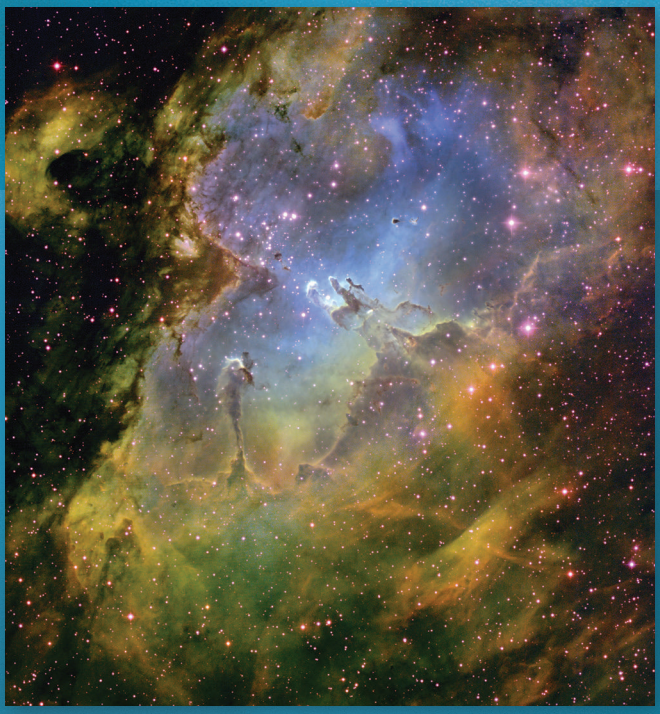

The Elements *of* Moral Philosophy

JAMES RACHELS

Tenth Edition by

STUART RACHELS

Mc Graw Hill

The Elements of Moral Philosophy

TENTH EDITION

JAMES RACHELS

Editions 5-10 by

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Preface

Socrates, one of the first and best moral philosophers, said that morality is about "no small matter, but how we ought to live." This book is an introduction to moral philosophy, conceived in that broad sense.

The field of ethics is immense. In this book, I do not try to canvass every topic in the field, nor do I cover any topic comprehensively. Instead, I try to discuss the ideas that a newcomer to the subject should encounter first.

The chapters in this book may be read independently of one another; they are, in effect, separate essays on separate topics. Thus, someone who is interested in Ethical Egoism could go straight to Chapter 5 and find a self-contained introduction to that theory. When read in order, however, the chapters tell a more or less continuous story. The first chapter presents a "minimum conception" of what morality is; the middle chapters cover the most important ethical theories; and the last chapter presents my own view of what a satisfactory moral theory would be like.

However, the point of this book is not to provide a neat, unified account of "the truth" about ethics. That would be a poor way to introduce the subject. Philosophy is not like physics. In physics, there is a large body of accepted truth that beginners must master. Of course, there are unresolved controversies in physics, but these take place against a backdrop of broad agreement. In philosophy, by contrast, everything is controversial—or almost everything. Some of the fundamental issues are still up for grabs. While newcomers to philosophy may ask themselves whether a moral theory such as Utilitarianism seems correct, students of physics are rarely encouraged to make up their own minds about the laws of thermodynamics. A good introduction to ethics will not try to hide that somewhat embarrassing fact.

In these pages, you will find a survey of contending ideas, theories, and arguments. My own views, no doubt, color the presentation. I find some of these proposals more appealing than others, and a philosopher who made different assessments would write a different book. But I try to present the contending ideas fairly, and when I pass judgment on an argument or theory, I try to explain why. Philosophy, like morality itself, is first and last an exercise in reason; we should embrace the ideas, positions, and theories that the best arguments support.

About the Tenth Edition

This edition contains no new chapters or sections, but I have sharpened the writing and updated many of the discussions. Here and there, I've made what I hope are small improvements to about 715 sentences. Readers familiar with the ninth edition might not notice these changes, but I hope that the text reads smoothly.

Here are some of the minor changes:

- In section 1.2, instead of saying that mere biological life has no value, we now say (more weakly) that mere biological life has no value *for the individual*—in this case, for Baby Theresa. This weaker claim is what's relevant to the Benefits Argument. We needn't take a stand on whether biological life might have a value aside from its value to the individual.
- Section 3.3 is now called "The Rejection of Value" (instead of "The Denial of Value").
- In section 3.5, we no longer discuss the firing of employees for being gay. That discussion was mooted by the U.S. Supreme Court's ruling in *Bostock v. Clayton County* (2020) that firing someone for being LGBTQ is unconstitutional.
- In section 4.3, we now say that the Theory of Natural Law "moves too easily" from 'is' to 'ought,' instead of saying that it "confuses" 'is' and 'ought.'
- In section 6.2, we now explain the origin of the term "free rider."
- In section 8.3, regarding the right to privacy, we now mention "revenge porn" as well as the true case of a man who owned a motel in Colorado and spied on his guests for almost 30 years.
- In section 10.2, we now mention "victim impact statements" in our discussion of the gratification of victims as a justification of punishment.

- In section 10.3, the Kantian basis of punishment is now given in terms of *wrongdoers behaving badly*, instead of in terms of *criminals committing crimes*. The "crime" formulation needlessly assumes that the criminal laws are just.
- In section 12.2, I replaced "conscientiousness" with "pleasantness" in the list of virtues, mostly because conscientiousness overlaps with diligence, which is also on the list.

I am especially indebted to my wife, Professor Heather Elliott, and to my mother, Carol Rachels, for their help in preparing this edition. This book is a mom-and-pop operation.

My father, James Rachels, wrote the first four editions of *The Elements of Moral Philosophy*. It is still his book.

—Stuart Rachels

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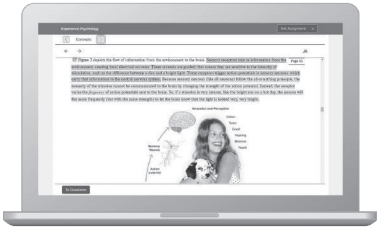

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CHAPTER 1

What Is Morality?

We are discussing no small matter, but how we ought to live.
SOCRATES, IN PLATO'S *REPUBLIC* (ca. 390 B.C.)

1.1. The Problem of Definition

Moral philosophy is the study of what morality is and what it requires of us. As Socrates said, it's about "how we ought to live"—and why. It would be helpful if we could begin with a simple, uncontroversial definition of what morality is. Unfortunately, we cannot. There are many rival theories, each expounding a different conception of what it means to live morally, and any definition that goes beyond Socrates's simple formulation is bound to offend at least one of them.

This should make us cautious, but it need not paralyze us. In this chapter, I will describe the "minimum conception" of morality. As the name suggests, the minimum conception is a core that every moral theory should accept, at least as a starting point. First, however, we will examine some moral controversies having to do with handicapped children. This discussion will bring into focus the features of the minimum conception.

1.2. First Example: Baby Theresa

Theresa Ann Campo Pearson, an infant known to the public as "Baby Theresa," was born in Florida in 1992. Baby Theresa had anencephaly, one of the worst genetic disorders. Anencephalic infants are sometimes referred to as "babies without brains," but that is not quite accurate. Important parts of the brain—the cerebrum and cerebellum—are missing, as is the top of the skull. The brain stem, however, is still

there, and so the baby can breathe and have a heartbeat. In the United States, most cases of anencephaly are detected during pregnancy, and the fetuses are usually aborted. Of those not aborted, half are stillborn, or deceased upon birth. Of those born alive, most die within days.

Baby Theresa's story is remarkable only because her parents made an unusual request. Knowing that their baby would die soon and could never be conscious, Theresa's parents volunteered her organs for immediate transplant. They wanted her kidneys, liver, heart, lungs, and eyes to go to other children who needed them. Her physicians agreed. Thousands of infants need transplants each year, and there are never enough organs available to save them all. However, Theresa's organs were not taken, because Florida law forbids the removal of organs until the donor has died. And by the time Baby Theresa died, nine days later, it was too late—her organs had deteriorated too much to be transplanted.

Baby Theresa's case was widely debated. Should she have been killed so that her organs could have been used to save other children? A number of professional "ethicists"—people who get paid by universities, hospitals, and law schools to think about such things—were asked by the press to comment. Most of them disagreed with the parents, instead appealing to time-honored philosophical principles. "It just seems too horrifying to use people as means to other people's ends," said one such expert. Another explained: "It's unethical to kill person A to save person B." And a third added: "What the parents are really asking for is, Kill this dying baby so that its organs may be used for someone else. Well, that's really a horrendous proposition."

Is it horrendous? Opinions were divided. These ethicists thought it was, while Theresa's parents and doctors did not. But we are interested in knowing more than what people happen to believe. We want to know what's true. Were the parents right or wrong to volunteer their baby's organs for transplant? To answer this question, we have to ask what reasons, or arguments, can be given on each side. What can be said for or against the parents' request?

