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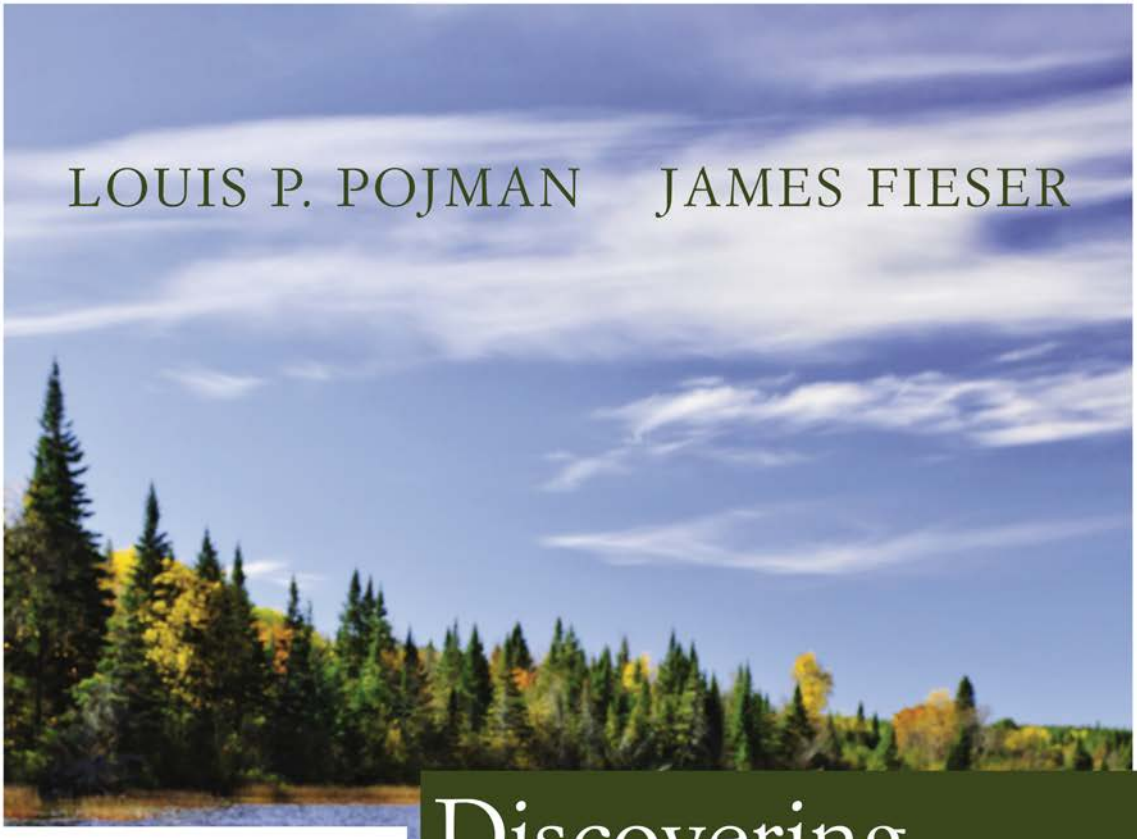
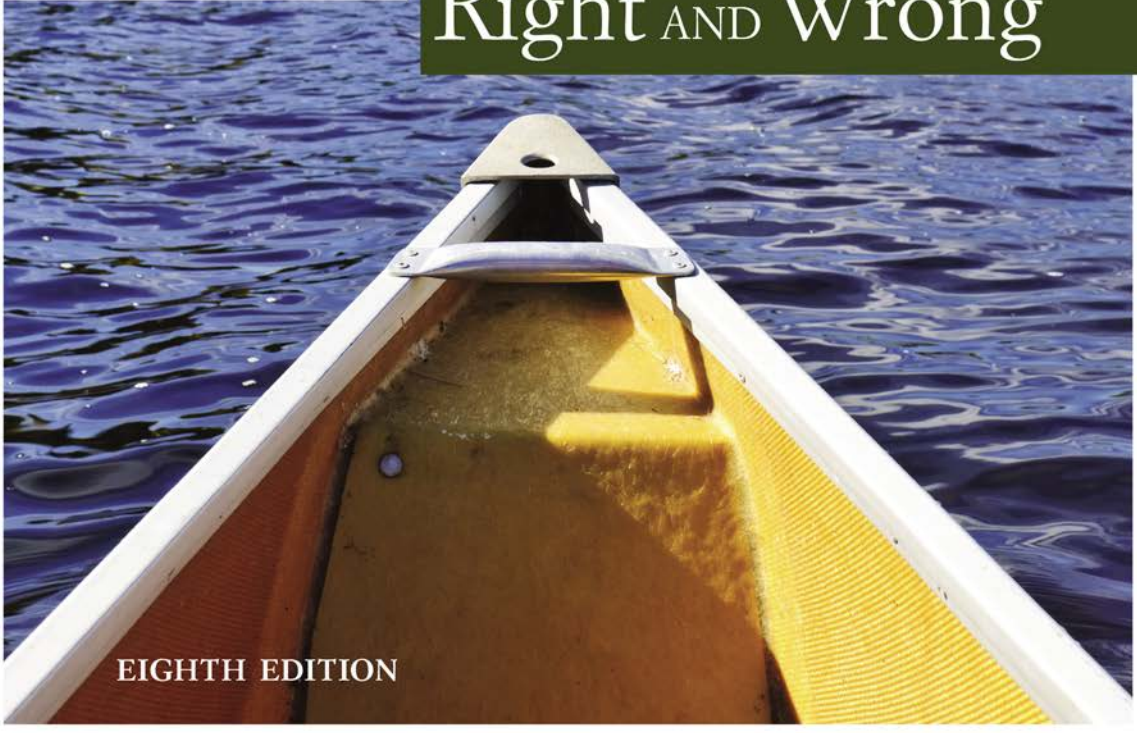


ETHICS

Discovering Right AND Wrong



EIGHTH EDITION

Ethics

Discovering Right and Wrong

EIGHTH EDITION

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***Ethics: Discovering Right and Wrong*, Eighth Edition**

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Louis P. Pojman (1935–2005) was professor of philosophy, emeritus at the United States Military Academy and a life member of Clare Hall, Cambridge University. He received an M.A. and a Ph.D. from Union Theological Seminary/Columbia University and a D.Phil. from Oxford University. He wrote in the areas of philosophy of religion, epistemology, ethics, and political philosophy and is the author or editor of more than 30 books and 100 articles. Among these are *Ethics: Discovering Right and Wrong* (8/e 2017), *Environmental Ethics* (7/e 2017), *Who Are We?* (2005), and *Global Political Philosophy* (2003).

James Fieser is professor of philosophy at the University of Tennessee at Martin. He received his B.A. from Berea College, and his M.A. and Ph.D. in philosophy from Purdue University. He is author, coauthor, or editor of 10 text books, including *Socrates to Sartre and Beyond* (9/e 2011), *Ethical Theory: Classical and Contemporary Readings* (6/e 2010), *A Historical Introduction to Philosophy* (2003), and *Moral Philosophy Through the Ages* (2001). He has edited and annotated the ten-volume *Early Responses to Hume* (2/e 2005) and the five-volume *Scottish Common Sense Philosophy* (2000). He is founder and general editor of the *Internet Encyclopedia of Philosophy* Web site (www.iep.utm.edu).

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Preface

In 1977, Australian philosopher John L. Mackie published his famous book *Ethics: Inventing Right and Wrong*, in which he argues that the moral values we hold are inventions of society: "we have to decide what moral views to adopt, what moral stands to take." The title of the present book *Ethics: Discovering Right and Wrong*, is both an acknowledgement of the importance of Mackie's view and a response to it.

Morality is not purely an invention, as Mackie suggests, but it also involves a *discovery*. We may compare morality to the development of the wheel. Both are creations based on discoverable features. The wheel was invented to facilitate the transportation of objects with minimal friction. The construction of a wheel adheres to the laws of physics to bring about efficient motion. Not just anything could function as a good wheel. A rectangular or triangular wheel would be inefficient, as would one made out of sand or bird feathers or heavy stones. Analogously, morality has been constructed to serve human needs and desires, for example, the need to survive and the desires to prosper and be happy. The ideal morality should serve as the blueprint for individual happiness and social harmony. Human beings have used their best minds over millennia to discover those principles that best serve to promote individual and social well-being. Just as the construction of the wheel is dependent on the laws of physics, so the construction of morality has been dependent on human nature, on discoverable features of our being. It is in this spirit of moral discovery that *Ethics: Discovering Right and Wrong* surveys the main theories of moral philosophy today.

