author's experience that most introductory students learn ethical analysis better when they are not burdened with names and dates and details of ethical systems. Showing students how Plato, Kant, and Mill approached an ethical issue and then asking them to analyze an issue themselves is very much like showing them a professional athlete performing and then saying, "Now, let's see how you perform." Both situations are intimidating; students are put in a competitive situation in which they cannot compete. In ethics, as in sports, it is better to postpone introducing students to "the professionals" until they have gained a little experience and confidence.

This format does not diminish the importance of ethical history. On the contrary, students are better able to appreciate and remember historical contributions after they have grappled with problems themselves and pondered the question of how to judge them. (In cases where course syllabi require that historical material be presented first, instructors can begin with Chapter 12 and then proceed with Chapters 1, 2, and so on.)

CHAPTER LENGTH

Short chapters allow students to spend less time reading and underlining and more time analyzing ethical issues. More conscientious students gain an additional benefit from the brevity of the chapters. These students are able to read each chapter more than once and thereby master the material better than they would with a long chapter.

APPENDIX ON WRITING

Today's students often arrive at college without the English proficiency that instructors expect them to have. The guide to writing included in this text

can save instructors time and effort. Instead of trying to teach rhetorical skills during class or in conferences with students, instructors need only direct students to the Appendix. Students, too, benefit by being able to break the common cycle of submitting poor papers, getting poor grades, becoming frustrated, losing interest, and blaming the instructor. By knowing what is expected in their analyses of issues and, more important, how to provide it, they can devote more attention to the mastery and application of ethical principles.

The correction symbols noted in the Appendix can be used to make the evaluation of papers faster and more effective. If a paper is lacking in both coherence and development, the instructor need write nothing more than the appropriate abbreviations. Students will be able to turn to the appropriate sections of the Appendix, see what errors they have committed, and note how to avoid those errors in the future.

CHANGES IN THE TENTH EDITION

In preparing the tenth edition, I have been guided by the suggestions of instructors who have used previous editions. The changes in this edition are as follows:

The previous edition of *Thinking Critically About Ethical Issues* offered students close to 400 issues for analysis. Although the great variety of those challenges was beneficial to students, the sheer number allowed some significant contemporary issues to receive less attention than instructors believed they deserve.

This edition overcomes that limitation with the following approach:

In each of Chapters 1 through 6—before the strategy for ethical analysis is fully presented in Chapter 7—a special inquiry section precedes the regular inquiries. In each case, it is designated "A Timely Issue," so called because it addresses an issue that has become prominent in contemporary culture. Students are invited to examine the viewpoints they have heard expressed about the timely issue and to offer their *tentative thoughts* about those viewpoints.

In Chapter 7 and each subsequent chapter, after they have learned how to examine issues more systematically and thoroughly, students are directed to revisit their tentative thoughts about an earlier timely issue and either expand those thoughts or, where warranted, change them.

This new approach not only ensures that students have a better opportunity to analyze the most timely moral issues; it also encourages them to form the habit of applying critical thinking to *their own moral reasoning* as well as to other people's.

STANDARD FORMAT VERSUS ALTERNATIVES

The standard format is based on the author's experience that investing sufficient time to overcome misconceptions and build a sound philosophical perspective pays dividends in student learning. This format entails following the chapter order at a fairly leisurely pace, with more time devoted to examining the inquiries and forming/sharing judgments than to reading. Accordingly, in a fifteen-week semester course, approximately one week would be spent on each chapter, perhaps slightly more than that on Chapters 6–10. In this format, enough time would remain for students to do an extended analysis of one or maybe two issues from "Contemporary Ethical Controversies."

For any one of several good reasons, of course, an instructor may wish to adjust this format. The following adaptations can be made with relative ease.

ALTERNATIVE 1

Situation: Students have already had some training in critical thinking and, in the instructor's view, will be able to master the material in Section I relatively quickly.

Approach: Devote one class period and one homework assignment to each chapter in Section I—that is, to each of Chapters 1–5. Allocate the remaining thirteen weeks to Chapters 6–12 and "Contemporary Ethical Controversies."

ALTERNATIVE 2

Situation: Students have already had *considerable* training in critical thinking or have otherwise achieved an unusual level of intellectual sophistication.

Approach: Make Chapters 1–5 *a single reading assignment,* with either no inquiries or only a few selected ones. Devote the remainder of the course to Chapters 6–12 and "Contemporary Ethical Controversies," focusing on individual and/or group analysis and discussion of the inquiries, perhaps involving the preparation of a term paper and/or formal debates toward the end of the course.

ALTERNATIVE 3

Situation: In the instructor's judgment, giving students a historical perspective at the outset of the course will enhance the learning experience.

Approach: Have students read Chapter 12, "A Perspective on History," and address its inquiry at the very beginning of the course. Then proceed with the other chapters, following either the standard format or one of the other alternatives.

A NOTE ON STUDENT FRUSTRATION

The approach used in the early chapters of this book will be frustrating to some students. They will ask, "If it's not feelings and not majority opinion that decide the morality of an action, then what is it? Why doesn't the author tell us?" This reaction is a reflection of students' prior classroom conditioning. They expect textbooks to provide neat answers that can be swallowed and then regurgitated on a test. When asked to think—that is, to reason out for themselves the best answers to moral problems—they naturally become anxious for a time because the activity is unfamiliar.

Whenever your students ask, "What *does* decide the morality of an action?" you will know that their minds have become engaged in the subject, that they are seeing the need for a standard (other than feelings, for example) and are struggling to define it. By the time the book suggests the criteria of judgment (Chapter 7), students will be ready to learn and apply those criteria. Many, in fact, will already have anticipated the criteria in their own analyses of problems. Without realizing it, they will have been *doing* ethics.

ACKNOWLEDGMENTS

I am grateful to all who had a part in the making of this book. I would like to extend special thanks to those who reviewed the manuscript for this edition:

James Stacey Taylor, The College of New Jersey Abbas, Cameron University Jeffrey A. Lauer, Purdue University Fort Wayne Alan Nichols, Georgia Highlands College William L. Trimyer, Averett University Indre Cuckler, University of Charleston WV Nadia Alvarez, CSUF

Thanks also go to Ira Breskin, U.S. Merchant Marine Academy at Kings Point, NY; James Brooks, Bethune-Cookman College; Dan Campana, University of LaVerne; Ernie Collamati, Regis College; Sally Ferguson, University of West Florida; James Flynn, Caldwell College; Robert Friedenbach, Colorado Technical University, Sioux Falls; Anna Halligan, Broome Community College; Elizabeth M. Hodge, Gavilan College; Christine Hollermann, Alexandria Technical College; Christine James, Valdosta State University; Gail Joralemon, Central New Mexico Community College; Elizabeth Knight, Portland Community College; Steve Madagaria, California State University, Fresno; Matthew Mangum, St. Mary's University; David McNaron, Nova Southeastern University; Rebecca Neagle, Wake Technical Community College; Debbie Lynn Nichols, Mountain View College; John Paige, St. Edwards University; Thomas Walter Peard, Baker

University; Ryan Rhodes, University of Oklahoma; Donald Riggs, Wake Technical Community College; Tom Riley, Wake Technical Community College; Roselyn Schmitt, College of Saint Benedict; Gina Teel, Southeast Arkansas College; James A. Valovick, Northwestern Michigan College; Sarah Whedon, Newbury College; and David F. White Jr., John Tyler Community College.

Vincent Ryan Ruggiero



SUCCESSFUL SEMESTERS INCLUDE CONNECT

FOR INSTRUCTORS

You're in the driver's seat.

Want to build your own course? No problem. Prefer to use our turnkey, prebuilt course? Easy. Want to make changes throughout the semester? Sure. And you'll save time with Connect's auto-grading too.

65%

Less Time Grading

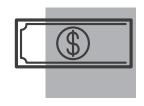


They'll thank you for it.

Adaptive study resources like SmartBook® help your students be better prepared in less time. You can transform your class time from dull definitions to dynamic debates. Hear from your peers about the benefits of Connect at www.mheducation.com/highered/connect

Make it simple, make it affordable.

Connect makes it easy with seamless integration using any of the major Learning Management Systems—Blackboard®, Canvas, and D2L, among others—to let you organize your course in one convenient location. Give your students access to digital materials at a discount with our inclusive access program. Ask your McGraw-Hill representative for more information.



©Hill Street Studios/Tobin Rogers/Blend Images LLC



Solutions for your challenges.

A product isn't a solution. Real solutions are affordable, reliable, and come with training and ongoing support when you need it and how you want it. Our Customer Experience Group can also help you troubleshoot tech problems—although Connect's 99% uptime means you might not need to call them. See for yourself at status.mheducation.com

FOR STUDENTS

Effective, efficient studying.

Connect helps you be more productive with your study time and get better grades using tools like SmartBook, which highlights key concepts and creates a personalized study plan. Connect sets you up for success, so you walk into class with confidence and walk out with better grades.



I really liked this app—it made it easy to study when you don't have your text-book in front of you. ***

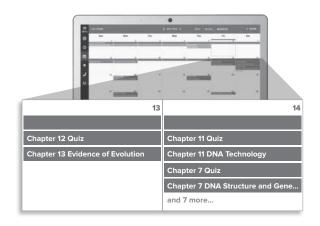
- Jordan Cunningham, Eastern Washington University

Study anytime, anywhere.

Download the free ReadAnywhere app and access your online eBook when it's convenient, even if you're offline. And since the app automatically syncs with your eBook in Connect, all of your notes are available every time you open it. Find out more at www.mheducation.com/readanywhere

No surprises.

The Connect Calendar and Reports tools keep you on track with the work you need to get done and your assignment scores. Life gets busy; Connect tools help you keep learning through it all.





Learning for everyone.

McGraw-Hill works directly with Accessibility Services
Departments and faculty to meet the learning needs of all
students. Please contact your Accessibility Services office
and ask them to email accessibility@mheducation.com, or
visit www.mheducation.com/about/accessibility.html for
more information



Important Questions About Ethics

Why do we need ethics if we have laws to govern our behavior?

Does the majority view determine what is ethical and what is not?

Are feelings, desires, and preferences reliable ethical guides?

Can a person ever go wrong by following his or her conscience?

Is it ever appropriate to criticize another individual's ethical judgment? Another culture's?

By what criteria, if any, should the ethical quality of an action be judged?

Are the principles and rules of logic applicable to ethical reasoning?

Are people always responsible for their actions? Are there degrees of responsibility?

Do human beings have a natural tendency to good, a natural tendency to evil, both, or neither?

What is the relationship, if any, between ethics and happiness?

Is there a single moral code that is binding on all people, at all times, and in all places?

CONTENTS 3

PREFACE iv

I / THE CONTEXT

CHAPTER 1

Preliminary Considerations 2

Why do we need ethics? Aren't laws sufficient to protect people's rights? If the laws are enforced, what need have we of further rules? How does ethics relate to religious belief? How should ethical judgments be made?

CHAPTER 2

The Role of the Majority View 21

Is the basis for deciding moral values the majority view? In other words, if the majority of the citizens of our country decide that a particular action is right, would that very decision make the action right?

CHAPTER 3

THE ROLE OF FEELINGS 28

If the majority view does not determine the rightness of an action, should each person decide on the basis of her or his own feelings, desires, and preferences?