The Benefits Argument. The parents believed that Theresa's organs were doing her no good, because she was not conscious and was bound to die soon. The other children, however, could be helped tremendously. Thus, the parents seem to have reasoned: *If we can*

benefit someone without harming anyone else, then we ought to do so. Transplanting the organs would benefit the other children immensely without harming Baby Theresa. Therefore, we ought to transplant the organs.

Is this correct? Not every argument is sound. In addition to knowing what arguments can be given for a view, we also want to know whether those arguments are any good. Generally speaking, an argument is sound if *its assumptions are true* and *its conclusion follows logically from them*. In this case, the argument has two assumptions: that we should help someone if no harm would come of it, and that the transplant would help the other children without harming Theresa. We might wonder, however, about the claim that Theresa wouldn't be harmed. After all, she would die. Wouldn't that be bad for her? Unfortunately, it seems clear that it wouldn't be, in these tragic circumstances. Staying alive is good for someone only if it allows her to do things and to have thoughts and feelings and relations with other people—in other words, only if the one who is alive *has a life*. Without such things, mere biological existence has no value for the individual. So, even though Theresa might remain alive for a few more days, it would do her no good.

The Benefits Argument provides a powerful reason for transplanting Theresa's organs. What arguments exist on the other side?

The Argument That We Should Not Use People as Means. The ethicists who opposed the transplants offered two arguments. The first is based on the idea that *it is wrong to use people as means to other people's goals*. Taking Theresa's organs would be using her to benefit the other children, whom she doesn't know and can't care about; therefore, it should not be done.

Is this argument sound? The idea that we should not "use" people is appealing, but this idea is vague. What exactly does it mean? "Using people" involves violating their *autonomy*—their ability to decide for themselves how to live their own lives, based on their own desires and values. A person's autonomy may be violated through manipulation, trickery, or deceit. For example, I may pretend to be your friend, when I am only interested in going out with your sister; or I may lie to you, so you'll give me money; or I may try to convince you that you would enjoy going to a movie, when, really, I only want you to give me a ride.

In each case, I am manipulating you in order to get something for myself. Autonomy is also violated when people are forced to do things against their will. This explains why "using people" is wrong; it is wrong because it thwarts their autonomy.

Taking Baby Theresa's organs, however, could not thwart her autonomy, because she has no autonomy—she cannot make decisions, she has no desires, and she cannot value anything. Would taking her organs be "using her" in any other morally significant sense? We would, of course, be using her organs for someone else's benefit. But we do that every time we perform a transplant. We would also be using her organs without her permission. Would that make it wrong? If we were using them *against* her wishes, then that would be a reason for objecting—it would violate her autonomy. But Baby Theresa has no wishes. The concept of permission, or consent, is irrelevant in a case like hers.

When people are unable to make decisions for themselves, and others must step in, there are two reasonable guidelines that might be adopted. First, we might ask, *What would be in their own best interests?* If we ask this question of Baby Theresa, then we will find no objection to taking her organs, because her interests will not be affected. She can never be conscious, and she will die soon no matter what.

The second guideline appeals to the person's own preferences: We might ask, *If she could tell us what she wants, what would she say?* This sort of thought is useful when we are dealing with someone who has preferences (or once had them) but cannot express them—for example, someone who has slipped into a coma. But, sadly, Baby Theresa has no preferences, nor can she ever have any. So we can get no guidance from her, not even in our imaginations. The upshot is that we are left to do what we think is best.

The Argument from the Wrongness of Killing. The ethicists also appealed to the principle that *it is wrong to kill one person to save another.* Taking Theresa's organs would be killing her to save others, they said; and so, taking her organs would be wrong.

Is this argument sound? The rule against killing is certainly among the most important moral precepts. Nevertheless, few people believe it is *always* wrong to kill—most people think there are exceptions, such as killing in self-defense. The question, then, is whether

taking Baby Theresa's organs should be regarded as another exception. And there are many reasons to think so: Baby Theresa is not aware of anything; she will never have a life; she is bound to die soon; and taking her organs would help the other babies. Anyone who accepts this will regard the argument as flawed. Usually, it is wrong to kill one person to save another, but not always.

There is another possibility. Perhaps we should regard Baby Theresa as already dead. If this sounds crazy, bear in mind that our culture's conception of death has changed over the years. In 1967, the South African doctor Christiaan Barnard performed the first heart transplant in a human being. This was an exciting development; heart transplants could potentially save many lives. It was not clear, however, whether any lives could be saved in the United States. Back then, American law understood death as occurring when the heart stops beating. But once a heart stops beating, it quickly degrades and becomes unsuitable for transplant. Thus, under American law, it was not clear whether any hearts could be harvested for transplant. So American law changed. We now understand death as occurring, not when the heart stops beating, but when the brain stops functioning: "brain death" is now our standard understanding of death. This solved the problem about transplants because a brain-dead patient can still have a healthy heart, suitable for transplant.

Anencephalics are not brain dead as we currently understand the term. But perhaps we should revise our understanding of it to include them. After all, anencephalics lack any hope for conscious life, because they have no cerebrum or cerebellum. If we revise our concept of brain death to include such cases, then we could view these infants as being stillborn. If so, then taking their organs would not involve killing them. The Argument from the Wrongness of Killing would then be moot.

On the whole, then, the arguments in favor of transplanting Baby Theresa's organs seem stronger than the arguments against it.

1.3. Second Example: Jodie and Mary

In August 2000, a young woman from Gozo, an island south of Italy, discovered that she was carrying conjoined twins. Knowing that the health-care facilities on Gozo couldn't handle such a birth, she and

her husband went to St. Mary's Hospital in Manchester, England. The infants, known as Mary and Jodie, were joined at the lower abdomen. Their spines were fused, and they had one heart and one pair of lungs between them. Jodie, the stronger one, was providing blood for her sister.

No one knows how many conjoined twins are born each year, but the number seems to be in the hundreds. Most die shortly after birth, but some do well. They grow to adulthood and marry and have children. The outlook for Mary and Jodie, however, was grim. The doctors said that they would die within six months without medical intervention. The only hope was an operation to separate them. This would save Jodie, but Mary would die immediately.

The parents, who were devout Catholics, opposed the operation on the grounds that it would hasten Mary's death. "We believe that nature should take its course," they said. "If it's God's will that both our children should not survive, then so be it." The hospital, hoping to save Jodie, petitioned the courts for permission to perform the operation anyway. The courts agreed, and the operation was performed. As expected, Jodie lived and Mary died.

Was it right or wrong to separate the twins? In thinking about this case, we should distinguish the question of *who should make the decision* from the question of *what the decision should be*. You might think, for example, that the parents should make the decision, and so the courts were wrong to intrude. But there remains the question of what would be the wisest choice for the parents (or anyone else) to make. We will focus on that question.

The Argument That We Should Save as Many as We Can. The rationale for separating the twins is that we have a choice between saving one infant and letting both die. Isn't it plainly better to save one? This argument is so appealing that many people will conclude, without further thought, that the twins should be separated. At the height of the controversy, the *Ladies' Home Journal* magazine commissioned a poll to discover what Americans thought. The poll showed that 78% approved of the operation. People were persuaded by the idea that we should save as many as we can. Jodie and Mary's parents, however, were persuaded by a different argument.

The Argument from the Sanctity of Human Life. The parents loved both of their children, and they thought it would be wrong to kill one of them even to save the other. Of course, they were not alone in thinking this. The idea that all human life is precious, regardless of age, race, social class, or handicap, is at the core of the Western moral tradition. In traditional ethics, the rule against killing innocent human beings is absolute. It does not matter if the killing would serve a good purpose; it simply cannot be done. Mary is an innocent human, and so she may not be killed.

Is this argument sound? The judges who heard the case did not think so, for a surprising reason. They denied that the operation would kill Mary. Lord Justice Robert Walker said that the operation would merely separate Mary from her sister and then "she would die, not because she was intentionally killed, but because her own body cannot sustain her life." In other words, the operation wouldn't kill her; her body's weakness would. And so, the morality of killing is irrelevant.

This response, however, misses the point. It doesn't matter whether we say that Mary's death was caused by the operation, or by the weakness of her own body. Either way, she will be dead, and we would knowingly have hastened her death. *That's* the idea behind the traditional ban on killing the innocent.

There is, however, a more natural objection to the Argument from the Sanctity of Human Life. Perhaps it is *not* always wrong to kill innocent human beings. For example, such killings might be right when three conditions are met: (a) the innocent human has no future because she must die soon no matter what; (b) the innocent human has no wish to go on living, perhaps because she has no wishes at all; and (c) this killing will save others, who can go on to lead full lives. In these rare circumstances, the killing of the innocent might be justified.

1.4. Third Example: Tracy Latimer

Tracy Latimer, a 12-year-old victim of cerebral palsy, was killed by her father in 1993. Tracy lived with her family on a prairie farm in Saskatchewan, Canada. One Sunday morning while his wife and other children were at church, Robert Latimer put Tracy in the cab of his pickup truck and piped in exhaust fumes until she died. At

the time of her death, Tracy weighed less than 40 pounds, and she was described as "functioning at the mental level of a three-month-old baby." Mrs. Latimer said that she was relieved to find Tracy dead when she arrived home. She didn't have the courage to do it herself, she said.