The philosophical community experienced a great loss in 2005 with the death of Louis Pojman, the original author of this book, who succumbed to his battle with cancer. His voluminous writings—over 30 books and 100 articles—have been uniformly praised for their high level of scholarship and insight, and countless philosophy students and teachers have benefited from them (see www.louispojman.com for biographical and bibliographical details).

Ethics: Discovering Right and Wrong was first published in 1990 and quickly established itself as an authoritative, yet reader-friendly, introduction to ethics.

In an earlier preface, Louis expresses his enthusiasm for his subject and his commitment to his reader:

> I have written this book in the spirit of a quest for truth and understanding, hoping to excite you about the value of ethics. It is a subject that I love, for it is about how we are to live, about the best kind of life. I hope that you will come to share my enthusiasm for the subject and develop your own ideas in the process.

Over the years, new editions of this book have appeared in response to the continually evolving needs of college instructors and students. Throughout these changes, however, the book has focused on the central issues of ethical theory, which in this edition include chapters on the following 14 subjects, beginning with the more theoretical issues of (1) what ethics is most generally, (2) ethical relativism, (3) moral objectivism, (4) moral value, (5) social contract theory and the motive to be moral, and (6) egoism and altruism. The book next focuses on the influential normative theories of (7) utilitarianism, (8) Kantianism and deontology, and (9) virtue theory. Building on these concepts, the last portion of the book explores the more contemporary theoretical debates surrounding (10) biology and ethics, (11) gender and ethics, (12) religion and ethics, (13) the fact–value problem, and (14) moral realism and skepticism.

This newly revised eighth edition attempts to reflect the spirit of change that governed previous editions. As with most textbook revisions, the inclusion of new material in this edition required the deletion of a comparable amount of previously existing material. Many of the changes in this edition were suggested by previous book users, both faculty and students, for which I am very grateful. The most noticeable change is a new chapter on biology and ethics. Many minor changes have been made throughout for clarification and ease of reading.

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MindTap® for Pojman Fieser, *Ethics*, eighth edition provides you with the tools you need to better manage your limited time—you can complete assignments whenever and wherever you are ready to learn with course material specially customized for you by your instructor and streamlined in one proven, easy-to-use interface. With an array of tools and apps—from note-taking to flashcards—you'll get a true understanding of course concepts, helping you to achieve better grades and setting the groundwork for your future courses.

ACKNOWLEDGEMENTS

The preface to the fifth edition of this book lists the following acknowledgements, which I present here verbatim:

> Michael Beaty, Sterling Harwood, Stephen Kershnar, Bill Lawhead, Michael Levin, Robert Louden, Laura Purdy, Roger Rigterink, Bruce

Russell, Walter Schaller, Bob Westmoreland, and Mark Discher were very helpful in offering trenchant criticisms on several chapters of this book. The students in my ethical theory classes at the University of Mississippi and the U.S. Military Academy at West Point for the past 20 years have served as a challenging sounding board for many of my arguments. Ronald F. Duska, Rosemont College; Stephen Griffith, Lycoming College; Arthur Kuflik, University of Vermont; James Lindemann Nelson, Michigan State University; Peter List, Oregon State University; Ann A. Pang-White, University of Scranton; Fred Schueler, University of New Mexico; Nancy A. Stanlick, University of Central Florida; R. Duane Thompson, Indiana Wesleyan University; Peter Vallentyne, Virginia Commonwealth University; and David A. White, Marquette University reviewed the manuscript for an earlier edition and provided guidance in revising this latest edition.

I thank Debra Matteson, Liz Fraser, and the rest of the talented editorial staff at Cengage for their expertise and good nature throughout the production of this new edition. Thanks also to the dozens of ethics instructors who completed an online survey about the text and made valuable suggestions for improvement. Finally, I thank Louis's wife, Trudy Pojman, for her gracious encouragement with this project.

James Fieser
August 1, 2015

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What Is Ethics?

Some years ago, the nation was stunned by a report from New York City. A young woman, Kitty Genovese, was brutally stabbed in her own neighborhood late at night during three separate attacks while 38 respectable, law-abiding citizens watched or listened. During the 35-minute struggle, her assailant beat her, stabbed her, left her, and then returned to attack her two more times until she died. No one lifted a phone to call the police; no one shouted at the criminal, let alone went to Genovese's aid. Finally, a 70-year-old woman called the police. It took them just two minutes to arrive, but by that time Genovese was already dead.

Only one other woman came out to testify before the ambulance showed up an hour later. Then residents from the whole neighborhood poured out of their apartments. When asked why they hadn't done anything, they gave answers ranging from "I don't know" and "I was tired" to "Frankly, we were afraid."[1]

This tragic event raises many questions about our moral responsibility to others. What should these respectable citizens have done? Are such acts of omission morally blameworthy? Is the Genovese murder an atypical situation, or does it represent a disturbing trend? This story also raises important questions about the general notion of morality. What is the nature of morality, and why do we need it? What is the Good, and how will we know it? Is it in our interest to be moral? What is the relationship between morality and religion? What is the relationship between morality and law? What is the relationship between morality and etiquette? These are some of the questions that we explore in this book.

ETHICS AND ITS SUBDIVISIONS

Ethics is that branch of philosophy that deals with how we ought to live, with the idea of the Good, and with concepts such as "right" and "wrong." But what is

philosophy? It is an enterprise that begins with wonder at the marvels and mysteries of the world; that pursues a rational investigation of those marvels and mysteries, seeking wisdom and truth; and that results in a life lived in passionate moral and intellectual integrity. Taking as its motto Socrates' famous statement "The unexamined life is not worth living," philosophy leaves no aspect of life untouched by its inquiry. It aims at a clear, critical, comprehensive conception of reality.

The main characteristic of philosophy is rational argument. Philosophers clarify concepts and analyze and test propositions and beliefs, but their major task is to construct and analyze arguments. Philosophical reasoning is closely allied with scientific reasoning, in that both build hypotheses and look for evidence to test those hypotheses with the hope of coming closer to the truth. However, scientific experiments take place in laboratories and have testing procedures to record objective or empirically verifiable results. The laboratory of the philosopher is the domain of ideas. It takes place in the mind, where imaginative thought experiments occur. It takes place in the study room, where ideas are written down and examined. It also takes place wherever conversation or debate about the perennial questions arises, where thesis and counterexample and counterthesis are considered.

A word must be said about the specific terms *moral* and *ethical* and the associated notions of *morals* and *ethics*. Often these terms are used interchangeably—as will be the case in this book. Both terms derive their meaning from the idea of "custom"—that is, normal behavior. Specifically, "moral" comes from the Latin word *mores* and "ethical" from the Greek *ethos*.

The study of ethics within philosophy contains its own subdivisions, and dividing up the territory of ethics is tricky. The key divisions are (1) descriptive morality, (2) moral philosophy (ethical theory), and (3) applied ethics. First, **descriptive morality** refers to actual beliefs, customs, principles, and practices of people and cultures. Sociologists in particular pay special attention to the concrete moral practices of social groups around the world, and they view them as cultural "facts," much like facts about what people in those countries eat or how they dress. Second, **moral philosophy**—also called **ethical theory**—refers to the systematic effort to understand moral concepts and justify moral principles and theories. It analyzes key ethical concepts such as "right," "wrong," and "permissible." It explores possible sources of moral obligation such as God, human reason, or the desire to be happy. It seeks to establish principles of right behavior that may serve as action guides for individuals and groups. Third, **applied ethics** deals with controversial moral problems such as abortion, premarital sex, capital punishment, euthanasia, and civil disobedience.

The larger study of ethics, then, draws on all three of these subdivisions, connecting them in important ways. For example, moral philosophy is very much interrelated with applied ethics, and here will be a difference in the quality of debates about abortion and other such issues when those discussions are informed by ethical theories. More light and less heat will be the likely outcome. With the onset of multiculturalism and the deep differences in worldviews around the globe today, the need to use reason, rather than violence, to settle our disputes and resolve conflicts of interest has become obvious. Ethical awareness is the necessary condition for human survival and flourishing.