CHAPTER 4

THE ROLE OF CONSCIENCE 38

If feelings are no better a guide than the majority view, is the basis of morality each person's own conscience? How trustworthy is conscience?



xiv CONTENTS

CHAPTER 5

Comparing Cultures 51

If an action that is praised in one culture may be condemned in another, would it be correct to say that all moral values are relative to the culture they are found in? Isn't it a mark of ignorance to pass judgments on other cultures or to claim that one culture is better than another?

II / A STRATEGY

CHAPTER 6

A FOUNDATION FOR JUDGMENT 66

If both individuals and cultures can be mistaken in their moral reasoning, we need a basis for evaluating their judgment. If the majority view, feelings, and conscience do not provide that basis, what does?

CHAPTER 7

The Basic Criteria 78

What is really good for us? What criteria and approaches are most effective in examining moral issues? What pitfalls other than relativism and absolutism should we be aware of and strive to avoid?

CHAPTER 8

Considering Consequences 98

How do we deal with cases in which the consequences are not neatly separable into good and bad but are mixed?

CHAPTER 9

Considering Obligations 111

What do we do in situations where there is more than a single obligation? How can we reconcile conflicting obligations?

CHAPTER 10

Considering Moral Ideals 122

How can we reconcile conflicts between moral ideals or between a moral ideal and an obligation?

CHAPTER 11

DETERMINING MORAL RESPONSIBILITY 134

How do we determine whether a person is responsible for her or his immoral actions? Are there degrees of responsibility?

III / THE TRADITION

CHAPTER 12

A Perspective on History 146

When did the study of ethics begin? Who were the great thinkers in the history of ethics? What contributions did they make?

IV / CONTEMPORARY ETHICAL CONTROVERSIES

Education 157
Media and the Arts 161
Sex 164
Government 167
Law 171
Business 175
Medicine 179
Science 183
War 187

AFTERWORD: A SUGGESTION FOR FURTHER STUDY 192

APPENDIX 1: WRITING ABOUT MORAL ISSUES 194

APPENDIX 2: RESEARCHING MORAL ISSUES 201

INDEX 206

THE SAME MORAL ISSUES that men and women have grappled with throughout history have grown ever more complex in a society whose structures and forms are changing. And the impressive advances of science and technology have created a host of new issues.

Yet precisely at this time, when we most need a firm intellectual foundation to guide our judgment, we are confused by countless challenges to old and familiar faiths and standards.

The outlines of our very humanity are blurred by conflicting theories.

This, then, is the moral imperative of our time—to break the bonds of indecision, move beyond fad and foolishness, and address the dilemmas of modern living sensitively and sensibly, with regard for their complexity.

I The Context



CHAPTER ONE

Preliminary Considerations

Why do we need ethics? Aren't laws sufficient to protect people's rights? If the laws are enforced, what need have we of further rules? How does ethics relate to religious belief? How should ethical judgments be made?

Ethics is the study of the choices people make regarding right and wrong. Each of us makes dozens of moral choices daily. Will we go to work or call in sick? Follow the research protocol or violate it? Put quotes around borrowed phrasing or pretend the words are our own? Answer a colleague's question truthfully or lie? Obey the speed laws or drive as fast as our vehicles will go? Pay our bills or spend our money on entertainment? Keep our marriage vows or break them? Meet our children's emotional needs or ignore them? Pet the cat or kick it?

In most times and places, people have acknowledged the existence of an objective moral standard binding on all people regardless of their personal desires and preferences. (Of course, there was not always complete agreement on what that standard was.) Over the past several decades, however, that need for a standard has been called into question. It is fashionable today to believe that decisions about right and wrong are purely personal and subjective. This belief is known as *moral relativism*. According to it, whatever anyone claims to be morally acceptable *is* morally acceptable, at least for that person. Supposedly, there is only one exception to this rule: Judging other people's conduct is considered intolerant. (To this author's knowledge, no moral relativist has ever explained why, if *any* view of honesty, faithfulness, fairness, and justice is considered valid, only *one* view of tolerance is permitted.)

In the 1960s, moral relativists challenged the traditional view that fornication and adultery are immoral. "Only the individual can decide what sexual behavior is right for him or her," they said, "and the individual's decision

should be respected." Given the mood of the time (and the strength of the sex drive), it was not surprising that many people were disposed to accept this view. Critics raised serious objections, of course. They argued that even the wisest among us are capable of error and self-deception, especially where the emotions are involved. They predicted that the idea that everyone creates his or her own sexual morality would spill over into other areas of morality and provide an excuse for everything from petty pilfering, plagiarism, and perjury to child molesting, rape, spouse abuse, and murder.

More important for our purposes, the critics of relativism warned that "anything goes" thinking would undermine the subject of ethics. "If morality is merely a matter of preference, and no one view is better than any other," they reasoned, "then there is no way to distinguish good from evil or civilized behavior from uncivilized, and any attempt at meaningful discussion of moral issues is futile." Centuries earlier, Dr. Samuel Johnson saw the more personal implications in relativism and remarked, "If he does really think that there is no distinction between virtue and vice, why, sir, when he leaves our houses let us count our spoons."

At the time, relativists dismissed the predictions of the critics as irresponsible. Now, however, five decades later, we can see that those predictions were at least in part accurate. Evidence that civility has declined and human life has become cheapened can be found any day in the news. (To what extent relativism is responsible for this development is, of course, debatable.) Equally significant, many people are so possessed by the "Who can say?" mentality that they find it difficult to pass moral judgment on even the most heinous deeds, such as a dictator starving his people so that he can produce a nuclear weapon. They will say, "Well, I wouldn't want it done in my country, but I can't really say it is wrong in some other country."

One professor of philosophy estimates that between 10 and 20 percent of his students can't bring themselves to say that the killing of millions of people in the Holocaust was wrong. He calls this phenomenon "absolutophobia," the fear of saying unequivocally that certain behavior is unethical. Another professor reports that her students are reluctant to judge even so obvious a moral issue as *human sacrifice!* Speaking of one student who refused to say such sacrifice was wrong, the professor writes, "I was stunned. This was the [same] woman who wrote so passionately of saving the whales, of concern for the rain forests, of her rescue and tender care of a stray dog." 1

As almost any ethics instructor will confirm, when it comes to more subtle issues—such as unauthorized copying of computer programs or plagiarism—the number of people who cannot bring themselves to make a moral judgment increases significantly. Such individuals may regard ethics as intrusive.

AREN'T LAWS SUFFICIENT?

Many people reason that we don't need ethics because our system of laws, when consistently enforced, provides sufficient protection of our rights. In order to assess this idea, we must understand who makes laws and how they make them. Who makes them is easy to answer: local, state, and national legislators. How they are made is somewhat more difficult. We know that legislators must get together to talk about a particular behavior and then vote on whether they want to criminalize it. But what do they say to one another? On what basis do they conclude that one act deserves to be classified criminal and another one doesn't? What kinds of reasons do they offer to support their views? How can they be sure those reasons are good ones?

What, for example, did legislators say before they decided that sexual harassment is illegal? Certainly something more than "I wouldn't commit such an act." The fact that two or ten or five hundred legislators expressed that personal view would not be sufficient reason to conclude that a law should be passed preventing *other people* from committing the act. Remember that according to relativism no one has any business criticizing other people's moral decisions. If that principle is valid, then the sexual harasser should be free to follow his or her preference. The only rational basis for a law against sexual harassment is that the act is *wrong*, not just for those who think so but for *everyone*. The proper focus for lawmakers is not on their subjective preferences but on the nature of the actions in question.

Why do we need ethics if we have laws? Because law is not possible without ethics. The only way for a law to be enacted or repealed is for one or more people to make a decision about right and wrong. That has always been true, whether the lawmaker was the chieftain of a nomadic band or tribe, a king or queen, or a group of elected officials.

If human beings were wise enough to create one set of laws that would last for all time, we might say that ethical judgment was once important but no longer is. Alas, humans are not that wise. New circumstances arise, and laws must be revised to fit them. In addition, new insights sometimes reveal that a law punishes behavior that does not deserve punishment or makes unreasonable demands on people. The Eighteenth Amendment to the U.S. Constitution made Prohibition the law of the land—until the Twenty-first Amendment repealed it in the name of justice. Members of the Amish religious community, whose way of life called for less formal schooling than the law prescribed, were judged criminals for withdrawing their children from school—until the U.S. Supreme Court declared the application of the law to them unjust. In New York State, rape victims were required to prove they had given "earnest resistance" to the rapist—until the state legislature removed that unreasonable provision from the law.

ETHICS DEFINED

Ethics, as we noted, is the study of right and wrong conduct. Let us expand on that definition. In the scientific sense, ethics is a descriptive discipline, involving the collection and interpretation of data on what people from various cultures believe, without any consideration for the appropriateness or reasonableness of those beliefs. In the philosophical sense, the sense that concerns us, ethics is a two-sided discipline. One side, *normative ethics*, answers specific moral questions, determining what is reasonable and therefore what people should believe. (The term *normative* means setting norms or guidelines.) The other side of philosophical ethics, *metaethics*, examines ethical systems to appraise their logical foundations and internal consistency.

The focus of ethics is moral situations—that is, those situations in which there is a choice of behavior involving human values (those qualities that are regarded as good and desirable). Thus, whether we watch TV at a friend's house or at our own is not a moral issue. But whether we watch TV at a friend's house without his or her knowledge and approval is a moral issue. Similarly, filling out an application for a job is a morally neutral act. But deciding whether to tell the truth on the application is a moral issue. Consider also something many people spend a great deal of time doing these days—texting. In many cases, this way of communicating with friends and family is not a moral issue. But when it is done while driving a car, it could endanger other people and therefore is a moral issue. The same is true when an employee texts at work and thus takes time away from the job he or she is paid to do.

An ethicist observes the choices people make in various moral situations and draws conclusions about those choices. An ethical system is a set of coherent ideas that result from those conclusions and form an overall moral perspective.

Ethicists are not lawmakers. They are neither elected nor appointed. Their only authority is the force of reasonableness in their judgments. Their words, unlike those of lawmakers, do not prescribe what must or must not be done. They merely suggest what *ought* to be done. If people violate their own or their society's moral code, no ethics enforcement officer will try to apprehend them—though if their action also violates a law, a law enforcement agency may do so.

Law enforcement, of course, extends beyond apprehension of alleged criminals. It includes the formal trial and judgment of guilt or innocence. There are, as well, degrees of guilt. A person who carries out a carefully planned murder is charged with a more serious crime than a person who strikes and kills another in spontaneous, blind rage. In fact, if the individual in the latter case is judged to have been insane, he or she may go entirely unpunished.

The idea of varying degrees of responsibility for one's actions is applied in ethics too. Although there are no courts of ethics as there are courts of law, and no formal pronouncements of guilt or innocence in moral matters, the ethicist nevertheless is interested in the question "Under what circumstances is a person to be considered culpable?" The conclusions ethicists reach in these matters provide guidance to lawmakers and law enforcers.

ETHICS AND RELIGIOUS BELIEF

Somehow the idea has arisen that ethics and religion are unrelated and incompatible. Thus, when religious thinkers discuss ethical issues—especially in the context of political policy—they are thought to be exceeding their reach and perhaps even committing an offense against the principle of separation of church and state. This notion is without historical basis. In fact, an interesting case can be made for ethics having *originated* in religion. G. K. Chesterton, for example, argued as follows:

Morality did not begin by one man saying to another, "I will not hit you if you do not hit me"; there is no trace of such a transaction. There is a trace of both men having said, "We must not hit each other in the holy place." They gained their morality by guarding their religion. They did not cultivate courage. They fought for the shrine, and found they had become courageous. They did not cultivate cleanliness. They purified themselves for the altar, and found that they were clean.²

Throughout our civilization's history, religious thinkers have spoken to the larger society on moral issues, and society has generally profited from their guidance. Problems arise only when religious leaders go beyond speaking *to* society and begin speaking *for* it on the basis of their particular doctrines. To be productive, ethical discourse must take place on common ground, that is, using understandings and intellectual procedures and judgment criteria that all participants—Christians, Jews, Muslims, atheists, and others—affirm. Because theological doctrine depends to a great extent on faith, it does not provide that common ground. To say this is not to disparage theology but merely to acknowledge that it is not the tool for the job in question.