Robert Latimer was tried for murder, but the judge and jury did not want to punish him severely. The jury found him guilty of only second-degree murder and recommended that the judge ignore the 10-year sentence that is mandatory for such a crime. The judge agreed and sentenced him to one year in prison, followed by one year of confinement to his farm. But the Supreme Court of Canada stepped in and ruled that the mandatory sentence must be imposed. Robert Latimer entered prison in 2001 and was released on parole in 2008.

Legal questions aside, did Mr. Latimer do anything wrong? This case involves many of the issues that we saw in the other cases. One argument is that Tracy's life was morally precious, and so her father had no right to kill her. But in his defense, it may be said that Tracy's condition was so catastrophic that she had no prospects of a "life" in any but the merest biological sense. Her existence consisted in pointless suffering, and so killing her was an act of mercy. Considering those arguments, it appears that Robert Latimer acted defensibly. His critics, however, made other points.

The Argument from the Wrongness of Discriminating against the Handicapped. When the trial court gave Robert Latimer a light sentence, many handicapped people felt insulted. The president of the Saskatoon Voice of People with Disabilities, who has multiple sclerosis, said, "Nobody has the right to decide my life is worth less than yours. That's the bottom line." Tracy was killed because she was handicapped, he said, and that is immoral. Handicapped people should be given the same respect and accorded the same rights as everyone else.

What are we to make of this? Discrimination is always a serious matter, because it involves treating some people worse than others, for no good reason. Suppose, for example, that a blind person is turned down for a job simply because the employer doesn't want to be around someone who can't see. This is no better than

refusing to hire someone because she is Hispanic or Jewish or female. Why treat this person differently? Is she less able to do the job? Is she less intelligent or less hardworking? Does she deserve the job less? Is she less able to benefit from employment? If there is no good reason to exclude her, then it is wrong to do so.

Was Tracy Latimer's death a case of discrimination against the disabled? Robert Latimer argued that Tracy's cerebral palsy was not the issue: "People are saying this is a handicap issue, but they're wrong. This is a torture issue. It was about mutilation and torture for Tracy." Just before her death, Tracy had undergone major surgery on her back, hips, and legs, and more surgery was planned. "With the combination of a feeding tube, rods in her back, the leg cut and flopping around and bedsores," said her father, "how can people say she was a happy little girl?" At the trial, three of Tracy's physicians testified about the difficulty of controlling her pain. Thus, Mr. Latimer denied that Tracy was killed because of her disability; she was killed because she was suffering without hope of relief.

The Slippery Slope Argument. When the Canadian Supreme Court upheld Robert Latimer's long, mandatory sentence, the director of the Canadian Association of Independent Living Centres was pleasantly surprised. "It would have really been the slippery slope, and opening the doors to other people to decide who should live and who should die," she said.

Other disability advocates agreed. We may feel sympathy for Robert Latimer, they said; we may even think that Tracy Latimer is better off dead. However, it is dangerous to think in this way. If we accept any sort of mercy killing, they said, we will slide down a "slippery slope," and at the bottom of the slope, all life will be held cheap. Where will we draw the line? If Tracy's life is not worth protecting, what about the lives of other disabled people? What about the elderly, the infirm, and other "useless" members of society? In this context, Adolf Hitler's program of "racial purification" may be mentioned, implying that we will become like the Nazis if we take the first step.

Similar "slippery slope arguments" have been used on other issues. Abortion, in vitro fertilization (IVF), and human cloning have all been denounced because of what they might lead to. In

hindsight, it is sometimes obvious that the worries were unfounded. This has happened with IVF, a technique for creating embryos in the lab. When the first "test tube baby," Louise Brown, was born in 1978, there were dire predictions about what this would mean for the future of our species. Yet nothing awful happened, and IVF has become routine.

Without the benefit of hindsight, slippery slope arguments can be tough to assess. As the old saying goes, "It's hard to make predictions, especially about the future." Reasonable people may disagree about what would happen if mercy killing were allowed in cases like Tracy Latimer's. People who want to condemn Mr. Latimer may see disaster looming, while those who support Mr. Latimer may have no such worries.

It is worth noting that slippery slope arguments are easy to abuse. If you are opposed to something but can't think of a good reason why, then you can always dream up some "nightmare scenario" that might result from that thing; and no matter how unrealistic your prediction is, no one can prove you wrong. Hence, we should approach such arguments with caution.

1.5. Reason and Impartiality

What do these cases imply about the nature of morality? For starters, we may note two points: moral judgments must be backed by good reasons, and morality requires the impartial consideration of each individual's interests.

Moral Reasoning. The cases of Baby Theresa, Jodie and Mary, and Tracy Latimer may arouse strong feelings in us. Such feelings might be admirable; they might be a sign of moral seriousness. However, they can also get in the way of discovering the truth. When we feel strongly about an issue, it is tempting to assume that we simply *know* what the truth is, without even considering the arguments. Unfortunately, however, we cannot rely on our feelings. Our feelings may be irrational; they may be due to prejudice, selfishness, or cultural conditioning. At one time, for example, many people's feelings told them that members of other races were inferior and that slavery was part of God's great plan.

Also, people's feelings vary. In the case of Tracy Latimer, some people feel strongly that her father deserved a long prison term; other people support the father passionately. But both of these feelings cannot be correct. If we assume that our feelings must be correct, simply because they are ours, then we are just being arrogant.

Thus, if we want to discover the truth, we must let our feelings be guided as much as possible by reason. This is the essence of morality. What's morally right is what the arguments best support.

This is not a narrow point about a small range of moral views; it is a general requirement of logic. The fundamental point is this: If someone says that you ought to do such-and-such, then you may legitimately ask why; and if no good reason can be given, then you may reject the advice as arbitrary or unfounded.

In this way, moral judgments are different from expressions of personal taste. If someone says, "I like the taste of coffee," she doesn't need to have a reason—she is merely stating her preferences. There is no such thing as "rationally defending" one's fondness for coffee. On the other hand, if someone says that something is morally wrong, then he *does* need reasons; and if his reasons are legitimate, then other people should agree with him. By the same logic, if he has no good reason for what he says, then he is simply making noise and may be ignored.

But how can we figure out whether a reason is good? How can we assess moral arguments? The examples we have considered point to some answers.

The first thing is to get your facts straight. This may not be easy. Sometimes you might *want* something to be true, and so you research the matter in a heavily biased way. If all you do is surf the web, looking to confirm what you already believe, then you will always succeed. But your success will be hollow. The facts exist apart from our wishes. We need to see the world as it is, not as we want it to be. Thus, in seeking information, you should try to find reliable, informed sources instead of, say, typing what you believe into Google and then looking for websites that say the same thing.

Even when our investigation is unbiased, we might still be unsure of some things. A key fact might simply be unknown, and some matters are so complex that even the experts disagree about them.

There's no easy solution to these problems; we just have to do the best we can.

Next, we can bring moral principles into play. In this chapter, we have considered a number of principles: that we should not "use" people; that we should not kill one person to save another; that we should do what will benefit people; that every life is sacred; and that it is wrong to discriminate against the disabled. Most moral arguments consist of applying principles to particular cases, and so we must ask whether the principles are justified and whether they are being applied correctly.

It would be nice if there were a simple way to tell whether an argument is flawed. Unfortunately, there is not. Arguments can go wrong in many ways, and we might always encounter a new kind of error. Yet this should not surprise us. The rote application of routine methods is no replacement for critical thinking.

The Requirement of Impartiality. Almost every important moral theory includes a commitment to impartiality. To be impartial is to treat everyone alike; no one gets special treatment. By contrast, to be partial is to show favoritism. Impartiality also requires that we not treat the members of particular *groups* as inferior. Thus it condemns forms of discrimination like sexism and racism.

Impartiality is closely tied to the idea that moral judgments must be backed by good reasons. Consider the racist who thinks that white people should get all the good jobs. He wants all the doctors, lawyers, business executives, and so on to be white. Now we ask him why. Is there something about white people that makes them better fitted for the highest-paying and most prestigious jobs? Are they inherently brighter or harder working? Do they care more about themselves and their families? Would they benefit more from having the jobs? In each case, the answer is no; and if there is no good reason to treat people differently, then to do so is unacceptably arbitrary; it is discrimination.

The requirement of impartiality, then, is at bottom nothing more than a rule against treating people arbitrarily. It forbids treating one person worse than another when there is no good reason to do so. Yet if this explains why racism is wrong, it also explains why some cases of unequal treatment are *not* racist. Suppose someone

were making a movie about Fred Shuttlesworth (1922–2011), the heroic African-American civil rights leader. This person would have a good reason not to cast Chris Pratt in the starring role—namely, that Pratt is white. Such a decision would not be arbitrary or objectionable; it would not be discrimination.