The study of ethics is not only of instrumental value but also valuable in its own right. It is satisfying to have knowledge of important matters for its own sake, and it is important to understand the nature and scope of moral theory for its own sake. We are rational beings who cannot help but want to understand the nature of the good life and all that it implies. The study of ethics is sometimes a bit off-putting because so many differing theories often appear to contradict each other and thus produce confusion rather than guidance. But an appreciation of the complexity of ethics is valuable in counteracting our natural tendency toward inflexibility and tribalism where we stubbornly adhere to the values of our specific peer groups.

MORALITY AS COMPARED WITH OTHER NORMATIVE SUBJECTS

Moral principles concern standards of behavior; roughly speaking, they involve not what is but what ought to be. How should I live my life? What is the right thing to do in this situation? Is premarital sex morally permissible? Ought a woman ever to have an abortion? Morality has a distinct action-guiding, or *normative*, aspect, which it shares with other practices such as religion, law, and etiquette. Let's see how morality differs from each of these.

Religion

Consider first the relation between morality and religion. Moral behavior, as defined by a given religion, is usually believed to be essential to that religion's practice. But neither the practices nor principles of morality should be identified with religion. The practice of morality need not be motivated by religious considerations, and moral principles need not be grounded in revelation or divine authority—as religious teachings invariably are. The most important characteristic of ethics is its grounding in reason and human experience.

To use a spatial metaphor, secular ethics is horizontal, lacking a vertical or higher dimension; as such it does not receive its authority from "on high." But religious ethics, being grounded in revelation or divine authority, has that vertical dimension although religious ethics generally uses reason to supplement or complement revelation. These two differing orientations often generate different moral principles and standards of evaluation, but they need not do so. Some versions of religious ethics, which posit God's revelation of the moral law in nature or conscience, hold that reason can discover what is right or wrong even apart from divine revelation.

Law

Consider next the close relationship between morality and law. Many laws are instituted in order to promote well-being, resolve conflicts of interest, and promote social harmony, just as morality does. However, ethics may judge that

some laws are immoral without denying that they have legal authority. For example, laws may permit slavery, spousal abuse, racial discrimination, or sexual discrimination, but these are immoral practices.

In a PBS television series, *Ethics in America*, a trial lawyer was asked what he would do if he discovered that his client had committed a murder some years earlier for which another man had been wrongly convicted and would soon be executed.[2] The lawyer said that he had a legal obligation to keep this information confidential and that, if he divulged it, he would be disbarred. It is arguable that he has a moral obligation that overrides his legal obligation and demands that he act to save the innocent man from execution.

Furthermore, some aspects of morality are not covered by law. For example, although it is generally agreed that lying is usually immoral, there is no general law against it—except under such special conditions as committing perjury or falsifying income tax returns. Sometimes college newspapers publish advertisements by vendors who offer "research assistance," despite knowing in advance that these vendors will aid and abet plagiarism. Publishing such ads is legal, but its moral correctness is doubtful.

Similarly, the 38 people who watched the attacks on Kitty Genovese and did nothing to intervene broke no New York law, but they were very likely morally responsible for their inaction. In our legal tradition, there is no general duty to rescue a person in need. In 1908, the dean of Harvard Law School proposed that a person should be required to "save another from impending death or great bodily harm, when he might do so with little or no inconvenience to himself." The proposal was defeated, and one of its opponents posed the question of whether a rich person, to whom $20 meant very little, be legally obliged to save the life of a hungry child in a foreign land? Currently, only Vermont and Minnesota have "Good Samaritan" laws, requiring that one come to the aid of a person in grave physical harm but only to the extent that the aid "can be rendered without danger or peril to himself or without interference with important duties owed to others."

There is another major difference between law and morality. In 1351, King Edward of England instituted a law against treason that made it a crime merely to think homicidal thoughts about the king. But, alas, the law could not be enforced, for no tribunal can search the heart and discover the intentions of the mind. It is true that *intention*, such as malice aforethought, plays a role in determining the legal character of an act once the act has been committed. But, preemptive punishment for people who are presumed to have bad intentions is illegal. If malicious intentions by themselves were illegal, wouldn't we all deserve imprisonment? Even if one could detect others' intentions, when should the punishment be administered? As soon as the offender has the intention? How do we know that the offender won't change his or her mind?

Although it is impractical to have laws against bad intentions, these intentions are still morally wrong. Suppose I buy a gun with the intention of killing Uncle Charlie to inherit his wealth, but I never get a chance to fire it (for example, suppose Uncle Charlie moves to Australia). Although I have not committed a crime, I have committed a moral wrong.

Etiquette

Lastly, consider the relation between morality and etiquette. Etiquette concerns form and style rather than the essence of social existence; it determines what is *polite* behavior rather than what is *right* behavior in a deeper sense. It represents society's decision as to how we are to dress, greet one another, eat, celebrate festivals, dispose of the dead, express gratitude and appreciation, and, in general, carry out social transactions. Whether people greet each other with a handshake, a bow, a hug, or a kiss on the cheek depends on their social system. Russians wear their wedding rings on the third finger of their right hands, whereas Americans wear them on their left hands. The English hold their forks in their left hands, whereas people in other countries are more likely to hold them in their right hands. People in India typically eat without a fork at all, using the fingers of their right hands to deliver food from their plate to their mouth. In and of themselves, none of these rituals has any moral superiority. Polite manners grace our social existence, but they are not what social existence is about. They help social transactions to flow smoothly but are not the substance of those transactions.

At the same time, it can be immoral to disregard or defy etiquette. Whether to shake hands when greeting a person for the first time or put one's hands together in front as one bows, as people in India do, is a matter of cultural decision. But, once the custom is adopted, the practice takes on the importance of a moral rule, subsumed under the wider principle of showing respect to people.

Similarly, there is no moral necessity to wear clothes, but we have adopted the custom partly to keep warm in colder climates and partly to be modest. Accordingly, there may be nothing wrong with nudists who decide to live together in nudist colonies. However, for people to go nude outside of nudist colonies—say, in classrooms, stores, and along the road—may well be so offensive that it is morally insensitive. There was a scandal on the beaches of South India where American tourists swam in bikinis, shocking the more modest Indians. There was nothing immoral in itself about wearing bikinis, but given the cultural context, the Americans willfully violated etiquette and were guilty of moral impropriety.

Although Americans pride themselves on tolerance, pluralism, and awareness of other cultures, custom and etiquette can be—even among people from similar backgrounds—a bone of contention. A Unitarian minister tells of an experience early in his marriage. He and his wife were hosting their first Thanksgiving meal. He had been used to small celebrations with his immediate family, whereas his wife had been used to grand celebrations. He writes, "I had been asked to carve, something I had never done before, but I was willing. I put on an apron, entered the kitchen, and attacked the bird with as much artistry as I could muster. And what reward did I get? [My wife] burst into tears. In *her* family the turkey is brought to the table, laid before the [father], grace is said, and *then* he carves! 'So I fail patriarchy,' I hollered later. 'What do you expect?' "[3]

Law, etiquette, and religion are all important institutions, but each has limitations. A limitation of religious commands is that they rest on authority, and we may lack certainty or agreement about the authority's credentials or how the

authority would rule in ambiguous or new cases. Because religion is founded not on reason but on revelation, you cannot use reason to convince someone from another religion that your view is the right one. A limitation of law is that you can't have a law against every social problem, nor can you enforce every desirable rule. A limitation of etiquette is that it doesn't get to the heart of what is vitally important for personal and social existence. Whether or not one eats with one's fingers pales in significance with the importance of being honest, trustworthy, or just. Etiquette is a cultural invention, but morality is more like a discovery.

In summary, morality differs from law and etiquette by going deeper into the essence of our social existence. It differs from religion by seeking reasons, rather than authority, to justify its principles. The central purpose of moral philosophy is to secure valid principles of conduct and values that can guide human actions and produce good character. As such, it is the most important activity we know, for it concerns how we are to live.

TRAITS OF MORAL PRINCIPLES

A central feature of morality is the moral principle. We have already noted that moral principles are guides for action, but we must say more about the traits of such principles. Although there is no universal agreement on the characteristics a moral principle must have, there is a wide consensus about five features: (1) prescriptivity, (2) universalizability, (3) overridingness, (4) publicity, and (5) practicability. Several of these will be examined in chapters throughout this book, but let's briefly consider them here.

First is **prescriptivity**, which is the commanding aspect of morality. Moral principles are generally put forth as commands or imperatives, such as "Do not kill," "Do no unnecessary harm," and "Love your neighbor." They are intended for use: to advise people and influence action. Prescriptivity shares this trait with all normative discourse and is used to appraise behavior, assign praise and blame, and produce feelings of satisfaction or guilt.