A focus on faith rather than reason can also prevent us from presenting the most persuasive ethical argument. A case in point is the controversy that arose some years ago over a National Endowment for the Arts (NEA) grant. It was awarded to artist Andres Serrano, who produced a work titled "Piss Christ," which consisted of a crucifix in a bucket of urine. Christians, believing that Jesus Christ is the Son of God, would understandably think Serrano guilty of blasphemy and the NEA guilty of supporting and approving the offense. But that charge would be ineffective as a *moral* argument offered to the general public. No matter how tasteless Jews, Muslims, atheists, and agnostics may have found Serrano's work, they are not likely to be persuaded that ridiculing a religious belief constitutes an ethical violation. A more persuasive argument is that the use of *tax dollars* for such work is

immoral because it requires Christian citizens to contribute to the blatant disparagement of their religion.

Similarly, when speaking with those who do not share our religious views, it is not very helpful to judge actions by the criterion of whether they "please or offend God." The question that naturally arises is "How do you know whether they do or not?" And the two most common answers serve more to close off ethical inquiry than to promote it: One is "Because the Bible (or Koran, and so forth) says so." The other is "This is my religious belief." If we wish to pursue the matter further, we are placed in the position of having to challenge the Bible or to invade the very private domain of the other person's religious belief.

In addition, both answers are based on erroneous notions. Saying "the Bible says so" suggests that the Bible is a simple book that has a single interpretation. Yet biblical scholarship clearly demonstrates that it is complex and open to numerous interpretations. Saying "this is my religious belief" implies that no aspect of a person's belief can be shallow or mistaken, that in religious matters there is no room for growth and development. The lives of the saints and holy men and women of the world's religions disprove any such notion.

Some ethical questions cannot be adequately answered by reference to religious beliefs alone. Take, for example, the case of a person's wrestling with this question: "Since I no longer accept some of the major teachings of the church I was raised in, is it morally right for me to remain a member? What should I do?" The question is by no means an easy one. Whatever approach the individual might use in answering it, the teachings of his or her religion would hardly be the definitive measure, for they are an integral part of the question. Using those teachings would be equivalent to affirming them and closing the issue.*

Most religious thinkers recognize the error of judging moral issues merely by religious belief. They realize the importance of discussing such issues in a way that is meaningful and appealing to all people of goodwill and honest concern. For this reason, they distinguish carefully between religious belief and religious ethics. Religious ethics is the examination of moral situations from a particular religious perspective. In it, the religious doctrine is not a substitute for inquiry. It is a starting point, a guide to inquiry and to organizing

^{*}Plato raised a very difficult question about religion and ethics, which in modern terms might be expressed as follows: "Are certain actions right because God commands them? Or does God command them because they are right?" If the first, then it would seem God could command us to kill an innocent person and we would be obligated to do so. If the second, then the rightness is in the actions and God simply discovers right and wrong. His role is therefore diminished. This vexing matter is known as Divine Command Theory, and discussion of it has continued since Plato's time. One attempt at solving the dilemma holds that morality is part of God's nature and therefore emanates from Him. For a discussion of this matter, see http://www.iep.utm.edu/divine-c/, accessed March 26, 2018.

the findings of inquiry. Fortunately, there is an easy, practical way to avoid confusion about the relationship between religion and ethics:

When you are evaluating someone else's ethical judgment, focus on the reasonableness of the person's argument and the quality and weight of the evidence that supports it, rather than on the religious perspective that might underlie it. If the argument is reasonable and the evidence is persuasive, affirm the judgment. (Note that doing so in no way constitutes affirming the religious belief of the person making the argument.) When you are expressing your own ethical judgment to a mixed audience, including people who do not share your religious perspective.

ence, including people who do not share your religious perspective, make your appeal to reason rather than to faith or, at the very least, in addition to faith. (Note that appealing to reason in no way compromises your religious belief—it merely presents your judgment in a manner that is meaningful to your audience.)

THE NEED FOR ETHICS

To summarize, some people believe that we don't need ethics because we have laws and religious beliefs. In reality, it is because of ethics (moral reasoning) that we have laws in the first place, and we continue to need ethics to refine and perfect our legal system. We also need ethics in order to discuss the practical implications of our religious beliefs with others who do not share those beliefs. In addition, in situations where the reasonableness of a particular belief is at issue, we need ethics to help us reach a sound decision. Three actual cases will further document the need for ethics.

The religion known as Voodoo, which originated thousands of years ago in Africa, is still practiced in some parts of the world by as many as 275 million people. It has a number of adherents in the United States, mainly in New York City, Miami, and New Orleans. Most of these adherents are black and Hispanic; some are white. Religious practices of Voodoo, known as Santeria in the United States, no longer include human sacrifice, but they do include animal sacrifice and the casting of spells with the aid of dolls or figurines. Some years ago, a farmer's field in upstate New York was the site of such a ritual. Four Voodoo dolls were found mutilated, and the area was littered with the bloody remains of a number of chickens, pigeons, lambs, and goats. Some of the animals and birds appeared to have had their heads bitten off.³ Because the ritual was religious, it cannot effectively be objected to on religious grounds (except by saying, "My religious views make me deplore that religious practice"). And it may have broken no law, so the only legal objection may be "There ought to be a law." But on what basis ought there to be (or not be) a law? On the basis of moral judgment. Ethics.

The second case occurred in Minden, Louisiana. Because of their religious belief that God heals illness, a couple sought no medical help for their infant granddaughter, who was suffering from meningitis. When she

died, they were arrested and charged with negligent homicide. A jury found them guilty.⁴ In this case, the law and religious belief directly clash. If the law were the final arbiter of right and wrong, it would be impossible (or at least pointless) to discuss the case further. Yet we can discuss it further and can dispute whether the law is defensible and whether the decision in this case served justice. Whatever our position may be, it will be a product of ethical judgment.

The third case concerns a Santa Cruz, California, street clown known as Mr. Twister, who got into trouble with the law. As he walked about the downtown area in his clown costume, complete with painted face, a brightly colored wig, and a bulbous red nose, he would look for parking meters with time expired. When he found one, he would insert a quarter, often just before the meter maid arrived to issue a citation. Alas, his "random acts of kindness" violated a city ordinance against putting coins in the meter for another person. When the case was publicized, however, not only was the charge dismissed but the city council also decided that the ordinance criminalized the virtue of kindness and so repealed it. Ethical judgment changed the law.

Ethics fills a basic intellectual need in helping us interpret everyday human actions and decide what actions we approve in others and want to emulate ourselves. It is a guide for living honorably.

BASIC GUIDELINES

Later chapters will develop the guidelines necessary to reach thorough, thoughtful ethical judgments. But you may find it useful to have a preliminary approach to use in the meantime. The basic problem you will encounter is the tendency to judge issues on the basis of preconception and bias rather than careful analysis. Few people are completely free from the inclination to prejudgment on at least some issues. Some people may have their answer ready for any question concerning war; others, for questions concerning private property; still others, for issues involving alcohol or drugs. And many will have answers ready for questions of sexual morality. The reasons for prejudging will vary—from traumatic experience to personal preference to simple opinion. The underlying attitudes may range from distrust of all regulations, all laws, or even all *thoughts* to an uncritical endorsement of all traditions. But in each case, the effect is the same: to avoid thinking about the particular case at all and merely to call forth a prefabricated, all-purpose answer.

The alternative to the closed mind is not the empty mind, however. Even if we wished to set aside completely all our prior conclusions about human behavior and right and wrong, we could not do so. The mind cannot be manhandled that way. Nor should it be. We can expect, then, that a flood of impressions and reactions will rush in on our thoughts when we consider a moral issue. It is not the fact of that flood that matters, nor its force. It is

what we do to avoid having our judgment swept away by it. Here are some guidelines:

- 1. Be aware of your first impressions. Note them carefully. Knowing the way your thinking inclines is the first step toward balancing it (if it needs balancing).
- 2. Check to be sure you have all the relevant facts. If you do not have them, get them. An encyclopedia is usually a good place to start. Almanacs also provide a wealth of information. For books and articles on the issue in question, check your library's online catalog. Also, ask your librarian what indexes, abstracts, and computer databases would be appropriate to consult. (A section on using the Internet follows these guidelines.) Occasionally, you may be unsure whether a particular statement is a fact or an opinion. In such cases, ask whether the statement is generally accepted by knowledgeable people. If it is, consider it a fact; if knowledgeable people disagree about it, consider it an opinion. By checking several sources, you can get a good idea of whether agreement exists.
- 3. Consider the various opinions on the issue and the arguments that have been (or could be) used to support them. The position that directly opposes your first impression is often the most helpful one to consider. If your impression is wrong, this step will help you find out. If it is not, then you can return to it with confidence and present it more effectively for having considered alternatives to it. Do not make the mistake, common today, of ignoring what religious thinkers have to say about moral issues. As long as they are presenting the reasoning of their ethical tradition (as opposed to simply stating their theological doctrines), their contributions to moral discussion are entirely relevant and should be welcomed. If you refuse to consider those contributions, you will be denying yourself the insights that historically enriched the subject of ethics and helped form the foundation of our system of laws.
- 4. Focus on the substance of the issue and do not be swayed by the emotional quality of the language used to discuss it. Authors will often use language that causes you to react negatively or positively before you even begin thinking about the issue. Sometimes they will do so unconsciously, simply because they feel passionately about their views. At other times, they may intend to manipulate you. For example, an author may refer to adult-child sexual activity (a neutral denotation) as pedophilia (a more negative term) or intergenerational sex (a more positive term). Your challenge in such cases is to recognize but avoid being led by the language and, instead, to evaluate the act.
- 5. Keep your thinking flexible. Do not feel obligated to your early ideas. The process of ethical thinking entails entertaining many ideas, some of which you will accept, some of which you will discard as inferior. No judgment is your official judgment until you endorse it publicly in speaking or writing, and even then you may choose to revise it. So change your mind as often as you like as you analyze an issue. The more fully and unprejudicially you explore the issue, the better your judgment is likely to be.

6. Express your judgment precisely and explain the reasoning that underlies it. It is all too easy to say something you don't quite mean, especially when the issue is both complex and controversial. The best way to avoid this problem is to experiment with several different ways of expressing your judgment instead of accepting the first version you produce. If your judgment is not a simple "yes" or "no" but a form of "it depends," be sure to specify what it depends on and exactly how your judgment would vary in different circumstances. Finally, no statement of your judgment is sufficient by itself. Be sure to explain, in as much detail as necessary for understanding, what line of reasoning led you to that conclusion rather than to some other one.

The main ways to demonstrate (and expand) your understanding of ethics are through class discussion and writing. The final two sections of this chapter provide guidelines for making discussion meaningful and ensuring that you distinguish clearly between your own and other people's ideas and thus avoid committing plagiarism.