1.6. The Minimum Conception of Morality

We may now state the minimum conception: Morality is, at the very least, the effort to guide one's conduct by reason—that is, to do what there are the best reasons for doing—while giving equal weight to the interests of each individual affected by one's action.

This paints a picture of what it means to be a conscientious moral agent. The conscientious moral agent is someone who sifts facts carefully and examines their implications; who cares about everyone's interests impartially; who accepts principles of conduct only after scrutinizing them to make sure they are justified; who will "listen to reason" even when it means revising their beliefs; and who, finally, is willing to act on these deliberations.

Notes on Sources

The ethicists' comments about Baby Theresa are from an Associated Press report: David Briggs, "Baby Theresa Case Raises Ethics Questions," *Champaign-Urbana News-Gazette*, March 31, 1992, p. A–6.

The poll about separating conjoined twins is from the *Ladies' Home Journal*, March 2001. The judges' comments about Jodie and Mary are from the *Daily Telegraph*, September 23, 2000.

Information about Tracy Latimer is from *The New York Times*, December 1, 1997, National Edition, p. A–3.

CHAPTER 2

The Challenge of Cultural Relativism

Morality differs in every society, and is a convenient term for socially approved habits.

RUTH BENEDICT, *PATTERNS OF CULTURE* (1934)

2.1. Different Cultures Have Different Moral Codes

Darius, a king of ancient Persia (present-day Iran), was intrigued by the variety of cultures he met in his travels. In India, for example, he had encountered a group of people known as the Callatians who cooked and ate the bodies of their dead fathers. The Greeks, of course, did not do that—they practiced cremation and regarded the funeral pyre as the proper way to dispose of the dead. Darius thought that an enlightened outlook should appreciate such differences. One day, to teach this lesson, he summoned some Greeks who were at his court and asked them what it would take for them to eat their dead fathers' bodies. The Greeks were shocked, as Darius knew they would be. No amount of money, they said, could get them to do such a horrid thing. Then Darius called in some Callatians and, while the Greeks listened, asked if they would be willing to burn their dead fathers' bodies. The Callatians were horrified and told Darius not to speak of such things.

This story, recounted by Herodotus in his *History*, illustrates a recurring theme in the literature of social science: Different cultures

have different moral codes. What is thought to be right within one group may horrify another group, and vice versa. Should we eat the bodies of our dead or burn them? If you were Greek, one answer would seem obviously correct; but if you were Callatian, then the other answer would seem equally certain.

There are many examples of this. Consider the Eskimos of the early and mid-20th century. The Eskimos are the native people of Alaska, northern Canada, Greenland, and northeastern Siberia, in Asiatic Russia. Today, none of these groups call themselves "Eskimos," but historically the term has referred to that scattered Arctic population. Prior to the 20th century, the outside world knew little about them. Then explorers began to bring back strange tales.

The Eskimos lived in small settlements, separated by great distances, and their customs turned out to be very different from ours. The men often had more than one wife, and they would share their wives with guests, lending them out for the night as a sign of hospitality. Within a community, a dominant male might demand—and get—regular sexual access to other men's wives. The women, however, were free to break these arrangements simply by leaving their husbands and taking up with new partners—free, that is, insofar as their former husbands did not make too much trouble. All in all, the Eskimo custom of marriage was a volatile practice, very unlike our own custom.

But it was not only their marriages and sexual practices that were different. The Eskimos also seemed to care less about human life. Infanticide, for example, was common. Knud Rasmussen, an early explorer, reported meeting a woman who had borne 20 children but had killed 10 of them at birth. Female babies, he found, were killed more often than males, and this was allowed at the parents' discretion, with no social stigma attached. Moreover, when elderly family members became too feeble, they were left out in the snow to die.

Most of us would find these Eskimo customs completely unacceptable. Our own way of living seems so natural and right to us that we can hardly imagine living so differently. When we hear of people like the Eskimos, we might want to call them "primitive" or "backward." But to anthropologists, the Eskimos did not seem unusual. Since the time of Herodotus, enlightened observers have

known that conceptions of right and wrong differ from culture to culture. If we assume that everyone shares our values, then we are merely being naïve.

2.2. Cultural Relativism

To many people, this observation—"Different cultures have different moral codes"—seems like the key to understanding morality. There are no universal moral truths, they say; the customs of different societies are all that exist. To call a custom "correct" or "incorrect" would imply that we can judge it by some objective standard of right and wrong. But, in fact, we would merely be judging it by the standards of our own culture. No *independent* standard exists; every standard is culture-bound. The sociologist William Graham Sumner (1840–1910) put it like this:

> The "right" way is the way which the ancestors used and which has been handed down. . . . The notion of right is in the folkways. It is not outside of them, of independent origin, and brought to test them. In the folkways, whatever is, is right. This is because they are traditional, and therefore contain in themselves the authority of the ancestral ghosts. When we come to the folkways we are at the end of our analysis.

This line of thought, more than any other, has persuaded people to be skeptical about ethics. Cultural Relativism says, in effect, that there is no such thing as universal truth in ethics; there are only the various cultural codes. Cultural Relativism challenges our belief in the objectivity and legitimacy of our own moral judgments.

The following claims have all been emphasized by cultural relativists:

1. Different societies have different moral codes.
2. The moral code of a society determines what is right within that society; so, if a society says that a certain action is right, then that action *is* right, at least in that society.
3. There is no objective standard that can be used to judge one society's code as better than another's. There are no moral truths that hold for all people at all times.

4. The moral code of our own society has no special status; it is but one among many.
5. It is arrogant for us to judge other cultures. We should always be tolerant of them.

The second claim—that right and wrong are determined by the norms of society—is at the heart of Cultural Relativism. Yet it may seem to conflict with the fifth claim, that we should always tolerate other cultures. Should we *always* tolerate them? What if the norms of our society favor *not* tolerating them? For example, when the Nazi army invaded Poland on September 1, 1939, thus beginning World War II, this was an intolerant action of the first order. But what if it conformed to Nazi ideals? A cultural relativist, it seems, cannot criticize the Nazis for being intolerant, if they're following their own moral beliefs.

Given that cultural relativists take pride in their tolerance, it would be ironic if their theory actually supported the intolerance of warlike societies. However, their theory need not do that. Properly understood, Cultural Relativism holds that the norms of a culture reign supreme *within the bounds of the culture itself*. Once the German soldiers entered Poland, they became bound by the norms of Polish society—norms that excluded the mass slaughter of innocent Poles. "When in Rome," the old saying goes, "do as the Romans do." Cultural relativists agree.

2.3. The Cultural Differences Argument

Cultural Relativists often argue in a certain way. They begin with facts about cultures and then draw a conclusion about morality. For example, they invite us to accept this reasoning:

(1) The Greeks believed it was wrong to eat the dead, whereas the Callatians believed it was right to eat the dead.

(2) Therefore, eating the dead is neither objectively right nor objectively wrong. It is merely a matter of opinion, which varies from culture to culture.

Or:

(1) The Eskimos saw nothing wrong with killing infants, whereas Americans believe that infanticide is immoral.

(2) Therefore, infanticide is neither objectively right nor objectively wrong. It is merely a matter of opinion, which varies from culture to culture.

Clearly, these arguments are variants of one fundamental idea. The more general argument says:

(1) Different cultures have different moral codes.

(2) Therefore, there is no objective truth in morality. Right and wrong are only matters of opinion, and opinions vary from culture to culture.

Let's call this the *Cultural Differences Argument*. To many people, it is persuasive. But is it a good argument—is it sound?

It is not. For an argument to be *sound*, its premises must all be true, and its conclusion must *logically follow from* them. Here, the problem is that the conclusion does not follow from the premise. In other words, even if the premise is true, the conclusion might still be false. The premise concerns what people *believe*—in some societies, people believe one thing; in other societies, people believe something else. The conclusion, however, concerns what is *really the case*. You cannot deduce what is true merely from knowing what people believe. *That* sort of conclusion does not follow from *that* sort of premise. In philosophical terminology, this means that the argument is *invalid*.

Consider again the Greeks and Callatians. The Greeks believed it was wrong to eat the dead; the Callatians believed it was right. Does it follow, *from the mere fact that they disagreed*, that there is no objective truth in the matter? No, it does not; there might be an objective truth that neither party sees, or a truth that only one party sees.

To make the point clearer, consider a different matter. In some societies, people believe the earth is flat. In other societies, such as our own, people believe that the earth is a sphere. Does it follow, from the fact that people disagree, that there is no "objective truth" in geography? Of course not; we would never draw such a conclusion, because we realize that the members of some societies might simply be wrong. Even if the world is round, some people might not

know it. Similarly, there might be some moral truths that are not universally known. The Cultural Differences Argument tries to derive a moral conclusion from the existence of disagreement. But this is invalid.

This point should not be misunderstood. We are not saying that the conclusion of the argument is false; for all we have said, it could still be true—morality could lack an objective basis. The point is that the Cultural Differences Argument *does not prove* that this is true. Rather, the argument fails.