Second is **universalizability**. Moral principles must apply to all people who are in a relevantly similar situation. If I judge that an act is right for a certain person, then that act is right for any other relevantly similar person. This trait is exemplified in the Golden Rule, "Do to others what you would want them to do to you." We also see it in the formal principle of justice: It cannot be right for you to treat me in a manner in which it would be wrong for me to treat you, merely on the ground that we are two different individuals.[4]

Universalizability applies to all evaluative judgments. If I say that X is a good thing, then I am logically committed to judge that anything relevantly similar to X is a good thing. This trait is an extension of the principle of consistency: we ought to be consistent about our value judgments, including one's moral judgments. Take any act that you are contemplating doing and ask, "Could I will that everyone act according to this principle?"

Third is **overridingness**. Moral principles have predominant authority and override other kinds of principles. They are not the only principles, but they take precedence over other considerations, including aesthetic, prudential, and legal ones. The artist Paul Gauguin may have been aesthetically justified in abandoning his family to devote his life to painting beautiful Pacific Island pictures, but morally he probably was not justified, and so he probably should not have done it. It may be prudent to lie to save my reputation, but it probably is morally wrong to do so. When the law becomes egregiously immoral, it may be my moral duty to exercise civil disobedience. There is a general moral duty to obey the law because the law serves an overall moral purpose, and this overall purpose may give us moral reasons to obey laws that may not be moral or ideal. There may come a time, however, when the injustice of a bad law is intolerable and hence calls for illegal but moral defiance. A good example would be laws in the South prior to the Civil War requiring citizens to return runaway slaves to their owners.

Fourth is **publicity**. Moral principles must be made public in order to guide our actions. Publicity is necessary because we use principles to prescribe behavior, give advice, and assign praise and blame. It would be self-defeating to keep them a secret.

Fifth is **practicability**. A moral principle must have practicability, which means that it must be workable and its rules must not lay a heavy burden on us when we follow them. The philosopher John Rawls speaks of the "strains of commitment" that overly idealistic principles may cause in average moral agents.[5] It might be desirable for morality to require more selfless behavior from us, but the result of such principles could be moral despair, deep or undue moral guilt, and ineffective action. Accordingly, most ethical systems take human limitations into consideration.

Although moral philosophers disagree somewhat about these five traits, the above discussion offers at least an idea of the general features of moral principles.

DOMAINS OF ETHICAL ASSESSMENT

At this point, it might seem that ethics concerns itself entirely with rules of conduct that are based solely on evaluating acts. However, it is more complicated than that. Most ethical analysis falls into one or more of the following domains: (1) action, (2) consequences, (3) character traits, and (4) motive. Again, all these domains will be examined in detail in later chapters, but an overview here will be helpful.

Let's examine these domains using an altered version of the Kitty Genovese story. Suppose a man attacks a woman in front of her apartment and is about to kill her. A responsible neighbor hears the struggle, calls the police, and shouts from the window, "Hey you, get out of here!" Startled by the neighbor's reprimand, the attacker lets go of the woman and runs down the street where he is caught by the police.

Action

One way of ethically assessing this situation is to examine the *actions* of both the attacker and the good neighbor: The attacker's actions were wrong whereas the neighbor's actions were right. The term *right* has two meanings. Sometimes, it means "obligatory" (as in "the right act"), but it also can mean "permissible" (as in "a right act" or "It's all right to do that"). Usually, philosophers define *right* as permissible, including in that category what is obligatory:

1. A *right act* is an act that is permissible for you to do. It may be either (a) obligatory or (b) optional.
   a. An **obligatory act** is one that morality requires you to do; it is not permissible for you to refrain from doing it.
   b. An **optional act** is one that is neither obligatory nor wrong to do. It is not your duty to do it, nor is it your duty not to do it. Neither doing it nor not doing it would be wrong.
2. A *wrong act* is one you have an obligation, or a duty, to refrain from doing: It is an act you ought not to do; it is not permissible to do it.

In our example, the attacker's assault on the woman was clearly a wrong action (prohibited); by contrast, the neighbor's act of calling the police was clearly a right action—and an obligatory one at that.

But, some acts do not seem either obligatory or wrong. Whether you take a course in art history or English literature or whether you write a letter with a pencil or pen seems morally neutral. Either is permissible. Whether you listen to rock music or classical music is not usually considered morally significant. Listening to both is allowed, and neither is obligatory. Whether you marry or remain single is an important decision about how to live your life. The decision you reach, however, is usually considered morally neutral or optional. Under most circumstances, to marry (or not to marry) is considered neither obligatory nor wrong but permissible.

Within the range of permissible acts is the notion of **supererogatory acts**, or highly altruistic acts. These acts are neither required nor obligatory, but they exceed what morality requires, going "beyond the call of duty." For example, suppose the responsible neighbor ran outside to actually confront the attacker rather than simply shout at him from the window. Thus, the neighbor would assume an extra risk that would not be morally required. Similarly, while you may be obligated to give a donation to help people in dire need, you would not be obligated to sell your car, let alone become impoverished yourself, to help them. The complete scheme of acts, then, is this:

1. Right act (permissible)
   a. Obligatory act
   b. Optional act
      (1) Neutral act
      (2) Supererogatory act
2. Wrong act (not permissible)

One important kind of ethical theory that emphasizes the nature of the act is called *deontological* (from the Greek word *deon*, meaning "duty"). These theories hold that something is inherently right or good about such acts as truth telling and promise keeping and inherently wrong or bad about such acts as lying and promise breaking. Classical deontological ethical principles include the Ten Commandments and the Golden Rule. The leading proponent of deontological ethics in recent centuries is Immanuel Kant (1724–1804), who defended a principle of moral duty that he calls the categorical imperative: "Act only on that maxim whereby you can at the same time will that it would become a universal law." Examples for Kant are "Never break your promise" and "Never commit suicide." What all of these deontological theories and principles have in common is the view that we have an inherent duty to perform right actions and avoid bad actions.

Consequences

Another way of ethically assessing situations is to examine the *consequences* of an action: If the consequences are on balance positive, then the action is right; if negative, then wrong. In our example, take the consequences of the attacker's actions. At minimum he physically harms the woman and psychologically traumatizes both her and her neighbors; if he succeeds in killing her, then he emotionally devastates her family and friends, perhaps for life. And what does he gain from this? Just a temporary experience of sadistic pleasure. On balance, his action has overwhelmingly negative consequences and thus is wrong. Examine next the consequences of the responsible neighbor who calls the police and shouts down from the window "Hey you, get out of here!" This scares off the attacker, thus limiting the harm of his assault. What does the neighbor lose by doing this? Just a temporary experience of fear, which the neighbor might have experienced anyway. On balance, then, the neighbor's action has overwhelmingly positive consequences, which makes it the right thing to do.

Ethical theories that focus primarily on consequences in determining moral rightness and wrongness are sometimes called **teleological ethics** (from the Greek *telos*, meaning "goal directed"). The most famous of these theories is *utilitarianism*, set forth by Jeremy Bentham (1748–1832) and John Stuart Mill (1806–1873), which requires us to do what is likeliest to have the best consequences. In Mill's words, "Actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness."

Character Traits

Whereas some ethical theories emphasize the nature of actions in themselves and some emphasize principles involving the consequences of actions, other theories emphasize a person's *character trait*, or virtue. In our example, the attacker has an especially bad character trait—namely, malevolence—which taints his entire outlook on life and predisposes him to act in harmful ways. The attacker is a bad person principally for having this bad character trait of malevolence. The responsible neighbor, on the other hand, has a good character trait, which directs his

outlook on life—namely, benevolence, which is the tendency to treat people with kindness and assist those in need. Accordingly, the neighbor is a good person largely for possessing this good trait.

Moral philosophers call such good character traits **virtues** and bad traits **vices**. Entire theories of morality have been developed from these notions and are called **virtue theories**. The classic proponent of virtue theory was Aristotle (384–322 BCE), who maintained that the development of virtuous character traits is needed to ensure that we habitually act rightly. Although it may be helpful to have action-guiding rules, it is vital to empower our character with the tendency to do good. Many people know that cheating, gossiping, or overindulging in food or alcohol is wrong, but they are incapable of doing what is right. Virtuous people spontaneously do the right thing and may not even consciously follow moral rules when doing so.