Making Class Discussion Meaningful⁵

At its best, discussion deepens understanding and promotes problem solving and decision making. At its worst, it frays nerves, creates animosity, and leaves important issues unresolved. Unfortunately, the most prominent models for discussion in contemporary culture—radio and TV talk shows—often produce the latter effects.

Many hosts demand that their guests answer complex questions with simple yes or no answers. If the guests respond that way, they are attacked for oversimplifying. If, instead, they try to offer a balanced answer, the host shouts, "You're not answering the question," and proceeds to answer it himself or herself. Guests who agree with the host are treated warmly; others are dismissed as ignorant or dishonest. Often as not, when two guests are debating, each takes a turn interrupting while the other shouts, "Let me finish." Neither shows any desire to learn from the other. Typically, as the show draws to a close, the host thanks the participants for a "vigorous debate" and promises the audience more of the same next time.

Here are some simple guidelines for ensuring that the discussions you engage in—in the classroom, on the job, or at home—are more civil, meaningful, and productive than those you see on TV. By following these guidelines, you will set a good example for the people around you.

WHENEVER POSSIBLE, PREPARE IN ADVANCE

Not every discussion can be prepared for in advance, but many can. An agenda is usually circulated several days before a business or committee meeting. And in college courses, the assignment schedule provides a reliable indication of what will be discussed in class on a given day. Use this advance

information to prepare for discussion. Begin by reflecting on what you already know about the topic. Then decide how you can expand your knowledge and devote some time to doing so. (Fifteen or twenty minutes of focused searching on the Internet can produce a significant amount of information on almost any subject.) Finally, try to anticipate the different points of view that might be expressed in the discussion and consider the relative merits of each. Keep your conclusions tentative at this point, so that you will be open to the facts and interpretations others will present.

SET REASONABLE EXPECTATIONS

Have you ever left a discussion disappointed that others hadn't abandoned their views and embraced yours? Have you ever felt offended when someone disagreed with you or asked you what evidence you had to support your opinion? If the answer to either question is yes, you probably expect too much of others. People seldom change their minds easily or quickly, particularly in the case of long-held convictions. And when they encounter ideas that differ from their own, they naturally want to know what evidence supports those ideas. Expect to have your ideas questioned, and be cheerful and gracious in responding.

LEAVE EGOTISM AND PERSONAL AGENDAS AT THE DOOR

To be productive, discussion requires an atmosphere of mutual respect and civility. Egotism produces disrespectful attitudes toward others—notably, "I'm more important than other people," "My ideas are better than anyone else's," and "Rules don't apply to me." Personal agendas, such as dislike for another participant or excessive zeal for a point of view, can lead to personal attacks and unwillingness to listen to others' views.

CONTRIBUTE BUT DON'T DOMINATE

If you are the kind of person who loves to talk and has a lot to say, you probably contribute more to discussions than other participants. On the other hand, if you are more reserved, you may seldom say anything. There is nothing wrong with being either kind of person. However, discussions tend to be most productive when everyone contributes ideas. For this to happen, loquacious people need to exercise a little restraint, and more reserved people need to accept responsibility for sharing their thoughts.

AVOID DISTRACTING SPEECH MANNERISMS

Distracting mannerisms include starting one sentence and then abruptly switching to another, mumbling or slurring your words, and punctuating every phrase or clause with audible pauses ("um," "ah") or meaningless

expressions ("like," "you know," "man"). These annoying mannerisms distract people from your message. To overcome them, listen to yourself when you speak. Even better, tape your conversations with friends and family (with their permission), then play the tape back and listen to yourself. And whenever you are engaged in a discussion, aim for clarity, directness, and economy of expression.

LISTEN ACTIVELY

When the participants don't listen to one another, discussion becomes little more than serial monologue—each person taking a turn at speaking while the rest ignore what is being said. This can happen quite unintentionally because the mind can process ideas faster than the fastest speaker can deliver them. Your mind may get tired of waiting and wander about aimlessly like a dog off its leash. In such cases, instead of listening to the speaker's words, you may think about his or her clothing or hairstyle or look outside the window and observe what is happening there. Even when you are making a serious effort to listen, it is easy to lose focus. If the speaker's words trigger an unrelated memory, you may slip away to that earlier time and place. If the speaker says something you disagree with, you may begin framing a reply. The best way to maintain your attention is to be alert for such distractions and to resist them. Strive to enter the speaker's frame of mind, understanding each sentence as it is spoken and connecting it with previous sentences. Whenever you realize your mind is wandering, drag it back to the task.

JUDGE IDEAS RESPONSIBLY

Ideas range in quality from profound to ridiculous, helpful to harmful, ennobling to degrading. It is therefore appropriate to pass judgment on them. However, fairness demands that you base your judgment on thoughtful consideration of the overall strengths and weaknesses of the ideas, not on your initial impressions or feelings. Be especially careful with ideas that are unfamiliar or different from your own because those are the ones you will be most inclined to deny a fair hearing.

RESIST THE URGE TO SHOUT OR INTERRUPT

No doubt you understand that shouting and interrupting are rude and disrespectful behaviors, but do you realize that in many cases they are also a sign of intellectual insecurity? It's true. If you really believe your ideas are sound, you will have no need to raise your voice or to silence the other person. Even if the other person resorts to such behavior, the best way to demonstrate confidence and character is by refusing to reciprocate. Make it your rule to disagree without being disagreeable.

AVOIDING PLAGIARISM⁶

Once ideas are put into words and published, they become *intellectual property*, and the author has the same rights over them as he or she has over material property such as a house or a car. The only real difference is that intellectual property is purchased with mental effort rather than money. Anyone who has ever wracked his or her brain trying to solve a problem or trying to put an idea into clear and meaningful words can appreciate how difficult mental effort can be.

Plagiarism is passing off other people's ideas or words as one's own. It is doubly offensive in that it both steals and deceives. In the academic world, plagiarism is considered an ethical violation and is punished by a failing grade for a paper or a course or even by dismissal from the institution. Outside the academy, it is a crime that can be prosecuted if the person to whom the ideas and words belong wishes to bring charges. Either way, the offender suffers dishonor and disgrace, as the following examples illustrate:

- When a university in South Africa learned that Professor Mark Chabel had plagiarized most of his doctoral dissertation from Kimberly Lanegran of the University of Florida, the university fired Chabel. Moreover, the university that had awarded him his Ph.D. revoked it.
- In 1988, when then U.S. Senator Joseph Biden was seeking the Democratic presidential nomination, it was revealed that he had plagiarized passages from speeches by British politician Neil Kinnock and by Robert Kennedy. It was also learned that, while in law school, he had plagiarized a number of pages from a legal article. The ensuing scandal led Biden to withdraw his candidacy.
- The reputation of historian Stephen Ambrose was tarnished by allegations that over the years he had plagiarized the work of several authors. Doris Kearns Goodwin, historian and advisor to President Lyndon Johnson, suffered a similar embarrassment when she was discovered to have plagiarized from more than one source in one of her books.
- When James A. Mackay, a Scottish historian, published a biography of Alexander Graham Bell in 1998, Robert Bruce presented evidence that the book was largely plagiarized from his own 1973 biography, which had won a Pulitzer Prize. Mackay was forced to withdraw his book from the market. (Incredibly, he did not learn from the experience because he then published a biography of John Paul Jones, which was plagiarized from a 1942 book by Samuel Eliot Morison.)
- When New York Times reporter Jason Blair was discovered to have plagiarized stories from other reporters and fabricated quotations and details in his own stories, he resigned his position in disgrace. Soon afterward, the two senior editors who had been his closest mentors also resigned, reportedly because of their irresponsible handling of Blair's reportage and the subsequent scandal.

Some cases of plagiarism are attributable to intentional dishonesty, others to carelessness. But many—perhaps most—are due to misunderstanding. The instructions "Base your paper on research rather than on your own unfounded opinions" and "Don't present other people's ideas as your own" seem contradictory and may confuse students, especially if no clarification is offered. Fortunately, there is a way to honor both instructions and, in the process, to avoid plagiarism.

Step 1: When you are researching a topic, keep your sources' ideas separate from your own. Begin by keeping a record of each source of information you consult. For an Internet source, record the Web site address, the author and title of the item, and the date you visited the site. For a book, record the author, title, place of publication, publisher, and date of publication. For a magazine or journal article, record the author, title, the name of the publication, and its date of issue. For a TV or radio broadcast, record the program title, station, and date of transmission.

Step 2: As you read each source, note the ideas you want to refer to in your writing. If the author's words are unusually clear and concise, copy them exactly and put quotation marks around them. Otherwise, paraphrase—that is, restate the author's ideas in your own words. Write down the number(s) of the page(s) on which the author's passage appears.

If the author's idea triggers a response in your mind—such as a question, a connection between this idea and something else you've read, or an experience of your own that supports or challenges what the author says—write it down and put brackets (not parentheses) around it so that you will be able to identify it as your own when you review your notes. Here is a sample research record illustrating these two steps:

Adler, Mortimer J. *The Great Ideas: A Lexicon of Western Thought* (New York: Macmillan, 1992) Says that throughout the ages, from ancient Greece, philosophers have argued about whether various ideas are true. Says it's remarkable that most renowned thinkers have agreed about what truth is—"a correspondence between thought and reality." 867 Also says that Freud saw this as the *scientific* view of truth. Quotes Freud: "This correspondence with the real external world we call truth. It is the aim of scientific work, even when the practical value of that work does not interest us." 869 [I say true statements fit the facts; false statements do not.]

Whenever you look back on this record, even a year from now, you will be able to tell at a glance which ideas and words are the author's and which are yours. The first three sentences are, with the exception of the directly quoted part, paraphrases of the author's ideas. The next is a direct quotation. The final sentence, in brackets, is your own idea.

Step 3: When you compose your paper, work borrowed ideas and words into your writing by judicious use of quoting and paraphrasing. In addition, give credit to the various authors. Your goal here is to eliminate all doubt

about which ideas and words belong to whom. In formal presentations, this crediting is done in footnotes; in informal ones, it is done simply by mentioning the author's name.

Here is an example of how the material from Mortimer Adler might be worked into a composition. (Note where the footnote is placed and the form that is used for it.) The second paragraph illustrates how your own idea might be expanded:

Mortimer J. Adler explains that throughout the ages, from the time of the ancient Greeks, philosophers have argued about whether various ideas are true. But to Adler the remarkable thing is that, even as they argued, most renowned thinkers have agreed about what truth is. They saw it as "a correspondence between thought and reality." Adler points out that Sigmund Freud believed this was also the scientific view of truth. He quotes Freud as follows: "This correspondence with the real external world we call truth. It is the aim of scientific work, even when the practical value of that work does not interest us."*

This correspondence view of truth is consistent with the commonsense rule that a statement is true if it fits the facts and false if it does not. For example, the statement "The twin towers of New York's World Trade Center were destroyed on September 11, 2002" is false because they were destroyed the previous year. I may sincerely believe that it is true, but my believing in no way affects the truth of the matter. In much the same way, if an innocent man is convicted of a crime, neither the court's decision nor the world's acceptance of it will make him any less innocent. We may be free to think what we wish, but our thinking can't alter reality.

*Mortimer J. Adler, The Great Ideas: A Lexicon of Western Thought (New York: Macmillan, 1992), 867, 869.



SAMPLE RESPONSES TO INQUIRIES

Here are two sample responses to help you understand the kind of analysis and the form of response appropriate for the inquiries that follow. (You need not agree with the particular viewpoints expressed.) Note that the responses express not just the writers' moral judgments but also the reasoning that underlies those judgments.