2.4. What Follows from Cultural Relativism

If Cultural Relativism were true, then what would follow from it?

In the passage quoted earlier, William Graham Sumner states the essence of Cultural Relativism. He says that the only measure of right and wrong is the standards of one's society: "The notion of right is in the folkways. It is not outside of them, of independent origin, and brought to test them. In the folkways, whatever is, is right." Suppose we took this seriously. What would be some of the consequences?

1. *We could no longer say that the customs of other societies are morally inferior to our own.* This is one of the main points stressed by Cultural Relativism—that we should never condemn a society merely because it is "different." This attitude seems enlightened, especially when we focus on examples like the funerary practices of the Greeks and Callatians.

Yet if Cultural Relativism were true, then we would also be barred from criticizing other, more harmful practices. For example, the Chinese government has a long history of repressing political dissent within its own borders. At any given time, thousands of prisoners in China are doing hard labor on account of their political views, and in the Tiananmen Square episode of 1989, Chinese troops slaughtered hundreds, if not thousands, of peaceful protesters. Cultural Relativism would prevent us from saying that the Chinese government's policies of oppression are wrong. We could not even say that respect for free speech is *better* than the Chinese practice, for that too would imply an objective or independent standard of comparison. However, refusing to condemn

these practices does not seem enlightened; on the contrary, political oppression seems wrong wherever it occurs. Yet if we accept Cultural Relativism, then we have to regard such practices as immune from criticism.

2. *We could no longer criticize the code of our own society.* Cultural Relativism suggests a simple test for determining what is right and what is wrong: We need only consult the code of the society in question. Suppose a resident of India wonders whether her country's caste system—a system of rigid social hierarchy—is morally correct. All she has to do is ask whether this system conforms to her society's moral code. If it does, then it must be right.

This implication of Cultural Relativism is disturbing because few of us think that our society's code is perfect. Rather, we can think of ways in which it might be improved. We can also think of ways in which we might learn from other cultures. Yet Cultural Relativism stops us from criticizing our own society's code, and it bars us from seeing ways in which other cultures might be better. After all, if right and wrong are relative to culture, this must be true for our own culture, just as it is for other cultures.

3. *The idea of moral progress is called into doubt.* We think that at least some social changes are for the better. For example, throughout most of Western history, the place of women in society was narrowly defined. Women could not own property; they could not vote or hold political office; and they were under the almost absolute control of their husbands or fathers. Recently, much of this has changed, and most of us see this as progress.

But if Cultural Relativism is correct, can we legitimately view this as progress? Progress means replacing the old ways with new and improved ways. But by what standard can a Cultural Relativist judge the new ways as *better*? If the old ways conformed to the standards of their time, then Cultural Relativists could not condemn them. After all, those old ways or traditions "had their own time and place," and we should not judge *them* by *our* standards. Sexist 19th-century society was a different society from the one we now inhabit. Thus, a Cultural Relativist could not regard the progress that women have made over the centuries as being (real) progress—after all, to speak of "real progress" is to make just the sort of transcultural judgment that Cultural Relativism forbids.

Or consider the example of slavery. We all want to condemn slavery wherever it occurs, and we all believe that the abolition of slavery in the Western world was a mark of human progress. Cultural Relativism, however, must disagree. Therefore, it cannot be correct.

According to Cultural Relativism, there is only one way to improve a society: to make it better match its own ideals. After all, those ideals will determine whether progress has been made. No one, however, may challenge the ideals themselves. According to Cultural Relativism, then, the idea of social reform makes sense only in this limited way.

These three consequences of Cultural Relativism have led many people to reject it.

2.5. Why There Is Less Disagreement Than There Seems to Be

Cultural Relativism starts by observing that cultures differ dramatically in their views of right and wrong. But how much do they really differ? It is easy to exaggerate the differences. Often, what seems like a big difference turns out to be no difference at all.

Consider a culture in which people condemn eating cows. This may even be a poor culture, in which there is not enough food; still, the cows are not to be touched. Such a society would appear to have values very different from our own. But does it? We have not yet asked *why* these folks won't eat cows. Suppose they believe that, after death, the souls of humans inhabit the bodies of other types of animals, especially cows, and so a cow could be someone's grandmother. Shall we say that their values differ from ours? No; the difference lies elsewhere. We differ in our beliefs, not in our values. We agree that we shouldn't eat Grandma; we disagree about whether the cow might be Grandma.

The point is that many factors work together to produce the customs of a society. Not only are the society's values important but so are its religious beliefs, its factual beliefs, and its physical environment. Thus, we cannot conclude that two societies differ in values just because they differ in customs. After all, customs may differ for a number of reasons. Thus, there may be less moral disagreement across cultures than there appears to be.

Consider again the Eskimos, who killed healthy infants, especially infant girls. We do not approve of such things; in our society, a parent who kills a baby will be locked up. Thus, there appears to be a great difference in the values of our two cultures. But suppose we ask why the Eskimos did this. The explanation is not that they lacked respect for human life or that they did not love their children. An Eskimo family would always protect its babies if conditions permitted. But the Eskimos lived in a harsh environment, where food was scarce. To quote an old Eskimo saying: "Life is hard, and the margin of safety small." A family may want to nourish its babies but be unable to do so.

Several factors, in addition to the lack of food, explain why the Eskimos sometimes resorted to infanticide. For one thing, they lacked birth control, and so unwanted pregnancies were common. Also, Eskimo mothers would typically nurse their infants over a much longer period than do mothers in our culture—for four years, and sometimes even longer. So, even in the best of times, one mother could sustain very few children. Moreover, the Eskimos were nomadic; unable to farm in the harsh arctic climate, they had to keep moving to find food. Infants had to be carried, and a mother could carry only one baby in her parka as she traveled and went about her outdoor work.

Infant girls were killed more often than boys for two reasons. First, in Eskimo society, the primary food providers were males—men were the hunters. Males were thus highly valued, because food was scarce. Second, the hunters suffered a high casualty rate. Eskimo men thus died prematurely far more often than Eskimo women did. If male and female infants had survived in equal numbers, then the female adult population would have greatly outnumbered the male adult population. Examining the available statistics, one writer concluded that "were it not for female infanticide . . . there would be approximately one-and-a-half times as many females in the average Eskimo local group as there are food-producing males."

Thus, Eskimo infanticide was not due to a fundamental disregard for children. Instead, it arose from the fact that drastic measures were needed to ensure the group's survival. And even then, killing the baby was always seen as the last resort—adoptions were common. Hence, Eskimo values were much like our own. It is only that life forced choices upon them that we do not have to make.

2.6. Some Values Are Shared by All Cultures

It should not surprise us that the Eskimos were protective of their children. How could they not have been? Babies are helpless and cannot survive without extensive care. If a group did not protect its young, the young would not survive, and the older members of the group would not be replaced. Eventually, the group would die out. This means that any enduring culture must have a tradition of caring for its children. Neglected infants must be the exception, not the rule.

Similar reasoning shows why honesty must be valued in every culture. Imagine a society that didn't value truth telling. In such a place, when one person spoke to another, there would be no presumption that he was being honest; he could just as easily be lying. Within that society, there would be no reason to pay attention to what anyone says. If, for example, I want to know what time it is, why should I bother asking anyone, if lying is commonplace? Communication would be extremely difficult, if not impossible, in such a place. And because societies cannot exist without communication among their members, society itself would become impossible. It follows that every society must value truthfulness. There may, of course, be situations in which lying is permitted, but the society will still value honesty in most circumstances.

Consider another example. Could a society exist in which there was no rule against murder? What would such a place be like? Suppose people were free to kill one another at will, and no one disapproved. In such a culture, no one could feel safe. Everyone would have to be constantly on guard, and everyone would try to avoid other people—those potential murderers—as much as possible. This would result in individuals trying to become self-sufficient. Society on any large scale would thus be impossible. Of course, people might still band together in smaller groups where they could feel safe. But notice what this means: They would be forming smaller societies that did acknowledge a rule against murder. The prohibition against murder, then, is a necessary feature of society.

There is a general point here, namely, that *there are some moral rules that all societies must embrace, because those rules are necessary*

for society to exist. The rules against lying and murder are two examples. And, in fact, we do find these rules in force in all cultures. Cultures may differ in what they regard as legitimate exceptions to the rules, but the rules themselves are the same. Therefore, we shouldn't overestimate the extent to which cultures differ. Not every moral rule can vary from society to society.

A further point is that societies will often have the same values due to their shared human nature. There are some things that, in every society, most people want. For example, people everywhere want clean water, leisure time, good health care, and the freedom to choose their own friends. Common goals will often yield common values.

2.7. Judging a Cultural Practice to Be Undesirable

In 1996, a 17-year-old named Fauziya Kassindja arrived at Newark International Airport in New Jersey and asked for asylum. She had fled her native country of Togo, in West Africa, to escape what people there call "excision." Excision is a permanently disfiguring procedure. It is sometimes called "female circumcision," but it bears little resemblance to male circumcision. In the West, it is usually referred to as "female genital mutilation."