Motive

Finally, we can ethically assess situations by examining the motive of the people involved. The attacker intended to brutalize and kill the woman; the neighbor intended to thwart the attacker and thereby help the woman. Virtually all ethical systems recognize the importance of motives. For a full assessment of any action, it is important to take the agent's motive into account. Two acts may appear identical on the surface, but one may be judged morally blameworthy and the other excusable. Consider John's pushing Mary off a ledge, causing her to break her leg. In situation (A), he is angry and intends to harm her, but in situation (B) he sees a knife flying in her direction and intends to save her life. In (A) he clearly did the wrong thing, whereas in (B) he did the right thing. A full moral description of any act will take motive into account as a relevant factor.

CONCLUSION

The study of ethics has enormous practical benefits. It can free us from prejudice and dogmatism. It sets forth comprehensive systems from which to orient our individual judgments. It carves up the moral landscape so that we can sort out the issues to think more clearly and confidently about moral problems. It helps us clarify in our minds just how our principles and values relate to one another, and, most of all, it gives us some guidance in how to live. Let's return to questions posed at the beginning of this chapter, some of which we should now be able to better answer.

What is the nature of morality, and why do we need it? Morality concerns discovering the rules that promote the human good, as elaborated in the five traits of moral principles: prescriptivity, universalizability, overridingness, publicity, and practicability. Without morality, we cannot promote that good.

What is the good, and how will I know it? The good in question is the human good, specified as happiness, reaching one's potential, and so forth.

Whatever we decide on that fulfills human needs and helps us develop our deepest potential is the good that morality promotes.

Is it in my interest to be moral? Yes, in general and in the long run, for morality is exactly the set of rules most likely to help (nearly) all of us, if nearly all of us follow them nearly all of the time. The good is good for you—at least most of the time. Furthermore, if we believe in the superior importance of morality, then we will bring children up so that they will be unhappy when they break the moral code. They will feel guilt. In this sense, the commitment to morality and its internalization nearly guarantee that if you break the moral rules you will suffer.

What is the relationship between morality and religion? Religion relies more on revelation, and morality relies more on reason, on rational reflection. But, religion can provide added incentive for the moral life for those who believe that God sees and will judge all our actions.

What is the relationship between morality and law? Morality and law should be very close, and morality should be the basis of the law, but there can be both unjust laws and immoral acts that cannot be legally enforced. The law is shallower than morality and has a harder time judging human motives and intentions. You can be morally evil, intending to do evil things, but as long as you don't do them, you are legally innocent.

What is the relationship between morality and etiquette? Etiquette consists in the customs of a culture, but they are typically morally neutral in that the culture could flourish with a different code of etiquette. In our culture, we eat with knives and forks, but a culture that eats with chopsticks or fingers is no less moral.

NOTES

1. Martin Gansberg, "38 Who Saw Murder Didn't Call Police," *New York Times*, March 27, 1964.
2. *Ethics in America*, PBS, 1989, produced by Fred Friendly.
3. John Buehrens and Forrester Church, *Our Chosen Faith* (Boston: Beacon Press, 1989), p. 140.
4. Henry Sidgwick, *The Methods of Ethics*, 7th ed. (London: Macmillan, 1907), p. 380.
5. John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), pp. 176, 423.

FOR FURTHER REFLECTION

MindTap Additional questions online

1. Consider the Kitty Genovese story and what you think a responsible neighbor should have done. Are there any situations in which the neighbors might be morally justified in doing nothing?

2. The study of philosophy involves three main divisions: descriptive morality, moral philosophy, and applied ethics. Explain how these three divisions interrelate with a moral issue such as abortion, euthanasia, or capital punishment.
3. Illustrate the difference between a moral principle, a religious principle, a legal rule, a principle of etiquette. Are these sometimes related?
4. Take a moral principle such as "Don't steal" and analyze it according to the five traits of moral principles.
5. French painter Paul Gauguin (1848–1903) gave up his job as a banker and abandoned his wife and children to pursue a career as an artist. He moved to Martinique and later to Tahiti, eventually becoming one of the most famous postimpressionist artists in the world. Did Gauguin do what was morally permissible? Discuss this from the perspective of the four domains of ethical assessment.
6. Siddhartha Gautama (560–480 BCE), appalled by the tremendous and pervasive suffering in the world, abandoned his wife and child to seek enlightenment. He eventually attained enlightenment and became known as the Buddha. Is there a moral difference between Gauguin and the Buddha?

2

Ethical Relativism

In the nineteenth century, Christian missionaries sometimes used coercion to change the customs of pagan tribal people in parts of Africa and the Pacific Islands. Appalled by the customs of public nakedness, polygamy, working on the Sabbath, and infanticide, they went about reforming the "poor pagans." They clothed them, separated wives from their husbands to create monogamous households, made the Sabbath a day of rest, and ended infanticide. In the process, they sometimes created social disruption, causing the women to despair and their children to be orphaned. The natives often did not understand the new religion but accepted it because of the white man's power of guns and medicine.

Since the nineteenth century, we've made progress in understanding cultural diversity and now realize that the social conflict caused by such "do-gooders" was a bad thing. In the last century or so, anthropology has exposed our fondness for **ethnocentrism**, the prejudicial view that interprets all of reality through the eyes of one's own cultural beliefs and values. We have come to see enormous variety in social practices throughout the world. Here are a few examples.

Eskimos allow their elderly to die by starvation, whereas we believe that this is morally wrong. The Spartans of ancient Greece and the Dobu of New Guinea believe that stealing is morally right, but we believe that it is wrong. Many cultures, past and present, have practiced or still practice infanticide.

A tribe in East Africa once threw deformed infants to the hippopotamus, but our society condemns such acts. Sexual practices vary over time and from place to place. Some cultures permit homosexual behavior, whereas others condemn it. Some cultures practice polygamy, whereas Christian cultures view it as immoral. Anthropologist Ruth Benedict describes a tribe in Melanesia that views cooperation and kindness as vices, and anthropologist Colin Turnbull has

documented that a tribe in northern Uganda has no sense of duty toward its children or parents. There are societies that make it a duty for children to kill their aging parents, sometimes by strangling.

The ancient Greek historian Herodotus (485–430 BCE) told the story of how Darius, the king of Persia, once brought together some Callatians (Asian tribal people) and some Greeks. He asked the Callatians how they disposed of their deceased parents. They explained that they ate the bodies. The Greeks, who cremated their parents, were horrified at such barbarous behavior and begged Darius to cease from such irreverent discussion. Herodotus concluded that "Custom is the king over all."[1]

Today, we condemn ethnocentrism as a form of prejudice equivalent to racism and sexism. What is right in one culture may be wrong in another, what is good east of the river may be bad west of the same river, what is virtue in one nation may be seen as a vice in another, so it is fitting for us not to judge others but to be tolerant of diversity.

This rejection of ethnocentrism in the West has contributed to a general shift in public opinion about morality so that for a growing number of Westerners consciousness raising about the validity of other ways of life has led to a gradual erosion of belief in **moral objectivism**, the view that there are universal and objective moral principles valid for all people and social environments. For example, in polls taken in my philosophy classes over the past several years, students affirmed by a two-to-one ratio a version of moral relativism over moral objectivism, with barely 3 percent seeing something in between these two polar opposites. A few students claim to hold the doctrine of **ethical nihilism**; the doctrine that no valid moral principles exist, that morality is a complete fiction. Of course, I am not suggesting that all these students have a clear understanding of what relativism entails, for many of those who say they are ethical relativists also state on the same questionnaire that "abortion, except to save a woman's life, is always wrong," that "capital punishment is always morally wrong," or that "suicide is never morally permissible." The apparent contradictions signal some confusion on the matter.

In this chapter, we examine the central notions of **ethical relativism** and look at the implications that seem to follow from it. There are two main forms of ethical relativism as defined here:

Subjective ethical relativism (subjectivism): All moral principles are justified by virtue of their acceptance by an individual agent him- or herself.

Conventional ethical relativism (conventionalism): All moral principles are justified by virtue of their cultural acceptance.

Both versions hold that there are no objective moral principles but that such principles are human inventions. Where they differ, though, is with the issue of whether they are inventions of individual agents themselves or of larger social groups. We begin with the first of these, which is the more radical of the two positions.