Inquiry: A Vestal, New York, resident unwittingly paid sewer bills for more than \$1,300 over an eighteen-year period and then discovered there was no sewer line connected to his home. Since the statute of limitations on civil suits of this kind is six years, the town attorney suggested that the man be reimbursed for six years of payments only. Was this suggestion ethical?

Sample Response: Having a time limit for filing may be reasonable in disputes about the quality or punctuality of a service. In such cases, the passing of time could make the merits of the claim difficult to determine. A time limit might also make sense where each side was partly at fault. But this case is different. No service was provided, and the town was completely at fault for the improper billing. The man should have received full reimbursement.

Inquiry: Some coaches of nationally ranked college athletic teams are paid large sums of money by athletic shoe manufacturers for having their teams wear a particular brand of shoe. Is this practice ethical? Why or why not?

Sample Response: *It is my understanding that coaches of nationally ranked teams* receive generous salaries from their institutions, so they can't be accepting the money because of economic need. They are simply using their positions for personal gain. Given that fact, it is likely that coaches will make their selections mainly on which company will offer them the greatest profit rather than on the quality of the product. I believe such arrangements between coaches are unethical.

If you need additional assistance composing your response to the inquiries that follow, read "Writing About Moral Issues" in Appendix 1.



INQUIRIES

A TIMELY ISSUE: IMMIGRATION

For many years, hordes of people have been coming across the U.S. southern border in violation of existing immigration laws. The number of people in this country illegally is now over 11 million. Ideas for stopping the flow include building a wall across the border, adding thousands of border patrol officers, using the National Guard for border patrol, and enforcing the law by seeking out and deporting illegal immigrants and punishing employers who knowingly hire them. The vast majority of Americans support one or more of these solutions. However, some people reject all of them, arguing that freedom of movement around the globe is a human right and that all nations should open their borders and let anyone enter. They believe further that illegal immigrants should receive the same rights and privileges accorded to citizens, including drivers' licenses, social security, and health and education benefits. Is immigration a moral issue? Explain your answer.

(Note: Keep a copy of your thoughts on this issue. We will address it again in a later chapter.)



- 1. Suppose you told a friend that you were taking a course that helped you make ethical judgments more responsibly, and she responded as follows: "I can't believe that they actually offer such a course on this campus. Judging other people's behavior is offensive and calling any behavior unethical is a violation of our constitutional right to make our own choices and live as we choose." How would you respond to your friend?
- 2. Over the past few decades, a sizable industry has arisen to serve the demand for ready-made and even customized compositions and term papers. Many students presumably believe there is nothing morally wrong with the practice of buying one

of these papers and turning it in to fulfill a course requirement. Review what you read about plagiarism in this chapter. Then write a several-paragraph explanation of its message for a friend who doesn't get it. (Be sure to follow the approach explained in that section so you avoid committing plagiarism yourself.)

- **3.** The Fifth Amendment to the U.S. Constitution states that private property shall not be "taken for public use, without just compensation." Up until fairly recently, the words "public use" generally have been interpreted narrowly to mean that the state could take someone's private residence or place of business so that a highway could be expanded or a public park constructed but not so that a shopping mall, a condominium, or a golf course could be built. Then, in a 2005 case (*Kelo v. City of New London*), the U.S. Supreme Court decided by a vote of 5 to 4 that the redevelopment of a blighted inner-city area by building new upscale housing and shops qualifies as public use. Does what you read in this chapter have any application to this case? Explain. (You might want to do a Google search and explore the case more fully before answering.)
- **4.** Canada's government proposed that color photographs of diseased hearts and cancerous lungs and lips be printed on the front and back panels of every pack of cigarettes sold in that country. Canada's tobacco industry claimed the practice would be illegal. Is there an ethical issue in this case? If you believe there is, explain why. If not, explain why not.
- **5.** When a Michigan man was arrested for soliciting a prostitute, the car he was driving was confiscated by the police in accordance with a local ordinance. His wife, who was co-owner of the vehicle, took the matter to court, claiming that the government's action was improper because it punished not only her husband but also her, even though she had no part in, or knowledge of, the crime he committed. Was her argument morally sound? Explain.
- **6.** The National Collegiate Athletic Association (NCAA) has no rule against colleges and universities making hundreds of thousands of dollars from the sale of tickets and television rights to games. Yet the NCAA does not permit colleges and universities to pay student athletes. Is the NCAA's position morally justifiable? Explain.
- 7. Although Maude is not physically handicapped, whenever she is in a hurry, she parks her car in spaces reserved for the handicapped. Is she behaving unethically?
- **8.** A village on the seacoast places restrictions on the use of its beaches. Residents of the village are issued beach passes for themselves and their guests. All others are barred. Is such a restriction a moral issue? That is, is it debatable in terms of right and wrong? Explain.
- **9.** There is no legal obligation for an eligible voter to vote in an election in the United States. Is the decision to vote or not to vote a moral decision? Explain.
- **10.** Certain people have spoken out against the American government's foreign and domestic policies. They have broken no laws. Their protests have been fully

within the guarantees of free speech. Yet the FBI is directed to investigate each individual thoroughly. The FBI conducts background studies, including interviews with relatives, friends, and acquaintances. Are these investigations ethically justifiable? Explain.

- 11. A married couple, both addicted to drugs, are unable to care for their infant daughter. She is taken from them by court order and placed in a foster home. The years pass. She comes to regard her foster parents as her real parents. They love her as they would their own daughter. When the child is 9 years old, her natural parents, rehabilitated from drugs, begin court action to regain custody. The case is decided in their favor. The child is returned to them, against her will. Does ethics support the law in this case? Discuss.
- 12. A sociology professor spots a magazine article that will fit in well with the textbook chapter he has assigned his students. However, copyright law forbids his making copies of it without obtaining the publisher's or author's permission (usually given for a small fee). Because he cannot use college funds for this purpose, and because there isn't sufficient time to go through the process of obtaining permission, he decides to break the law and make the copies. Does he act rightly? Explain.
- **13.** Zoo officials in Eureka, California, could not afford to house two healthy adult bears while a new bear grotto was being built, and the only zoo that would take the bears was in South Dakota. Because the zoo could not afford the \$500 it would have cost to transport the bears, officials decided to destroy them. As their two 3-month-old cubs looked on, the bears were given lethal shots of sodium phenobarbital. Was the bears' destruction a moral issue? If so, was the action morally wrong?
- **14.** Lawrence Steubig stole six candy bars in 1941. He was judged incompetent to stand trial and was sent to a mental institution. He was freed in 1975, *thirty-four years* later, whereupon he sued officials at the institution for "loss of liberty and loss of enjoyment of life." The institution could produce no records to show that he had ever received therapy or a chance to prove his competency. The judge ruled that Steubig's Fourteenth Amendment rights had been violated but that he was not entitled to collect damages because the officials of the institution had acted in good faith. Was this verdict defensible on moral grounds?
- 15. A Milpitas, California, boy raped and then killed his girlfriend and dumped her body in a lovers' lane gully. Over the next few days, the killer boasted to his high school friends, and the word quickly spread that the girl was dead and that her body was in the gully. Carload after carload of high school students visited the gully to see the body. Some students prodded it with sticks or kicked it; one girl ripped a decal from the dead girl's jeans. Only one boy reported the murder to the high school principal, and even after the police investigation was well under way, only two students would identify the killer or volunteer any information. Because failure to report a body or to volunteer to testify is not a crime, the students could not be charged legally. But was the behavior of any of the students morally objectionable?

Notes

- 1. Both cases are cited in John Leo, "On Society," U.S. News and World Report, July 21, 1997, p. 14.
- 2. G. K. Chesterton, *Orthodoxy* (Wheaton, IL: Harold Shaw, 1994; first published in 1908), 70.
- 3. Greg Brown, "Mutilated Voodoo Dolls Found in Delaware," *Oneonta* (New York) *Star*, July 23, 1982, p. 1.
- 4. "Couple Who Let Baby Die Guilty," *Binghamton* (New York) *Press*, May 18, 1982, p. A5.
- 5. The section "Making Discussion Meaningful" is copyrighted by MindPower, Inc., and used with permission.
- 6. The section "Avoiding Plagiarism" is copyrighted by MindPower, Inc., and used with permission.
- 7. Binghamton Press, August 7, 1982, p. A4.
- 8. James Brooke of the *New York Times*, "Canada Wants Cigarette Packs to Bear Photos . . . ," *Tampa Tribune*, January 23, 2000, Nation/World, p. 11.
- 9. Burden of Proof, CNN-TV, November 30, 1995.
- 10. "Zoo Kills Two Bears for Lack of a Home," Oneonta Star, May 15, 1982, p. 1.
- 11. "Right to Liberty," New York Times, April 25, 1982, p. 49.

CHAPTER TWO

The Role of the Majority View

Is the basis for deciding moral values the majority view? In other words, if the majority of the citizens of our country decide that a particular action is right, would that very decision make the action right?

We live in an age when statistics confront us at every turn. From the moment we arise, authoritative voices bombard us with percentages. "Sixty-seven point two percent of the American public support the president's tax program." "Seven out of ten doctors recommend No-Ouch tablets." "My group had 90 percent less underarm odor."

In addition, tabloid television shows solicit our opinion on the issues of the day. "To vote YES, dial 1-900-555-2345. To vote NO, dial 1-900-555-5678." Should patients be able to sue their health maintenance organizations? Is the estate tax unfair? Do rich nations have an obligation to assist poor nations? Tomorrow we'll learn how many people voted, and the official tally of their votes will be presented in the manner of sports scores—and we'll be tempted to believe that whichever side got the higher percentage won the contest.

Given a steady diet of such data, we may begin to believe that the majority view is the wisest, most informed view. But what, after all, is the "majority"? Nothing more than 51 percent or more of the *individuals* in a group. Although the conversion of a bunch of individual views into a statistic can create the impression of authoritativeness and wisdom, those qualities do not always result. *There is no magic in majorities*.

If we were to examine a particular majority and compare their individual thinking on a particular issue, what would we find? First, we would find that actual knowledge of the issue varied widely among the individuals. Some would be well informed about all details. Others would be completely uninformed yet unaware of their ignorance. Between these extremes would be the largest group of individuals: those partly informed

and partly ignorant, in some ways perceptive but in other ways confused or mistaken.

Second, we would find significant variations in the degree and quality of consideration given the facts. Some individuals would have read or listened to the views of authorities, sorted out irrelevancies, appraised each authority's position in light of available evidence, and weighed all possible interpretations of the facts. Others would have taken the ultimate shortcut and forgone all inquiry on the assumption that their intuition is infallible. A large middle group would have made some inquiry, but it would have been less than exhaustive and sometimes less than adequate.

Finally, we would find wide differences in the quality of judgment of the issue. Some would have judged quite objectively, avoiding preconceived notions and prejudices and being critical of all views, including those to which they were naturally disposed. Others would have been ruled by emotion untempered by reason, their judgment little more than a conditioned reflex. Again, most would have achieved some middle position in which thought and gut reaction intermingled to produce more or less objective conclusions.

A SAMPLE SITUATION

To see how all these differences might work in an actual moral issue, let's take the question "Is it wrong to kill enemy civilians in time of war?" Imagine that we have asked this question of a representative sampling of the general public and that a majority have answered in the negative. What variations in knowledge, inquiry, and judgment would the statistical report cover? What actual lines of thought might have occurred to the individuals in the majority? Here are some probabilities:

Mr. A: "If they started the war, then the blame would be on them and they'd deserve no mercy. They'd all be responsible for their government's actions; so all of them, civilians and soldiers alike, would be regarded as enemies. If they get hurt, that's the breaks."