According to UNICEF, at least 200 million living females have been excised. The cutting has occurred in 30 countries across Africa, the Middle East, and Asia. Sometimes excision is part of an elaborate tribal ritual performed in small villages, and girls look forward to it as their entry into the adult world. Other times, it is carried out in cities on young women who desperately resist.

Fauziya Kassindja was the youngest of five daughters. Her father, who owned a successful trucking business, was opposed to excision, and he was able to defy the tradition because of his wealth. So his first four daughters were married without being mutilated. But when Fauziya was 16, he suddenly died. She then came under the authority of her aunt, who arranged a marriage for her and prepared to have her excised. Fauziya was terrified, and other members of her family helped her escape.

In America, Fauziya was imprisoned for nearly 18 months while the authorities decided what to do with her. During this time, she was subjected to humiliating strip searches, denied medical treatment for her asthma, and generally treated like a criminal. Finally, she was granted asylum, but not before her case aroused a great controversy. The controversy was not about her treatment in America, but about how we should regard the customs of other cultures. A series of articles in *The New York Times* encouraged the idea that excision is barbaric and should be condemned. Other observers, however, were reluctant to be so judgmental. Live and let live, they said; after all, our culture probably seems just as strange to the Africans.

Suppose we say that excision is wrong. Are we merely imposing the standards of our own culture? If Cultural Relativism is correct, then that is all we can do, for there are no culture-independent moral standards. But is that true?

Is There a Culture-Independent Standard of Right and Wrong? Excision is bad in many ways. It is painful and results in the permanent loss of sexual pleasure. Its short-term effects can include severe bleeding, problems urinating, and septicemia. Sometimes it causes death. Its long-term effects can include chronic infection, cysts, and scars that hinder walking.

Why, then, has it become a widespread social practice? It is not easy to say. Excision has no obvious social benefits. Unlike Eskimo infanticide, it is not necessary for group survival. Nor is it a matter of religion. Excision is practiced by groups from various religions, including Islam and Christianity.

Nevertheless, a number of arguments are made in its defense. Women who are incapable of sexual pleasure are less likely to be promiscuous; so, there will be fewer unwanted pregnancies in unmarried women. Moreover, wives for whom sex is only a duty are less likely to cheat on their husbands; and because they are not thinking about sex, they will be more attentive to the needs of their husbands and children. Husbands, for their part, are said to enjoy sex more with wives who have been excised. Unexcised women, the husbands feel, are unclean and immature.

It would be easy to ridicule these arguments; they are flawed in many respects. But notice an important feature of them: They try

to justify excision by showing that excision is beneficial—men, women, and their families are said to be better off when women are excised. Thus, we might approach the issue by asking whether excision, on the whole, is helpful or harmful.

This points to a standard that might reasonably be used in thinking about any social practice: *Does the practice promote or hinder the welfare of the people affected by it?* This standard may be used to assess the practices of any culture at any time. Of course, people will not usually see it as being "brought in from the outside" to judge them, because all cultures value human happiness. Nevertheless, this looks like just the sort of culture-independent moral standard that Cultural Relativism forbids.

Why, Despite All This, Thoughtful People May Be Reluctant to Criticize Other Cultures. Many people who are horrified by excision are nevertheless reluctant to condemn it, for three reasons. First, they are understandably nervous about interfering in the customs of other peoples. Europeans and their descendants in America have a shameful history of destroying native cultures in the name of Christianity and enlightenment. Because of this, some people refuse to criticize other cultures, especially cultures that resemble those that were wronged in the past.

However, there is a big difference between *judging a cultural practice to be deficient* and *thinking that our leaders should announce that fact, apply diplomatic pressure, and send in the troops*. The first is just a matter of trying to see the world clearly, from a moral point of view. The second is something else entirely. Sometimes it may be right to "do something about it," but often it will not be.

Second, people may feel, rightly enough, that we should be tolerant of other cultures. Tolerance, no doubt, is a virtue; a tolerant person can live in peace with those who see things differently. But nothing about tolerance requires us to say that all beliefs, all religions, and all social practices are equally admirable. On the contrary, if we did not view some things as better than others, then we would have nothing to tolerate.

Finally, people may be reluctant to judge because they do not want to express contempt for the society being criticized. But, again,

this is misguided: To condemn a particular custom is not to condemn an entire culture. After all, a culture with a flaw can still have many admirable features. Indeed, we should expect this to be true of all human societies—all societies are mixtures of good and bad practices. Excision happens to be one of the bad ones.

2.8. Back to the Five Claims

Let us now return to the five tenets of Cultural Relativism listed earlier. How have they fared in our discussion?

1. Different societies have different moral codes.

This is certainly true, although some values are shared by all cultures, such as the value of truth telling, the importance of caring for the young, and the prohibition against murder. Also, when customs differ, the underlying reason will often have more to do with the factual beliefs of the cultures than with their values.

2. The moral code of a society determines what is right within that society; so, if a society says that a certain action is right, then that action *is* right, at least in that society.

Here we must bear in mind the difference between what a society *believes* about morals and what is *really true*. The moral code of a society is closely tied to what people in that society believe about morals. However, those people, and that code, can be wrong. Earlier, we considered the example of excision—a barbaric practice endorsed by many societies. Consider two more examples, which also involve the mistreatment of women:

- In 2002, an unmarried mother in Nigeria was sentenced to die by stoning for having had sex outside of marriage. It is unclear whether Nigerian values, on the whole, approved of this verdict, given that it was later overturned by a higher Nigerian court. However, it was overturned partly to please people outside of Nigeria—namely, the horrified international community. And when the verdict was actually pronounced, the Nigerians in the courthouse cheered and celebrated.
- In 2007, a woman was gang-raped in Saudi Arabia. When she went to the police, the police arrested *her* for having

been alone with a man she was not related to. For that crime, she was sentenced to 90 lashes. When she appealed her conviction, the judges increased her sentence to 200 lashes plus a six-month prison term. Eventually, the Saudi king pardoned her, while also saying that the judges had given her the right sentence.

Cultural Relativism holds, in effect, that societies are morally infallible—in other words, that the morals of a culture can never be wrong. But when we see that societies can and do endorse grave injustices, we see that societies, like their members, can be in need of moral improvement.

3. There is no objective standard that can be used to judge one society's code as better than another's. There are no moral truths that hold for all people at all times.

It is difficult to think of ethical principles that should hold for all people at all times. However, if we are to criticize the practice of slavery, or stoning, or genital mutilation, and if such practices are really and truly wrong, then we must appeal to principles that are not tethered to the traditions of any particular society. Earlier we suggested one such principle: that it always matters whether a practice helps or hurts the people who are affected by it.

4. The moral code of our own society has no special status; it is but one among many.

It is true that the moral code of our society has no special status. After all, our society has no heavenly halo around its borders; our values do not have any special standing just because they happen to be endorsed in the place where we grew up. However, to say that the moral code of one's own society "is merely one among many" seems to imply that all codes are the same—that they are all more or less equally good. In fact, it is an open question whether the code of one's society "is merely one among many." That code might be among the best; or it might be among the worst.

5. It is arrogant for us to judge other cultures. We should always be tolerant of them.

There is much truth in this, but the point is overstated. We *are* often arrogant when we criticize other cultures, and tolerance *is* generally a good thing. But we shouldn't tolerate everything. The toleration of slavery, torture, and rape is a vice, not a virtue.

2.9. What We Can Learn from Cultural Relativism

So far, in discussing Cultural Relativism, we have dwelt mostly on its shortcomings. We have said that it rests on an unsound argument, that it has implausible consequences, and that it exaggerates how much moral disagreement there is between societies. This all adds up to a rejection of the theory. Nevertheless, you may feel like this is a little unfair. The theory must have something going for it—why else has it been so influential? In fact, there is something right about Cultural Relativism, and there are two lessons to learn from it.

First, Cultural Relativism warns us, quite rightly, about the danger of assuming that all of our practices are based on some absolute rational standard. They are not. Some of our customs are merely conventional—merely peculiar to how we do things—and it is easy to forget that. In reminding us of this, the theory does us a service.

Funeral practices are one example. The Callatians, according to Herodotus, were "men who eat their fathers"—a shocking idea, to us at least. But eating the flesh of the dead could be understood as a sign of respect. It could be seen as a symbolic act that says, "This person's spirit shall dwell inside us." Perhaps this is how the Callatians saw it. On this way of thinking, burying the dead could be seen as an act of rejection, and burning the dead could be seen as being positively scornful. Of course, the idea of eating human flesh may repel us, but so what? Our revulsion may only be a reflection of where we were raised. Cultural Relativism begins with the insight that many of our practices are like this—they are only cultural products. Then it goes wrong by assuming that all of them are.