SUBJECTIVE ETHICAL RELATIVISM

Some people think that morality depends directly on the individual—not on one's culture and certainly not on an objective value. As my students sometimes maintain, "Morality is in the eye of the beholder." They treat morality like taste or aesthetic judgments, which are person relative. Ernest Hemingway wrote,

> So far, about morals, I know only that what is moral is what you feel good after and what is immoral is what you feel bad after and judged by these moral standards, which I do not defend, the bullfight is very moral to me because I feel very fine while it is going on and have a feeling of life and death and mortality and immortality, and after it is over I feel very sad but very fine.[2]

This extreme form of moral subjectivism has the consequence that it weakens morality's practical applications: On its premises, little or no interpersonal criticism or judgment is possible. Hemingway may feel good about killing bulls in a bullfight, whereas Saint Francis or Mother Teresa would no doubt feel the opposite. No argument about the matter is possible. Suppose you are repulsed by observing a man torturing a child. You cannot condemn him if one of his principles is "Torture little children for the fun of it." The only basis for judging him wrong might be that he was a *hypocrite* who condemned others for torturing. However, one of his or Hemingway's principles could be that hypocrisy is morally permissible (he "feels very fine" about it), so it would be impossible for him to do wrong. For Hemingway, hypocrisy and nonhypocrisy are both morally permissible (except, perhaps, when he doesn't feel very fine about it).

On the basis of subjectivism, Adolf Hitler and the serial murderer Ted Bundy could be considered as moral as Gandhi, as long as each lived by his own standards whatever those might be. Witness the following paraphrase of a tape-recorded conversation between Ted Bundy and one of his victims, in which Bundy justifies his murder:

> Then I learned that all moral judgments are "value judgments," that all value judgments are subjective, and that none can be proved to be either "right" or "wrong." I even read somewhere that the Chief Justice of the United States had written that the American Constitution expressed nothing more than collective value judgments. Believe it or not, I figured out for myself—what apparently the Chief Justice couldn't figure out for himself—that if the rationality of one value

> judgment was zero, multiplying it by millions would not make it one whit more rational. Nor is there any "reason" to obey the law for anyone, like myself, who has the boldness and daring—the strength of character—to throw off its shackles…. I discovered that to become truly free, truly unfettered, I had to become truly uninhibited. And I quickly discovered that the greatest obstacle to my freedom, the greatest block and limitation to it, consists in the insupportable "value judgment" that I was bound to respect the rights of others. I asked myself, who were these "others"? Other human beings, with human rights? Why is it more wrong to kill a human animal than any other animal, a pig or a sheep or a steer? Is your life more to you than a hog's life to a hog? Why should I be willing to sacrifice my pleasure more for the one than for the other? Surely, you would not, in this age of scientific enlightenment, declare that God or nature has marked some pleasures as "moral" or "good" and others as "immoral" or "bad"? In any case, let me assure you, my dear young lady, that there is absolutely no comparison between the pleasure I might take in eating ham and the pleasure I anticipate in raping and murdering you. That is the honest conclusion to which my education has led me—after the most conscientious examination of my spontaneous and uninhibited self.[3]

Notions of good and bad or right and wrong cease to have evaluative meaning beyond the individual. We might be revulsed by Bundy's views, but that is just a matter of taste.

In the opening days of my philosophy classes, I often find students vehemently defending subjective relativism: "Who are you to judge?" they ask. I then give them their first test. In the next class period, I return all the tests, marked "F," even though my comments show that most of them are of a very high caliber. When the students express outrage at this (some have never before seen that letter on their papers and inquire about its meaning), I answer that I have accepted subjectivism for marking the exams. "But that's unjust!" they typically insist—and then they realize that they are no longer being merely subjectivist about ethics.

Absurd consequences follow from subjectivism. If it is correct, then morality reduces to something like aesthetic tastes about which there can be neither argument nor interpersonal judgment. A contradiction seems to exist between subjectivism and the very concept of morality, which it is supposed to characterize, for morality has to do with *proper* resolution of interpersonal conflict and the improvement of the human predicament. Whatever else it does, morality has a minimal aim of preventing a Hobbesian **state of nature** in which life is "solitary, poor, nasty, brutish, and short." But if so, then subjectivism is no help at all, for it rests neither on social agreement of principle (as the conventionalist maintains) nor on an objectively independent set of norms that binds all people for the common good. If there were only one person on earth, then there would be no occasion for morality because there would not be any interpersonal conflicts to resolve or others whose suffering that he or she would have a duty to

improve. Subjectivism implicitly assumes **moral solipsism**, a view that isolated individuals make up separate universes.

Subjectivism treats individuals as billiard balls on a societal pool table where they meet only in radical collisions, each aimed at his or her own goal and striving to do the others in before they do him or her in. This view of personality is contradicted by the facts that we develop in families and mutually dependent communities—in which we share a common language, common institutions, and similar rituals and habits—and that we often feel one another's joys and sorrows. As John Donne wrote, "No man is an island, entire of itself; every man is a piece of the continent."

Subjective ethical relativism, then, is incoherent, and it thus seems that the only plausible view of ethical relativism must be one that grounds morality in the group or culture. Thus, we turn now to conventional ethical relativism.

CONVENTIONAL ETHICAL RELATIVISM

Again, conventional ethical relativism, also called conventionalism, is the view that all moral principles are justified by virtue of their cultural acceptance. There are no universally valid moral principles, but rather all such principles are valid relative to culture or individual choice. This view recognizes the social nature of morality, which is the theory's key asset. It does not seem subject to the same absurd consequences that plague subjectivism. Recognizing the importance of our social environment in generating customs and beliefs, many people suppose that ethical relativism is the correct theory. Furthermore, they are drawn to it for its liberal philosophical stance. It seems to be an enlightened response to the arrogance of ethnocentricity, and it seems to imply an attitude of tolerance toward other cultures.

The Diversity and Dependency Theses

John Ladd gives a typical characterization of the theory:

> Ethical relativism is the doctrine that the moral rightness and wrongness of actions varies from society to society and that there are no absolute universal moral standards binding on all men at all times. Accordingly, it holds that whether or not it is right for an individual to act in a certain way depends on or is relative to the society to which he belongs.[4]

If we analyze this passage, we find two distinct theses that are central to conventional ethical relativism:

Diversity thesis. What is considered morally right and wrong varies from society to society, so there are no universal moral standards held by all societies.

Dependency thesis. All moral principles derive their validity from cultural acceptance.

The diversity thesis is simply an anthropological thesis acknowledging that moral rules differ from society to society; it is sometimes referred to as *cultural relativism*. As we illustrated earlier in this chapter, there is enormous variety in what may count as a moral principle in a given society. The human condition is flexible in the extreme, allowing any number of folkways or moral codes. As Ruth Benedict has written,

> The cultural pattern of any civilization makes use of a certain segment of the great arc of potential human purposes and motivations, just as we have seen ... that any culture makes use of certain selected material techniques or cultural traits. The great arc along which all the possible human behaviors are distributed is far too immense and too full of contradictions for any one culture to utilize even any considerable portion of it. Selection is the first requirement.[5]

It may or may not be the case that there is no single moral principle held in common by every society, but if there are any, they seem to be few, at best. Certainly, it would be very hard to derive one single "true" morality on the basis of observation of various societies' moral standards.

The second element of conventional ethical relativism—the *dependency thesis*—asserts that individual acts are right or wrong depending on the nature of the society in which they occur. Morality does not exist in a vacuum; rather, what is considered morally right or wrong must be seen in a context that depends on the goals, wants, beliefs, history, and environment of the society in question. As William Graham Sumner says,

> We learn the [morals] as unconsciously as we learn to walk and hear and breathe, and [we] never know any reason why the [morals] are what they are. The justification of them is that when we wake to consciousness of life we find them facts which already hold us in the bonds of tradition, custom, and habit.[6]

Trying to see things from an independent, noncultural point of view would be like taking out our eyes to examine their contours and qualities. We are simply culturally determined beings.

In a sense, we all live in radically different worlds. Each person has a different set of beliefs and experiences, a particular perspective that colors all of his or her perceptions. Do the farmer, the real estate dealer, and the artist looking at the same spatiotemporal field actually see the same thing? Not likely. Their different orientations, values, and expectations govern their perceptions, so different aspects of the field are highlighted and some features are missed. Even as our individual values arise from personal experience, so social values are grounded in the particular history of the community. Morality, then, is just the set of common rules, habits, and customs that have won social approval over time so that they seem part of the nature of things, like facts. There is nothing mysterious about these codes of behavior. They are the outcomes of our social history.

There is something conventional about any morality, so every morality really depends on a level of social acceptance. Not only do various societies adhere to

different moral systems, but the very same society could (and often does) change its moral views over time and place. For example, in the southern United States, slavery is now viewed as immoral, whereas just over one hundred fifty years ago, it was not. We have greatly altered our views on abortion, divorce, and sexuality as well.