Mr. B: "I fought in Vietnam and, believe me, in that war you couldn't tell a friend from an enemy. I've seen children waving and shouting greetings as they approached with explosives attached to their backs. I've seen peasants who'd shoot you in the back or direct you into a minefield after you'd given them candy. It can't be wrong to kill civilians in war because it's necessary for survival."

Ms. C: "No, it's not wrong if it helps to shorten the war. In World War II we avoided more deaths and injuries to our armed forces and brought them home sooner by dropping atom bombs on two Japanese cities. Many civilians were in those cities. But our main intention was not to kill civilians; it was to end the war. Therefore the bombing was justified."

Ms. D: "It's a complex question. It really depends on the circumstances. The bombings of Dresden, Hiroshima, and Nagasaki during World War II

were very wrong in my view. Those targets were selected because they were population centers and their destruction would demoralize the enemy. In other words, civilians were deliberately singled out for elimination. No goal, however worthy, justifies such slaughter. On the other hand, in a guerrilla war, the distinction between combatant and noncombatant is somewhat blurred. Soldiers disguise themselves as civilians. And civilians are enlisted, sometimes against their will, to perform military acts. In such a war I can conceive of situations where the killing of civilians is justified; say, where a soldier is in doubt whether the civilian approaching him is armed and must choose to shoot or jeopardize his own life. Is it wrong to kill civilians? I'd have to say no, not necessarily."

Perhaps none of these views is the best one possible, but the last one is much more penetrating than the others. It shows a willingness to consider the differences, as well as the similarities, between particular acts of war. It reveals sensitivity to important distinctions—specifically, to the distinction between the circumstances of the World War II bombings and the conditions of a guerrilla war. Finally, it demonstrates an awareness of the dilemma faced by particular people who must make a moral decision in actual war situations, the kill-or-be-killed choice that must be made instantly, without time for careful reflection.

Although Ms. D's view is a much wiser, more informed response than the others, in a statistical report, its excellence would be ignored. It would merely be lumped with the others, including the utterly shallow and morally insensitive view of Mr. A. In statistical computation, the depth or shallowness of the thought that supports the answer counts for nothing. (It is possible, of course, for statistical reports to include the full answers, but even when a report is set up to provide for such answers, which it seldom is, the need for brevity often forces their omission.)

THE MAJORITY CAN ERR

In short, the majority view is less than perfect. To assume that it is necessarily enlightened is a serious mistake. If 1 percent or 49 percent of the population can be shallow or prejudiced in their view of an issue, so can 51 or 99 percent. Majority ignorance is as common as majority wisdom.

At various times in history, the majority have supported outrageous deeds. In some ancient societies, the majority believed in and practiced murdering female babies, abandoning handicapped infants to die, and murdering young men and women as sacrifices to the gods or to serve a deceased monarch in the afterlife. The majority have supported religious wars, child labor, even child prostitution. In Hitler's Germany, the majority gave at least silent assent to a program of genocide against the Jews. For centuries, the standard treatment of the mentally ill, universally accepted, bordered on torture. Until recently, in the southern United States, racial intermarriage was not only morally condemned but legally prohibited as well.

If the majority view determines right and wrong, then slavery was not wrong when it was practiced in America. It was right as long as the majority accepted it and became wrong only when more than 50 percent of the people rejected it. If the majority's moral perspective cannot err, then the religious persecutions that drove the early colonists to this continent were not vices but virtues. Such a view, of course, is nonsense. Slavery and religious persecution would be no less immoral if every country in the world approved them. There must be more to right and wrong than a showing of hands.

To be sure, the majority view may be the only one a democratic society can follow in its procedures of representative government. Even in lawmaking, the majority view will rightly exert considerable influence on legislators (though an honest legislator will not hesitate to oppose the majority view when the common good is served in doing so). But we cannot afford to pretend that the majority counsel is necessarily the counsel of wisdom-there is too much room in it for carelessness, irrationality, and self-deception. We do well to remember that, just as we view certain practices of past centuries as morally indefensible, later generations may judge some of our practices similarly. Every age has its blindness, perhaps even its barbarism.

What then should be our reaction to the views of majorities? We should give them careful consideration but resist the temptation to accept them uncritically. Instead, we should examine each issue for ourselves and embrace the most reasonable view. In some cases, that will be the majority view; in others, it will not.

៉ Sample Response to Inquiries

Here is a sample response to help you understand the kind of analysis and the form of response that are appropriate for the inquiries that follow. (You need not agree with the particular viewpoint expressed.)

Inquiry: At the beginning of the twentieth century, a majority of lawmakers considered it morally right to deny women the right to vote. Was the majority morally correct in this instance?

Sample Response: The majority was wrong in this case. The lawmakers, of course, had reasons for believing women shouldn't be allowed to vote-for example, that women lacked the necessary level of intelligence and that involvement in politics would rob women of their femininity. But such reasons were not valid then and are laughable today. No legitimate reason ever existed for depriving women of their rights of citizenship.

If you need additional assistance composing your response to the inquiries that follow, read "Writing About Moral Issues" in Appendix 1.



A TIMELY ISSUE: HOW WE VOTE

Many people consider voting a very personal matter with no moral dimension. They say their vote is simply a matter of choice, not of ethics. However, social scientists point out that our choices are not always as personal as we think. Most people vote the way their parents voted. Some deny the influence, but others are aware and proud of it. Ask them why they vote Republican or Democrat and they will say, "My parents have voted that way all their lives, and so did my grandparents, because that party represents our values." The interesting thing is that the values represented by political parties can change over time; in some cases, they *reverse* their positions on some issues. In addition, individual *candidates* may hold some views at odds with their party's stated views. That is why some people argue that voting is a moral matter, that we should not be voting the way we want but the way the qualities of the candidates suggest we should. In their view, refusing to ever vote for a candidate from the opposing party is morally wrong. Do you agree or disagree? Explain your answer.

(*Note:* Keep a copy of your thoughts on this issue. We will address it again in a later chapter.)

Additional Inquiries

- 1. Americans' views on sex and marriage changed dramatically over time. A century ago, most Americans thought that abortion, having children out of wedlock, and homosexuality were morally wrong. Today, a majority of Americans hold the opposite view on all three issues. Suppose that two of your friends are discussing the meaning of this change. One says, "Abortion, having children out of wedlock, and gay relationships used to be immoral but now they are moral." The other responds, "That's ridiculous. If those behaviors were wrong a decade or a century ago, they are still wrong today; and if they weren't wrong then, they aren't wrong now." Settle your friends' dispute, applying what you learned in this chapter.
- **2.** According to public opinion polls, a majority favor the death penalty for murderers but oppose the military's use of physical torture under all circumstances. Do you share the majority opinion in these cases? If you do not, are you nevertheless willing to agree that these views are morally correct because the majority holds them? Explain.
- **3.** Animal rights activists continue to lobby and demonstrate to outlaw the use of animals in laboratory experiments, particularly those in which the animals suffer extreme pain. Since a majority of Americans have, at least implicitly, supported the use of animals in laboratory experiments, it might be argued that animal rights protests are unethical. Can you find anything in this chapter to support such an argument? Do you support it? Explain.

- **4.** Many people, perhaps a majority, approve of telling lies to employers, co-workers, customers, or clients. Is it ethical to tell lies of this sort? Begin by considering the following situations: (a) a doctor tells a patient he has consulted with a colleague about her condition, though no such consultation occurred; (b) a business executive tells a client that she was tied up in traffic when she really lingered over lunch with friends; (c) a composition teacher tells a student he is making progress in his writing when, in fact, the student is showing no progress. Next, think of several situations you are familiar with in which lies were told. Then explain in what circumstances, if any, lying is justifiable.
- **5.** Environmentalists in Oregon, by their own admission, have driven spikes into trees to prevent the lumber industry from harvesting them. If the trees are harvested, the spikes break the huge, expensive saws in the lumber mills and sometimes injure the workers. Is the use of spikes by environmentalists unethical? (*Note:* If your answer to this question differs from your answer to inquiry 3, justify that disagreement.)
- **6.** The great majority of people seem to find nothing objectionable about the use of commercials in children's television programming. Yet a distinguished panel commissioned by the National Science Foundation found reason to disagree. After reviewing twenty-one relevant scholarly studies, they concluded that "television advertising *does* influence children" and that "advertising is at least moderately successful in creating positive attitudes toward and the desire for products advertised." However, they found that the influence varies according to the children's age because young children have not yet developed the ability to evaluate advertising.¹

Do you think the majority view is correct in this case? Do you think the use of commercials in children's television programming raises any ethical questions? Explain.

- 7. For centuries it was the common belief among Europeans that it is morally acceptable for society to deny Jews the rights of gentiles. That belief resulted in the segregation of Jews in ghettos, the strict regulation of their marriages, the imposition of special codes of dress on Jewish women, the forced attendance at Christian religious ceremonies, and the exclusion from certain occupations, including law, medicine, and education. Was that majority view ethically defensible?
- **8.** After the Japanese attack on Pearl Harbor, President Roosevelt ordered the internment of thousands of American citizens of Japanese ancestry. (They were guilty of no crime but were considered *potentially* disloyal because of their ancestry.) A large number of Americans, possibly a majority, supported the president's action on moral grounds. Then, almost half a century later, Congress awarded every Japanese American who had been interned \$20,000 in reparations. Because few people made any public protest, a majority of the American people presumably approved of the congressional action. Was the internment morally justified? Was the paying of reparations?
- **9.** In 1971, a military court found Lt. William Calley guilty of the premeditated murder of twenty-two unarmed civilians in the Vietnam village of My Lai and sentenced him to dismissal from the army, forfeiture of pay and privileges, and life imprisonment. But a national poll revealed that 79 percent of the American public

disapproved of the verdict and punishment, presumably on moral grounds.² Were the verdict and punishment ethically justifiable? What questions, if any, would you have to have answered before evaluating this issue?

- **10.** Two years after the U.S. Supreme Court's famous school desegregation order, a national poll revealed that 80 percent of the citizens of southern states opposed school desegregation. The same poll disclosed that 76 percent disapproved of the Interstate Commerce Commission's order banning train, bus, and waiting room segregation.³ Were such desegregation orders ethically valid?
- **11.** At various times, polls have indicated that a majority of Americans favor outlawing the Communist party. Is it ethically valid in a democracy to outlaw any political party that citizens might in good conscience choose to support?
- **12.** A 16-year-old girl visits a birth control clinic and asks to be put on the pill. Because she is a minor, the clinic doctor who writes the prescription for her notifies her parents of the action. Possibly a majority of Americans would approve of the doctor's action. Is the action therefore ethical?
- 13. In some states, the use of marijuana is now legal, so a majority of the citizens evidently regard it as morally acceptable. In other states, however, the use of marijuana is illegal, so a majority of the citizens in those states evidently regard it as morally unacceptable. Furthermore, given that most states at this time disapprove marijuana use, a majority of citizens in the country as a whole likely regard it as morally unacceptable. The dilemma for those who say that moral questions are decided by the majority is that in this case, there are a number of majorities, and they disagree with one another. Comment on this dilemma based on what you learned in this chapter.
- 14. Advancements in robotics and other new technologies may eliminate many jobs, particularly for unskilled workers. Many labor union members, perhaps a majority, believe that having new technologies replace human workers is immoral. But many other people, perhaps a majority, disagree, saying that such thinking would mean that inventions like the printing press, the automobile assembly line, and the computer are immoral. Does the answer to the morality of using machines depend on the majority view?