Or consider a more complex example: monogamous marriage. In our society, the ideal is to fall in love, get married, and remain faithful to that one person forever. But aren't there other ways to pursue happiness? The writer Dan Savage (1964–) lists some possible drawbacks of monogamy: "boredom, despair, lack of variety, sexual death and being taken for granted." For such reasons, many people regard monogamy as an unrealistic goal—and as a goal whose pursuit would make them miserable.

What are the alternatives to this ideal? Some married couples reject monogamy by giving each other permission to have the occasional extramarital fling. Allowing one's spouse to have an affair is risky—one might feel too jealous, or the spouse might not come back—but greater openness in marriage might work better than our current system, in which many people feel ashamed, sexually trapped, and unable to discuss their feelings. Other people deviate from monogamy more radically by having more than one long-term partner, with the consent of everyone involved. In these "open" relationships, the emphasis is on honesty and transparency rather than fidelity. Some of these arrangements might work better than others, but this is not really a matter of morality. If a man's wife gives him permission to have sex with another woman, then he isn't "cheating" on her—he isn't betraying her trust, because she has consented to the affair. Or, if four people want to live together and function as a single family, with love flowing from each to each, then there is nothing morally wrong with that. Yet most people in our society would disapprove of any deviation from monogamy.

The second lesson has to do with keeping an open mind. As we grow up, we develop strong feelings about things: We learn to see some types of behavior as acceptable, and other types as outrageous. Occasionally we may find our feelings challenged. For example, we may have been taught that homosexuality is immoral, and we may feel uncomfortable around gay people. But then someone suggests that our feelings are unjustified; that there is nothing wrong with being gay; and that gay people are just people, like anyone else, who happen to be attracted to members of the same sex. Because we feel so strongly about this, we may find it hard to take seriously the idea that we are prejudiced.

Cultural Relativism provides an antidote for this kind of dogmatism. When he tells the story of the Greeks and Callatians, Herodotus adds,

> For if anyone, no matter who, were given the opportunity of choosing from amongst all the nations of the world the set of beliefs which he thought best, he would inevitably, after careful consideration of their relative merits, choose that of his own country. Everyone without exception believes his own native customs, and the religion he was brought up in, to be the best.

Realizing this can help broaden our minds. We can see that our feelings are not necessarily perceptions of the truth; they may be due to cultural conditioning and nothing more. Thus, when we hear a criticism of our culture, and we find ourselves becoming angry and defensive, we might pause to remember this. Then we will be more open to discovering the truth, whatever it might be.

We can understand the appeal of Cultural Relativism, then, despite its shortcomings. It is an attractive theory because it is based on a genuine insight: that many of the practices and attitudes we find natural are only cultural products. Moreover, keeping this thought in mind is important if we want to avoid arrogance and be open to new ideas. These are important points, not to be taken lightly. But we can accept them without accepting the whole theory.

Notes on Sources

The story of the Greeks and the Callatians is from Herodotus, *The Histories*, translated by Aubrey de Selincourt, revised by A. R. Burn (Harmondsworth, Middlesex: Penguin Books, 1972; originally 430 B.C.E.), pp. 219–220. The quotation from Herodotus toward the end of the chapter is from the same source.

The information about the Eskimos is from Peter Freuchen, *Book of the Eskimos* (New York: Fawcett, 1961), and E. Adamson Hoebel, *The Law of Primitive Man* (Cambridge, MA: Harvard University Press, 1954), chapter 5. The estimate of how female infanticide affects the male/female ratio in the Eskimo population is from Hoebel.

William Graham Sumner, *Folkways* (Boston: Ginn, 1906), p. 28.

The New York Times series on female genital mutilation included articles (mainly by Celia W. Dugger) published in 1996 on April 15, April 25, May 2, May 3, July 8, September 11, October 5, October 12, and December 28. I learned much from Fauziya Kassindja's PBS interview; see

http://www.pbs.org/speaktruthtopower/fauziya.html. The figures from UNICEF are from data.unicef.org (updated August 2021).

The story about the Nigerian woman sentenced to death is from Associated Press articles on August 20, 2002, and September 25, 2003. The story about the Saudi woman who was sentenced to being lashed comes from *The New York Times* (articles on November 16 and December 18, 2007).

Dan Savage is quoted by Mark Oppenheimer, "Married, with Infidelities," *The New York Times Magazine*, July 3, 2011, pp. 22–27, 46 (quotation on p. 23).

CHAPTER 3

Subjectivism in Ethics

Take any [vicious] action. . . . Willful murder, for instance. Examine it in all lights, and see if you can find that matter of fact, or real existence, which you call vice. . . . You can never find it, till you turn your reflection into your own breast, and find a sentiment of [disapproval], which arises in you, toward this action. Here is a matter of fact; but 'tis the object of feeling, not reason.

DAVID HUME, *A TREATISE OF HUMAN NATURE* (1739–1740)

3.1. The Basic Idea of Ethical Subjectivism

In 2001 there was a mayoral election in New York, and when it came time for the city's Gay Pride Day parade, every single Democratic and Republican candidate showed up to march. Matt Foreman, the director of a gay rights organization, described all the candidates as "good on our issues." He said, "In other parts of the country, the positions taken here would be extremely unpopular, if not deadly, at the polls." The national Republican Party apparently agrees; for decades, it has opposed the gay rights movement.

What do people around the country actually think? Since the year of that parade, 2001, the Gallup Poll has been asking Americans their personal opinions about gay and lesbian relations. In 2001, only 40% of Americans considered gay relations to be "morally acceptable," while 53% viewed them as "morally wrong." Twenty years later, these numbers were dramatically different; in 2021, 69% saw gay relations as "morally acceptable," whereas only 30% deemed them "morally wrong."

People on both sides have strong feelings. As a member of Congress, Mike Pence spoke out against gay marriage on the floor

of the House of Representatives. Calling traditional marriage "the backbone of our society," he warned America that "societal collapse" always follows "the deterioration of marriage and family."

Pence is an evangelical Christian. The Catholic view may be more nuanced, but it agrees that gay sex is wrong. According to the *Catechism of the Catholic Church*, gays "do not choose their homosexual condition" and "must be accepted with respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided." Nonetheless, the Catholic Church does not allow openly gay men to serve as priests. This, the Church believes, is not unjust because "homosexual acts are intrinsically disordered" and "under no circumstances can they be approved." So, gay people must conceal and resist their desires if they want to be virtuous.

What attitude should we take? We might think that gay relations are immoral, or we might find them acceptable. But there is a third alternative. We might believe:

> People have different opinions, but where morality is concerned, there are no "facts," and no one is "right." People just feel differently about things, and that's all there is to it.

This is the basic idea behind Ethical Subjectivism. Ethical Subjectivism is the theory that our moral opinions are based on our feelings and nothing more. As David Hume (1711–1776) put it, morality is a matter of "sentiment" rather than "reason." According to this theory, there is no such thing as right or wrong. It is a fact that some people are gay and that some people are straight, but it is not a fact that being gay is morally better or morally worse than being straight.

Of course, Ethical Subjectivism is not merely an idea about same-sex relations. It applies to all moral matters. To take a different example, it is a fact that over half a million abortions are performed in the United States each year. However, according to Ethical Subjectivism, it is not a fact that this is morally acceptable or morally wrong. When pro-life activists call abortion "murder," they are merely expressing their outrage. And when pro-choice activists say that a woman should have the right to choose, they are merely letting us know how they feel.

3.2. The Linguistic Turn

What's startling about Ethical Subjectivism is its view of moral value. If ethics has no objective basis, then morality is all just opinion, and our sense that some things are "really" right or "really" wrong is just an illusion. However, most of the philosophers who developed this theory did not focus on its implications for value. Toward the end of the 19th century, professional philosophy took a "linguistic turn," as philosophers began to work almost exclusively on questions of language and meaning. This trend lasted until around 1970. During that time-period, Ethical Subjectivism was developed by philosophers who asked such questions as: What exactly do people mean when they use words like "good" and "bad"? What is the purpose of moral language? What are moral debates about, if they're not about whose opinion is (really) correct? With questions like those in mind, philosophers proposed various versions of the theory.

Simple Subjectivism. The simplest version is this: When a person says that something is morally good or bad, this means that he or she approves of that thing, or disapproves of it, and nothing more. In other words:

"X is morally acceptable"
"X is right"
"X is good"
"X ought to be done"
} all mean: "I (the speaker) approve of X"

And similarly:

"X is morally unacceptable"
"X is wrong"
"X is bad"
"X ought not to be done"
} all mean: "I (the speaker) disapprove of X"

Let's call this version of the theory *Simple Subjectivism*. It expresses the basic idea of Ethical Subjectivism in a plain, uncomplicated form.