Conventional Ethical Relativism and Tolerance

Defenders of conventional ethical relativism often advertise another benefit of their theory: It supports the value of tolerance. As the anthropologist Ruth Benedict says, in recognizing ethical relativity, "We shall arrive at a more realistic social faith, accepting as grounds of hope and as new bases for tolerance the coexisting and equally valid patterns of life which mankind has created for itself from the raw materials of existence."[7]

Consider this example. In parts of northern Africa, many girls undergo female circumcision, cutting out their external genitalia. It has been estimated that 80 million living women have had this surgery and that 4–5 million girls suffer it each year. The mutilating surgery often leads to sickness or death and encumbers their sexual experience. Some African women accept such mutilation as a just sacrifice for marital stability, but many women and ethicists have condemned it as a cruel practice that causes women unjustified pain and mutilation and robs them of pleasure and autonomy. Some anthropologists such as Nancy Scheper-Hughes accept relativism and argue that we Westerners have no basis for condemning genital mutilation.[8] Scheper-Hughes advocates tolerance for other cultural values. She writes, "I don't like the idea of clitoridectomy any better than any other woman I know. But I like even less the western 'voices of reason' [imposing their judgments]." She argues that judging other cultures irrationally supposes that we know better than the people of that culture do what is right or wrong.

The most famous proponent of this position is anthropologist Melville Herskovits,[9] who argues even more explicitly than Benedict and Scheper-Hughes that ethical relativism entails intercultural tolerance:

(1) If morality is relative to its culture, then there is no independent basis for criticizing the morality of any other culture but one's own.
(2) If there is no independent way of criticizing any other culture, then we ought to be *tolerant* of the moralities of other cultures.
(3) Morality is relative to its culture.
(4) Therefore, we ought to be *tolerant* of the moralities of other cultures.

Tolerance is certainly a virtue, but is this a good argument for it? No. If morality simply is relative to each culture and if the culture in question has no principle of tolerance, its members have no obligation to be tolerant. Herskovits and Scheper-Hughes, as well, seem to be treating the *principle of tolerance* as the one exception. They are treating it as an absolute moral principle.

But, from a relativistic point of view, there is no more reason to be tolerant than to be intolerant, and neither stance is objectively morally better than the other. If Westerners condemn clitoridectomies on the basis of their cultural values, they are no more to be condemned than those people are who, because of their cultural

values, perform clitoridectomies. One cannot consistently assert that all morality is relative and then treat the principle of tolerance as an absolute principle.

CRITICISMS OF CONVENTIONAL ETHICAL RELATIVISM

So far we've examined the main ingredients of conventional ethical relativism and considered its strengths. We now turn to the problems with this view.

Conventional Ethical Relativism Undermines Important Values

One serious problem with conventional ethical relativism is that it undermines the basis of important values. If conventional ethical relativism is true, then we cannot legitimately criticize anyone who adopts what we might regard as an atrocious principle. If, as seems to be the case, valid criticism supposes an objective or impartial standard, then relativists cannot morally criticize anyone outside their own culture. Hitler's genocidal actions, as long as they are culturally accepted, are as morally legitimate as Mother Teresa's works of mercy. If conventional relativism is accepted, then racism, genocide of unpopular minorities, oppression of the poor, slavery, and even the advocacy of war for its own sake are as moral as their opposites. And if a subculture decided that starting a nuclear war was somehow morally acceptable, we could not morally criticize these people. Any actual morality, whatever its content, is as valid as every other and more valid than ideal moralities—since no culture adheres to the latter.

Another important value that we commonly hold is that regarding moral reformers: people of conscience like Mohandas Gandhi and Martin Luther King who go against the tide of cultural standards. However, according to conventional ethical relativism, by going against dominant cultural standards, their actions are technically wrong. For example, in the eighteenth century, William Wilberforce would have been wrong to oppose slavery. In the nineteenth century, the British would have been wrong for banning the practice of widows committing suicide by jumping into the funeral pyre of their deceased husbands.

Yet, we normally feel just the opposite, that the reformer is a courageous innovator who is right, has the truth, and stands against the mindless majority. Sometimes the individual must stand alone with the truth, risking social censure and persecution. In Henrik Ibsen's novel *An Enemy of the People*, a physician protests against the unsanitary conditions of the town's profitable bathhouse. When he fails to rally public support, he denounces the power that the majority has over the town's values:

> The most dangerous enemy of the truth and freedom among us—is the compact majority. Yes, the damned, compact and liberal majority. The majority has *might*—unfortunately—but *right* it is not. Right—are I and a few others.

We all can appreciate the physician's conviction that might does not make right. Yet, that is precisely the message of relativism: Truth is with the crowd and error with the moral reformer.

A third important value that conventional ethical relativism undermines is the close connection between morality and the law. This might occur in two ways, first with civil disobedience. Our normal view is that we have a duty to obey the law because law, in general, promotes the human good. Civil disobedience involves breaking laws that seem to seriously conflict with morality, such as when activists protested against segregation laws in the 1950s by intentionally violating those laws. However, if ethical relativism is true, then civil disobedience cannot be justified and the activist is in a situation that is similar to that of the moral reformer. That is, from the side of the society at large, civil disobedience will be morally wrong as long as the majority culture agrees with the law in question, such as segregation laws. A second problem occurs with what we can call misguided civil disobedience. Suppose that you belong to racist subculture such as the Ku Klux Klan (KKK) that does not recognize the legitimacy of laws regarding the equal treatment of races. Why should you obey a law that your group does not recognize as valid? In this case, then, your civil disobedience against those laws will be morally justified.

Thus, unless we have an independent moral basis for law, it is hard to establish a moral foundation to laws. Unless we recognize the priority of a universal moral law, we have no firm basis for either justifying our acts of civil disobedience against "unjust laws," or grounding our duty to follow just laws.

Conventional Ethical Relativism Leads to Subjectivism

An even more basic problem with conventional ethical relativism is that the notion of a *culture* or *society* is notoriously difficult to define. This is especially so in a pluralistic society like our own where one person can belong to several societies or subcultures that hold different conflicting values. There are values that we have as U.S. citizens, other values that we have to our religious institutions, and still others to our social or political organizations. Relativism would seem to tell us that if a person belongs to societies with conflicting moralities, then that person must be judged both wrong and not wrong whatever he or she does. For example, if Mary is a U.S. citizen and a member of the Roman Catholic Church, then she is wrong (as a Catholic) if she has an abortion, but not wrong (as a citizen of the United States) if she acts against the church's teaching on abortion. If John is a college student and member of a racist organization, then he must accept the principle of equal rights (as a U.S. citizen), yet at the same time reject the principle of equal rights (as a member of a racist organization). What is the morally right thing for Mary or John to do? The question no longer makes much sense in this moral confusion. It has lost its action-guiding function.

Perhaps the relativist would adhere to a principle that says in such cases the individual may choose which group to belong to as his or her primary group. If Mary has an abortion, she is choosing to belong to the general society relative to that principle. John must likewise choose among groups. The trouble with this option is that it seems to lead to counterintuitive results. If Mike belongs to the

company "Murder Incorporated" and wants to feel good about killing a random person, he can identify with the "Murder Incorporated" society rather than the general public morality. This, of course, in no way morally justifies the killing. Another problem is with determining how large a group must be in order to be a legitimate subculture or society. Perhaps 1,000 people, or maybe just 10? Perhaps my burglary partner and I found our own society with a morality of its own. If my partner then dies, I could still claim that I was acting from an originally social set of norms. At this point, though, I can just dispense with the interpersonal agreements altogether and invent my own morality because morality, in this view, is only an invention anyway. Conventionalist relativism seems to reduce to subjectivism. And subjectivism leads, as we have seen, to moral solipsism, to the demise of morality altogether.

The relativist may here object that this is an instance of the slippery slope fallacy—that is, the fallacy of objecting to a proposition on the erroneous grounds that, if accepted, it will lead to a chain of events that are absurd or unacceptable. In response to this objection, though, the burden rests with the relativist to give an alternative analysis of what constitutes a viable social basis for generating valid (or true) moral principles. Perhaps we might agree that the very nature of morality entails two people who are making an agreement. This move saves the conventionalist from moral solipsism, but it still permits almost any principle at all to count as moral. What is more, one can throw out those principles and substitute their contraries for them as the need arises. If two or three students decide to make cheating on exams morally acceptable for themselves at a university, such as by forming a student organization called Cheaters Anonymous, then cheating becomes moral.