NOTES

- 1. Research on the Effects of Television Advertising on Children: A Review of the Literature and Recommendations for Further Research. National Science Foundation, 1977, pp. i–ii.
- 2. Facts on File: 1971, Vol. XXXI, No. 1588, p. 248.
- 3. Facts on File: 1956, Vol. XVI, No. 800, p. 68.

CHAPTER THREE

THE ROLE OF FEELINGS

If the majority view does not determine the rightness of an action, should each person decide on the basis of her or his own feelings, desires, and preferences?

In certain past times, people took pride in being like their parents and grand-parents. Today, however, individuality is so highly prized that being like others is considered shameful. Even people who slavishly adopt the views and values of the majority or of their particular culture manage to maintain the notion that everything about them is as unique as their fingerprints. Not surprisingly, this preoccupation with individuality extends to morality. As we have seen, it is fashionable to believe that morality is subjective and personal—in other words, that no act is always and everywhere right or wrong. This means that whatever a person believes to be right *is right for that person* and what a person believes to be wrong *is wrong for that person*.

The conclusion that follows from this reasoning is that no one person's view is preferable to another's. Each is good in its own way. One person's sacred ritual may be the next person's cardinal sin. Thus if a man and a woman want to marry, that's fine (the same for a man and a man, a woman and a woman). If a couple choose to live together without marrying, that's fine, too. Indeed, if twenty-two people want to live together in multiple liaison, that is also fine. No one other than the individuals themselves has any right to pass judgment. Freedom is the byword; rules and restrictions are the only heresies.

How Feelings Came to Be Emphasized

Two individuals are especially important in the development of moral relativism and are largely responsible for its emphasis on feelings rather than reasoned judgment. About two centuries ago, French philosopher Jean-Jacques

Rousseau expressed the view that we are all born good, and that the only corrupting influence on us is society with its artificial constraints; thus, he decided, we should avoid society's influence and instead be guided by our feelings. Whether or not today's champions of feelings are aware of the fact, their call to cast aside inhibitions, reject external authority, and follow one's urges is but an echo of Rousseau. That is certainly the case with the ethics education approach known as *values clarification*. This system asserts that there is no universal, objective moral standard and that the only norm is what each person decides to value. The job of the educator, values clarification claims, is to encourage students to decide for themselves and then to affirm and support whatever they choose. The teacher is to be completely nonjudgmental, withholding all criticism of students' choices—the clear implication being that in the area of values *no one can ever be mistaken*.¹

Also related to Rousseau, but more influential in modern thought than values clarification, is humanistic psychology, especially the thought of Carl Rogers. In phrasing remarkably similar to Rousseau's, Rogers assigned feelings a central role in guiding behavior: "One of the basic things which I was a long time in realizing, and which I am still learning, is that when an activity *feels* as though it is valuable or worth doing, it *is* worth doing. Put another way, I have learned that my total organismic sensing of a situation is more trustworthy than my intellect." Rogers's goal in therapy was to persuade the client not only to "listen to feelings which he has always denied and repressed," including feelings that have seemed "terrible," "abnormal," or "shameful," but also to *affirm* those feelings. Rogers was convinced that the therapist should be totally accepting of whatever the client expressed and should show "an outgoing positive feeling without reservations, without evaluations." "

One becomes a person, Rogers claimed, by self-affirmation rather than self-evaluation or self-criticism. The "only question that matters" for a healthy person, he maintained, is "Am I living in a way which is deeply satisfying to me, and which truly expresses me?" Pleasing others or meeting external, objective standards of behavior—such as the moral code of one's society or religion—has no role in Rogers's process.⁴

Rogers's impact on American thought, and on Western thought in general, has been profound. Together with his associate, William Coulson, Rogers developed and successfully implemented a plan to promote his value-free, nonjudgmental, and nondirective approach in the teaching of both psychological counseling and ethics. (Coulson later renounced the approach, claiming that it ruined lives and harmed society.) Subsequently, two generations of psychologists, guidance counselors, student personnel staff in colleges, social workers, and even members of the clergy were trained in Rogers's method and proceeded in good faith to counsel *millions* of people to follow their feelings.

Rogers's emphasis on feelings has been most enthusiastically embraced by the entertainment industry, which has made it a central theme of movies and television programs.

In the space of a few decades, feelings have become the dominant ethical standard. As Allan Bloom concluded, "Our desire . . . is now the last word, while in the past it was the questionable and dangerous part of us." As he explains, "choice" used to mean freedom to do what one ought to do, what one determined was right to do, but "now, when we speak of the right to choice, we mean that there are no necessary consequences, that disapproval is only prejudice and guilt only a neurosis."

A number of psychologists have addressed this error. For example, William J. Doherty, a therapist and professor of psychology, argues that "It is time for psychotherapists to stop trying to talk people out of their moral sense. . . . I don't believe that all moral beliefs are created equal. The moral consensus of the world's major religions around the Golden Rule—do unto others as you would have others do unto you—is a far better guide to moral living than the reflexive morality of self-interest in mainstream American society."

Are Feelings Reliable?

As we noted in Chapter 2, there is no magic in majorities, so the fact that millions of people have adopted Rogers's implicit faith in feelings, desires, and preferences does not prove that such faith is warranted. Can feelings be trusted to guide human behavior? No reasonable person would deny that some feelings, desires, and preferences are admirable and therefore make excellent guides. Albert Schweitzer's feeling of "reverence for life" led him to choose the life of a medical missionary in then-primitive Africa over artistic and scholarly pursuits in Europe. Martin Luther King Jr.'s passion for justice led him to heroic leadership in the civil rights movement. Mother Teresa's compassion for the world's poor and suffering inspired a life of self-sacrificing service to others. And countless caring people the world over, who never become well known, are moved by love of neighbor to make the world a little better. Oseola McCarty is a good example. Forced to go to work in 1919 at age 11, she washed and ironed clothes for a living all her life, always putting as much money as she could afford in the bank. Then at age 87, she donated almost the entire amount-\$150,000-to set up a college scholarship fund for deserving young people in her hometown.⁷

Honesty, however, demands acknowledgment of the darker aspect of feelings. When Hitler exterminated more than 6 million Jews and when Stalin massacred 30 million Russian peasants, they were following their feelings, as was their common spiritual ancestor, Genghis Khan, when he led his hordes of Mongols across Asia and into Europe, plundering, raping, and devastating. Serial killer Ted Bundy murdered young women and Jeffrey Dahmer practiced cannibalism for

no other reason than to satisfy their desires. And for that same reason a group of Nassau County, New York, men used gifts to lure boys—some as young as 7, most of them fatherless—into homosexual seduction and then threatened them with beatings and even death if they told the authorities.⁸

If Rousseau and Rogers are correct in claiming that everything is a matter of personal preference and whatever feels good is good, then the concept of moral excellence is meaningless and Hitler, Stalin, Bundy, and Dahmer deserve to be considered the *moral equals* of Schweitzer, King, and Mother Teresa. Furthermore, if Rousseau and Rogers are correct, there is no ethical basis for condemning genocide, murder, cannibalism, and child molestation. And without an ethical basis, the laws forbidding these deeds are no longer valid and the people who have been imprisoned for committing them should be released. Logic is uncompromising in such matters and does not allow the luxury of ignoring the implications of ideas. Rather, it demands that we evaluate ideas by their implications. In this case, that means judging Rousseau's and Rogers's idea to be unreasonable.

A BETTER GUIDE IS NEEDED

When we are thinking clearly and being honest with ourselves, we realize that there is a potential in each of us for noble actions of high purpose and honor; but there is also a potential for great mischief and wickedness. Each of us is capable of a wide range of deeds, some that would make us proud if the whole world knew, and others that, if discovered by a single other person, would cause us shame.

A man passing a department store late at night may have a sudden urge to smash the window and steal the cashmere sports jacket he covets. A student may feel like spreading a lie about his or her roommate to avenge a real or imagined wrong. A bank employee may have the desire to embezzle a million dollars and depart for the South Seas. Any one of us, however placid our nature, may on occasion experience an overwhelming urge to punch someone in the nose. Yet the morality of these actions is at very least highly questionable *despite* the feelings and desires that prompt them.

Similarly, a person walking alone on the shore of a lake may prefer to ignore the call for help that comes from the water. A surgeon relaxing at home may prefer not to answer the call to perform emergency surgery. The father who promised to take his children on a picnic may prefer to play golf with his friends. A lawyer may prefer not to spend the necessary time preparing for the defense of his or her client. In such situations, the answer "whatever the person prefers to do is right to do" is hollow. Good sense suggests that the right action may be at odds with the individual's preference.

Some time ago I had a personal experience that underscored this point. I was walking on an exercise trail near my home. The sandy soil that bordered the

pavement had eroded in places, and a work crew had dug out the sand to a depth of about six inches in preparation for filling the area with richer soil in which grass could take root. The area extended for about a quarter-mile, and the workmen had placed orange cones every twenty feet or so to alert walkers, skaters, and cyclists to the danger. On the return part of my walk, I passed the area again and noticed a teenage boy in front of me, methodically knocking over each cone as he passed it. When I overtook the boy, I spoke to him. The conversation went like this:

I said, "I'm curious. Do you know why those cones were put there?"

"To warn people," he mumbled.

"Do you realize that by knocking them over you increase the chance that someone might fall and get hurt?"

"Yeah."

"Then why are you doing it?"

"Because I feel like it."

Ironically, morality by feelings *completely ignores other people's feelings*. Those who are acted against surely have feelings too; in the preceding cases, their feelings presumably run counter to the feelings of those committing the actions. If the murder victims had been consulted, they surely would have expressed a preference not to be so treated. Similarly, few people enjoy being robbed, lied about, assaulted, or neglected in their time of need. To say that we should be free to do as we wish without regard for others is to say that others should be free to do as they wish without regard for us.* If such a rule were followed, the result would be social chaos.

Because our feelings, desires, and preferences can be either beneficial or harmful, noble or ignoble, praiseworthy or damnable, and because they can be either in harmony or in conflict with other people's feelings, desires, and preferences, they obviously are not reliable criteria for moral judgment or trustworthy guidelines for action. Feelings, desires, and preferences need to be evaluated and judged. They need to be measured against some *impartial* standard that will reveal their quality. To make them the basis of our moral decisions is to ignore those needs and to accept them uncritically as the measure of their own worth.

SAMPLE RESPONSE TO INQUIRIES

Here is a sample response to help you understand the kind of analysis and the form of response appropriate for the inquiries that follow. (You need not agree with the particular viewpoint expressed.) Note that the response expresses not just the writer's moral judgment but also the reasoning that underlies it.

^{*}The argument that people may do whatever they desire to do "as long as no one else is hurt" may seem related, but it is really quite different. It has a social dimension (consideration for others) in addition to a personal dimension (what one wants to do). Unfortunately, it begs the question of whether we have a right to injure ourselves. Also, in a great many cases, this argument is too casually offered. In reality, there are few, if any, situations in which others are not impacted, at least indirectly, by our actions.

Inquiry: Marian is a 55-year-old widow whose children no longer live at home. Lonely and bored, Marian has sought escape in alcohol. Each night after work, she drinks four or five mixed drinks, sometimes followed by a couple of glasses of wine with dinner. (Not infrequently, she falls asleep on the couch and misses dinner.) When a well-meaning neighbor commented on her drinking, Marian replied, "I feel that if I get up and go to work every day and don't harm anyone, there's nothing wrong with my having a drink at night." Is her feeling reasonable?