However, Simple Subjectivism is open to a serious objection: that it cannot account for moral disagreement. Consider our previous example. Gay rights advocate Matt Foreman believes that being gay is morally acceptable. Mike Pence believes that it is not. So, Foreman and Pence disagree. But consider what Simple Subjectivism implies

about this situation. When Foreman says that being gay is morally acceptable, the theory holds that he is merely saying something about his attitudes—he is saying, "I, Matt Foreman, do not disapprove of being gay." Would Pence disagree with that? No, he would agree that Foreman does not disapprove of being gay. At the same time, when Pence says that being gay is immoral, he is only saying, "I, Mike Pence, disapprove of being gay." And how could anyone doubt that? Thus, according to Simple Subjectivism, there is no disagreement between them; each should acknowledge the truth of what the other is saying. Surely, though, this is incorrect, because Pence and Foreman *do* disagree.

There is a kind of eternal frustration implied by Simple Subjectivism: Pence and Foreman have deeply opposing points of view, yet they cannot state their beliefs in a way that manifests their disagreement. Foreman may try to deny what Pence says, but, according to Simple Subjectivism, he succeeds only in talking about himself.

The argument may be summarized like this: When one person says, "X is morally acceptable," and someone else says, "X is morally unacceptable," they are disagreeing. Yet Simple Subjectivism implies otherwise. Therefore, Simple Subjectivism cannot be correct.

Emotivism. The next version of Ethical Subjectivism came to be known as *Emotivism*. Emotivism was popular during the mid-20th century, largely due to the American philosopher Charles L. Stevenson (1908–1979).

Language, Stevenson observed, is used in many ways. Sometimes we use it to make statements—that is, to state facts. Thus we may say,

> "Gas prices are rising."
>
> "Quarterback Peyton Manning underwent multiple neck surgeries, was sidelined for a year, and then broke the record for most touchdown passes in a season."
>
> "Shakespeare wrote *Hamlet*."

In each case, we are saying something that is either true or false, and the purpose of our utterance is, typically, to convey information to our audience.

Yet we also use language for other purposes. Suppose I say, "Close the door!" This utterance is neither true nor false. It is not a statement, intended to convey information; it is a command. Its purpose is to get someone to do something.

Or consider utterances such as these, which are neither statements nor commands:

"Aaargh!"

"Way to go, Peyton!"

"Alas, poor Yorick!"

We understand these sentences easily enough. But none of them can be true or false. (It makes no sense to say, "It is true that 'way to go, Peyton'" or "It is false that 'aaargh.'") These sentences are not used to state facts or to influence behavior. Their purpose is to express the speaker's attitudes—attitudes about gas prices, or Peyton Manning, or Yorick.

Now consider moral language. According to Simple Subjectivism, moral language is about stating facts—facts about the speaker's attitudes. According to that theory, when Pence says, "Being gay is immoral," his utterance means "I (Pence) disapprove of being gay"—a statement of fact about Pence's attitudes. Emotivism, however, believes that moral language is not used to state facts or convey information. It is used, first, as a means of influencing people's behavior. If someone says, "You shouldn't do that," he is trying to *persuade you not to do it*; his utterance is more like a command than a statement of fact. "You shouldn't do that" is a gentler way of saying, "Don't do that!" Second, moral language is used to express attitudes. Calling Peyton Manning "a morally good man" is like saying, "Way to go, Peyton!" And so, when Pence says, "Being gay is immoral," emotivists interpret his utterance as meaning something like "Homosexuality—gross!" or "Don't be gay!"

Earlier we saw that Simple Subjectivism cannot account for moral disagreement. Can Emotivism?

According to Emotivism, disagreement comes in different forms. Compare these two ways in which people can clash:

- I believe that Lee Harvey Oswald acted alone in killing President John F. Kennedy, and you believe that Oswald was

part of a conspiracy. This is a factual disagreement—I believe something to be true which you believe to be false.

- I am rooting for the Atlanta Braves baseball team to win, and you are rooting for them to lose. Our beliefs are not in conflict, but our desires are—I want something to happen which you want not to happen.

In the first case, we believe different things, both of which cannot be true. Stevenson calls this *disagreement in belief*. In the second case, we want different outcomes, both of which cannot occur. Stevenson calls this *disagreement in attitude*. Our attitudes may be different even when our beliefs aren't. For example, you and I may have all the same beliefs regarding the Atlanta Braves: We both believe that Braves players are overpaid; we both believe that I am rooting for the Braves just because I am from the South; and we both believe that Atlanta is not a great baseball town. Yet despite all this common ground—despite all this agreement *in belief*—we may still disagree *in attitude*: I may still root for the Braves, and you may still root against them.

According to Stevenson, moral disagreement is disagreement in attitude. Matt Foreman and Mike Pence may (or may not) have clashing beliefs about the facts regarding same-sex attraction. Yet it is clear that they disagree in attitude. For example, Foreman wants same-sex marriage to remain legal in the United States, whereas Pence does not. For Emotivism, then, moral conflict is real.

Is Emotivism correct? It has the virtue of identifying some of the main functions of moral language. Certainly, moral language is used to persuade as well as to express our attitudes. However, in denying that moral language is fact-stating, Emotivism seems to be denying an obvious truth. For example, when I say, "Long-term solitary confinement is a cruel punishment," it is true that I disapprove of such punishment, and it may also be true that I am trying to persuade others to oppose it. However, I am also trying to say something true; I am making a statement that I believe to be correct. Like most people, I do not see my own moral convictions as "mere opinions" that are no more justified than the beliefs of bigots, bullies, and bumbling fools. The fact that I see things in this way, whether rightly or wrongly, is relevant to interpreting what I mean when I use words like "ought," "good," and "wrong."

The Error Theory. The last version of Ethical Subjectivism acknowledges that people are at least *trying* to say true things when they talk about ethics. This is the *Error Theory* of John L. Mackie (1917–1981). Mackie was a subjectivist; he believed that there are no "facts" in ethics, and that no one is ever "right" or "wrong." However, he also saw that people *believe* they are right, and so we should interpret them as *trying* to state objective truths. Thus, instead of saying that Pence and Foreman are merely reporting their own attitudes (Simple Subjectivism) or expressing those attitudes, perhaps for persuasive purposes (Emotivism), the Error Theory holds that Pence and Foreman are in error: they are each making a positive claim about value—claiming that the moral truth is on their side—even though no such truth exists. Moral discussions, Mackie thought, are teeming with error.

3.3. The Rejection of Value

Moral theories are primarily about value, not language. Hence, our discussion of Ethical Subjectivism might seem to have gone off track. At the heart of Ethical Subjectivism is a theory of value called *Nihilism*. Nihilists believe that values are not real. People might have various moral beliefs, but, really, nothing is good or bad, or right or wrong. Earlier we applied Nihilism to the issues of abortion and same-sex relations. According to a nihilist, neither side is right in those debates, because there is no "right."

So long as we consider only difficult or controversial moral issues, Nihilism might seem plausible. After all, we may ourselves be unsure what to think about such issues; perhaps we're unsure because there's no right answer? Yet Nihilism and Ethical Subjectivism seem much less plausible when applied to simpler matters. To take a new example: It is a fact that the Nazis killed millions of people based on their racial backgrounds, but, according to Nihilism, it is not a fact that the Nazis acted badly. Instead, the nihilist would say that different people have different opinions, and no one is right. You may believe one thing, but Adolph Hitler believed something else, and Hitler's opinion was just as good as yours.

Viewed in this light, Nihilism seems absurd. Indeed, it is hard to believe that anyone has ever believed Nihilism, or at least believed

it consistently. After all, every human being has moral beliefs in addition to having "subjective feelings." Even racists believe that it would be wrong to kill *them* or to exterminate *their race*; yet those judgments also conflict with Subjectivism.

Nihilism might be compared to another theory, which has nothing to do with ethics. According to this theory, the universe is only five minutes old. This theory denies the existence of the past—or, at least, of a past that stretches back more than five minutes. Although the theory is ridiculous, it is hard to refute. If you try to refute it by describing events that you recall happening yesterday, the reply will be that your "memories" of those events were put in your brain five minutes ago, when the universe came into being. Or, if you point to a book with a copyright date of 1740, the reply will be that this book came into existence—along with its misleading copyright page—five minutes ago. Despite these clever replies, none of us are tempted to believe such a theory.

Much the same can be said about Nihilism and Ethical Subjectivism. Those theories deny the existence of right and wrong. So, for example, they deny that it is wrong to intentionally cause severe pain to a human baby for no reason. A nihilist would simply say that the baby-torturer has *his* beliefs on the matter, and you and I have ours. Such a position may be hard to refute, but perhaps a refutation isn't necessary.

3.4. Ethics and Science

If Ethical Subjectivism is so implausible, then why are so many people attracted to it? Perhaps some people haven't considered its implications very carefully. Yet there are deeper reasons for its appeal. Many thoughtful people believe that they must be skeptical about values, if they are to maintain a proper respect for science.

According to one line of thought, a belief in "objective values" in the 21st century is like a belief in ghosts or witches or mystics. If there are such things, then why hasn't science discovered them? Even back in the 18th century, David Hume argued that if we examine wicked actions—"willful murder, for instance"—we will find no "real existence" corresponding to the wickedness. The universe contains no such thing as wickedness; our belief in it comes merely