Sample Response: To begin with, five mixed drinks followed by a couple of glasses of wine is considerably more than "a drink." In addition, when she says she's not hurting anyone, she's forgetting at least one person—herself. Using alcohol to cope with life is emotionally harmful, and consuming that much alcohol is physically harmful. It is also difficult to imagine that she performs her work well. Far from guiding her wisely, Marian's feelings are victimizing her. The moral thing for Marian to do, in my judgment, is to quit fooling herself and get help for her drinking problem.

If you need additional assistance composing your response to the inquiries that follow, read "Writing About Moral Issues" in Appendix 1.



A TIMELY ISSUE: JOURNALISTIC OPINION

In 1923, the American Society of Newspaper Editors advised journalists: "Sound practice makes [a] clear distinction between news reports and expressions of opinion. News reports should be free from opinion or bias of any kind." A journalism textbook published in the same year added that news reports "should draw no conclusions, make no gratuitous associations, indulge in no speculation, give no opinion." The place for opinion, both emphasized, was on the editorial page or in an opinion column. Today, that view has changed. Many journalists, including Internet bloggers, mix their opinions with the facts, making it difficult for the public to distinguish between the two. Some go further and omit facts that do not support their opinions. Are these practices moral? Explain your answer.

(*Note*: Keep a copy of your thoughts on this issue. We will address it again in a later chapter.)

Additional Inouiries

1. After the arrest of Dzhokhar Tsarnaev for the 2013 Boston Marathon bombing, three of his friends allegedly went to his dorm room and removed a backpack filled with fireworks tubes that had been emptied of their explosives and a computer. Eventually, they threw all the things in the trash so that Tsarnaev wouldn't get in trouble for what he had told them was defending Islam. The actions of the three made them liable for a charge of complicity. Legal experts speculated that

they could be tried for treason but would be charged for a lesser crime, for which the penalty might be between five and eight years. But it seems clear that the three felt they were acting ethically in helping a friend in need. Did this feeling make their action ethical?

- 2. Hacking is defined as taking advantage of weaknesses in a computer system, often a system belonging to a private company or a government agency. Some hackers are hired by companies to find weaknesses so that they can be corrected. Others do so on their own for other reasons, such as to take financial advantage of the company or agency, to gain state secrets, or to obtain and make public information that was meant to remain private. Let us focus on the last kind of hacking. Suppose that a person believes oil companies are hurting the environment, so he hacks into a major oil company's computer account, searches for information that could be embarrassing to the company, and then leaks it to the press. He feels his concern for the environment morally justifies his hacking. Is he right? Explain.
- 3. Read the following passage carefully and then follow the subsequent directions: "Most of the unrest around the world is due to the United States' habit of playing policeman to the world and forcing its view of democracy on countries that desire only to be left alone. This habit is morally offensive and this is why so many people are willing to risk their lives opposing us." Begin by recording your feelings about this passage. Are they strongly positive? Strongly negative? Now put those feelings aside for a moment and examine the underlying idea—that it is morally wrong to force democracy in other countries. List as many pro and con arguments as you can. (If you can only think of arguments on one side of the issue, read a dissenting view and list the arguments presented.) When you have finished examining the underlying idea, revisit your original feelings and decide whether you should modify them. Be prepared to discuss the differences you noted between responding emotionally and responding rationally.
- 4. Ada Dupreé died at age 104, and her family intended to bury her in the North Florida town where she had lived all her life and was the oldest citizen—and where she had been a caring friend to whites and blacks alike. That had been her final wish. But then came threats from angry white people to shoot at her hearse and at her mourners if the burial were held in the town's white cemetery. So she was buried in a black cemetery in a neighboring town. The feelings that made those white people oppose Ada Dupreé's burial in the local cemetery evidently were powerful and deeply held. Were they also morally right? (It should be noted that not all white people in the town had these feelings. One white woman offered to give her own burial plot for Dupreé, and others attended the funeral.)
- **5.** Clark lives in a state that has a 7 percent sales tax on automobiles. Even when a person buys a used car from the owner, he or she must file a form with the motor vehicle department, stating the purchase price and paying the appropriate amount of tax. Clark has found the car he wants. The price of \$10,000 is within his means, but he doesn't feel that he should have to pay the additional \$700 in tax. So he tells the seller, "I'll pay you \$10,000 for the car if you give me a sales receipt for \$3,000. That way I'll only have to pay \$210." The seller shares Clark's feeling about paying the tax, so he agrees. Is their action morally wrong? Explain.

- **6.** Morey is a sadist. In other words, he enjoys causing other people pain. The feelings he experiences when he hurts others are exciting and deeply satisfying. Do these feelings justify the actions that produce them? Why or why not?
- 7. A Little League baseball coach anticipates a poor season because he lacks a competent pitcher. Just before the season begins, a new family moves into his neighborhood. The coach discovers that one of the boys in the family is an excellent pitcher but that he is over the age limit for Little League participation. Because the family is not known in the area, the coach is sure he can use the boy without being discovered. He wants a winning season very much, for himself and for his team. Is he morally justified in using the boy?
- **8.** Ralph, a college student, borrows his roommate's car to drive to his aunt's funeral. On the way back, he falls asleep at the wheel, veers off the road, and rolls down an embankment. Though he emerges unhurt, the car is a total wreck. Because the car is 5 years old, the roommate has no collision insurance. Ralph is sorry about the accident but feels no responsibility for paying his roommate what the car was worth. Does he have any moral responsibility to do so?
- **9.** The owner of a roadside restaurant prefers not to serve black or Hispanic customers. She paid for the property, she feels, and has spent many years developing the business; therefore, she should have the right to decide whom she serves. Is her whites-only preference ethically defensible?
- **10.** A small city has a zoning ordinance. The spirit of that ordinance clearly prohibits the operating of a business in areas designated residential. However, the wording is such that a loophole exists. One woman wishes to open a pet shop in the basement of her split-level home. The law is in her favor. Is morality?
- 11. The executives of three large appliance companies get together to discuss their competitive situation. Among them they account for 91 percent of the U.S. production of their particular products. They decide that by stabilizing their prices, they can benefit their stockholders, invest more money in product research, and thereby deliver a better product to the consumer. They agree to consult one another before setting prices and to price comparable models at the same price. Is this action ethically acceptable?
- **12.** A man buys a house and later realizes he has paid too much money for it. In fact, he has been badly cheated. There is a bad leak in the cellar and through one wall, the furnace is not functioning properly, and the well is dry at certain times during the year. The cost of putting these things right will be prohibitive. He wants to "unload" the house as soon as possible, and he prefers to increase his chances of recovering his investment by concealing the truth about the house's condition. Is it right for him to do so?
- 13. For more than half a century, a funeral home in Charlotte, North Carolina, displayed an embalmed human body in a glass showcase. The body was that of a carnival worker who was killed in a fight in 1911. The man's father, also a carnival worker, paid part of the funeral costs and asked the funeral home director to keep the body until he returned. Nothing more was heard from him. Thus the body, clad only in a loincloth, remained on display for sixty-one years. Public clamor

finally resulted in its removal from public view. However, the funeral home director (the son of the original director) allegedly felt nothing was wrong in exhibiting the body, which he compared to a mummy in a museum. ¹⁰ Is his feeling ethically sound?

- **14.** A newspaper columnist signs a contract with a newspaper chain. Several months later she is offered a position with another newspaper chain at a higher salary. Because she would prefer making more money, she notifies the first chain that she is breaking her contract. The courts will decide the legality of her action. But what of the morality? Did the columnist behave ethically?
- **15.** A California businessman started a check-cashing service, operating out of a large commercial van. He charges customers 1½ percent of the face value of the check for the service, and he has plenty of customers, mainly people on unemployment, welfare, social security, and disability, who lack the bank accounts and credit ratings necessary to cash their checks in a bank. His profit is estimated at almost \$50,000 per year. He feels there is nothing unethical about his business. ¹¹ Do you agree?
- **16.** A 16-year-old girl and her father were arrested in Panama City, Florida, for allegedly trying to sell the girl's unborn baby for a 10-year-old car and \$500.¹² Although selling babies is against the law, the two presumably felt that they had the moral right to do so. Is their feeling morally defensible?
- 17. Two workers were displaced when a company installed a robot to deliver tools and materials to workers in the plant. The robot followed a specially painted track on the plant floor. Several other workers, fearing that their jobs would also be lost, decided to "teach the company a lesson." They repainted the track so that the robot walked off the loading dock and was badly damaged. The workers felt they were justified in their action. Were they?

Notes

- 1. Among the books that set forth the assumptions and approaches of values clarification are S. B. Simon et al., *Values Clarification*, rev. edition (New York: Hart, 1978); also L. E. Raths et al., *Values and Teaching*, 2nd edition (Columbus, OH: Merrill, 1978).
- 2. Carl R. Rogers, *On Becoming a Person: A Therapist's View of Psychotherapy* (Boston: Houghton Mifflin, 1961), 22.
- 3. Ibid., 60–61.
- 4. Ibid., 119.
- 5. Allan Bloom, *The Closing of the American Mind* (New York: Simon & Schuster, 1987), 175, 228.
- 6. William J. Doherty, *Soul Searching: Why Psychotherapy Must Promote Moral Responsibility* (New York: Basic Books, 1995), 40–41.
- 7. Today Show, NBC-TV, November 14, 1995.

- 8. "White Slavery, 1972," Time, June 5, 1972, p. 24.
- 9. Lucy Morgan, "A Funeral Leaves a Town Torn," St. Petersburg Times, July 27, 1991, p. B1.
- 10. "Mummy Removed from Public View," *New York Times*, September 10, 1972, p. 42.
- 11. "He's Cashing in on the Jobless Trend," *Los Angeles Times*, April 21, 1982, Part V, p. 1.
- 12. "Two Accused of Selling Unborn Babe," Oneonta Star, July 23, 1982, p. 20.

CHAPTER FOUR

THE ROLE OF CONSCIENCE

If feelings are no better a guide than the majority view, is the basis of morality each person's own conscience?

How trustworthy is conscience?

The term *conscience* is so common and often so carelessly used that for many people it has little meaning. Precisely what is a conscience? Does everybody have one, or are some people born without one? Are all consciences "created equal"? Are our consciences influenced by the attitudes and values of our culture? Can we do anything to develop our consciences, or are they fixed and unchangeable? These important issues must be considered before we can decide whether conscience is a reliable moral guide.

One definition of conscience is an "inner voice," but what kind of voice exactly? The voice of desire or discernment? The voice of emotion or reason? Our own voice? (If so, how does it differ from ordinary reflection?) The voice of society or custom? (If so, how do we explain the many times when conscience urges us to *defy* custom?) The voice of God? (If so, how do we explain cases in which conscience fails to inform us that an act is wrong? As failures of God?)

Another definition of conscience is a special "moral sense" or "intuition" that is innate in human beings. This comes close to being a workable definition, but it also poses difficulties. The term *sense* usually is associated with a physical organ—the sense of sight with the eyes, the sense of hearing with the ears, and so on. Conscience cannot be that kind of sense. Similarly, equating conscience with intuition ignores the fact that conscience can be *developed* whereas intuition is *inborn*.

Conscience, it seems, cannot be defined in terms of what it is. It can only be defined in terms of *what it does or how it occurs*. Nor is it unique in this regard. A number of other terms are defined in the same way. In the physical