However, we cannot stop the move from conventionalism to subjectivism. The essential force of the validity of the selected moral principle is that it depends on *choice*. The conventionalist holds that it is the group's choice, but why should I accept the group's choice when my own is better for me? If this is all that morality comes to, then why not reject it altogether—even though, to escape punishment, one might want to adhere to its directives when others are looking? Why should anyone give such grand authority to a culture of society? There is no reason to recognize a culture's authority unless that culture recognizes the authority of something that *legitimizes* the culture. It seems that we need something higher than culture by which to assess a culture.

Moral Diversity Is Exaggerated

A third problem with conventional ethical relativism is that the level of moral diversity that we actually see around the world is not as extreme as relativists like Sumner and Benedict claim. One can also see great similarities among the moral codes of various cultures. Sociobiologist E. O. Wilson has identified over a score of common features:

> Every culture has a concept of murder, distinguishing this from execution, killing in war, and other "justifiable homicides." The notions of

> incest and other regulations upon sexual behavior, the prohibitions upon untruth under defined circumstances, of restitution and reciprocity, of mutual obligations between parents and children—these and many other moral concepts are altogether universal.[10]

Anthropologist Colin Turnbull describes a sadistic tribe in northern Uganda, called the Ik, which is semi-displaced and disintegrating. This supports the view that a people without principles of kindness, loyalty, and cooperation will degenerate into a Hobbesian state of nature.[11] But Turnbull also shows that, underneath the surface of this dying society, there is a deeper moral code from a time when the tribe flourished, which occasionally surfaces and shows its nobler face.

From another perspective, the whole issue of moral diversity among cultures is irrelevant to the truth or falsehood of conventional ethical relativism. There is indeed enormous cultural diversity, and many societies have radically different moral codes. Cultural diversity seems to be a fact, but, even if it is, it does not by itself establish the truth of ethical relativism. Cultural diversity in itself is neutral with respect to theories. The objectivist could concede complete cultural relativism but still defend a form of universalism; for he or she could argue that some cultures simply lack correct moral principles.[12]

By the same reasoning, a denial of complete cultural relativism (that is, an admission of some universal principles) does not disprove ethical relativism. For even if we did find one or more universal principles, this would not prove that they had any objective status. We could still *imagine* a culture that was an exception to the rule and be unable to criticize it. Thus, the diversity thesis doesn't by itself imply ethical relativism, and its denial doesn't disprove ethical relativism.

Weak Dependency Does Not Imply Relativism

A final problem with conventional ethical relativism concerns the dependency thesis that all moral principles derive their validity from cultural acceptance. On close inspection, this principle is rather unclear and can be restated in two distinct ways, a weak and a strong version:

> *Weak dependency*. The application of moral principles depends on one's culture.
>
> *Strong dependency*. The moral principles themselves depend on one's culture.

The weak thesis says that the application of principles depends on the particular cultural predicament, whereas the strong thesis affirms that the principles themselves depend on that predicament. The nonrelativist can accept a certain relativity in the way that moral principles are *applied* in various cultures, depending on beliefs, history, and environment. Indeed, morality does not occur in a vacuum but is linked with these cultural factors. For example, a harsh environment with scarce natural resources may justify the Eskimos' brand of euthanasia to the objectivist, who would consistently reject that practice if it occurred in another environment. One Sudanese tribe throws its deformed infants into the river because the tribe believes that such infants *belong* to the hippopotamus, the god of the river.

We believe that these groups' belief in euthanasia and infanticide is false, but the point is that the same principles of respect for property and respect for human life operate in such contrary practices. The tribe differs with us only in belief, not in substantive moral principle. This is an illustration of how nonmoral beliefs (for example, deformed infants belong to the hippopotamus), when applied to common moral principles (for example, give to each his or her due), generate different actions in different cultures. In our own culture, the difference in the nonmoral belief about the status of a fetus generates opposite moral stands. The major difference between pro-choice and pro-life advocates is not whether we should kill persons but whether fetuses are really persons. It is a debate about the facts of the matter, not the principle of killing innocent persons.

Thus, the fact that moral principles are weakly dependent doesn't show that ethical relativism is valid. Despite this weak dependency on nonmoral factors, there could still be a set of general moral norms applicable to all cultures and even recognized in most, which a culture could disregard only at its own expense.

Accordingly, the ethical relativist must maintain the stronger thesis, which insists that the very validity of the principles is a product of the culture and that different cultures will invent different valid principles. This, though, is a more difficult position to establish because it requires ruling out all rival sources of substantive moral principles such as human reason, human evolution, innate notions of human happiness, and God. In fact, a detailed examination of these rival explanations will take us on through to the end of this book. In short, while it is reasonable to accept the weak dependency thesis—the application of moral principles depends on one's culture—the relativist needs the stronger thesis that is a challenge to prove.

The Indeterminacy of Language

Relativists still have at least one more arrow in their quiver—the argument from the **indeterminacy of translation**. This theory, set forth by Willard V. Quine (1908–2000),[13] holds that languages are often so fundamentally different from each other that we cannot accurately translate concepts from one to another. Language groups mean different things by words. Quine holds that it may be impossible to know whether a native speaker who points toward a rabbit and says "gavagai" is using the word to signify "rabbit," or "rabbit part," or something else. This thesis holds that language is the essence of a culture and fundamentally shapes its reality, cutting the culture off from other languages and cultures. This, then, seems to imply that each society's moral principles depend on its unique linguistically grounded culture.

But experience seems to falsify this thesis. Although each culture does have a particular language with different meanings—indeed, each person has his or her own particular set of meanings—we do learn foreign languages and learn to translate across linguistic frameworks. For example, people from a myriad of language groups come to the United States, learn English, and communicate perfectly well. Rather than causing a complete gap, the interplay between these

other cultures and ours eventually enriches the English language with new concepts (for example, *forte*, *foible*, *taboo*, and *coup de grace*), even as English has enriched (or "corrupted," as the French might argue) other languages. Even if some indeterminacy of translation exists between language users, we should not infer from this that no translation or communication is possible. It seems reasonable to believe that general moral principles are precisely those things that can be communicated transculturally. The kind of common features that Kluckhohn and Wilson advance—duties of restitution and reciprocity, regulations on sexual behavior, obligations of parents to children, a no-unnecessary-harm principle, and a sense that the good people should flourish and the guilty people should suffer—these and other features constitute a common human experience, a common set of values within a common human predicament of struggling to survive and flourish in a world of scarce resources.[14] Thus, it is possible to communicate cross-culturally and find that we agree on many of the important things in life. If this is so, then the indeterminacy-of-translation thesis, which relativism rests on, must itself be relativized to the point at which it is no objection to objective morality.

What the relativist needs is a strong thesis of dependency, that somehow all principles are essentially cultural inventions. But, why should we choose to view morality this way? Is there anything to recommend the strong thesis of dependency over the weak thesis of dependency? The relativist may argue that in fact we lack an obvious impartial standard to judge from. "Who's to say which culture is right and which is wrong?" But this seems dubious. We can reason and perform thought experiments to make a case for one system over another. We may not be able to *know* with certainty that our moral beliefs are closer to the truth than those of another culture or those of others within our own culture, but we may be *justified* in believing this about our moral beliefs. If we can be closer to the truth about factual or scientific matters, maybe we can be closer to the truth on moral matters. Maybe a culture simply can be confused or wrong about its moral perceptions. Maybe we can say that a culture like the Ik, which enjoys watching its own children fall into fires, is less moral in that regard than a culture that cherishes children and grants them protection and equal rights. To take such a stand is not ethnocentrism, for we are seeking to derive principles through critical reason, not simply uncritical acceptance of one's own mores.

CONCLUSION

Ethical relativism—the thesis that moral principles derive their validity from dependence on society or individual choice—seems plausible at first glance, but on close scrutiny it presents some major problems. Subjective ethical relativism seems to boil down to anarchistic individualism, an essential denial of the interpersonal feature of the moral point of view. Conventional ethical relativism, which does contain an interpersonal perspective, fails to deal adequately with

the problem of the reformer, the question of defining a culture, and the whole enterprise of moral criticism. Nevertheless, unless moral objectivism—the subject of the next chapter—can make a positive case for its position, relativism may survive these criticisms.

NOTES

1. *History of Herodotus*, trans. George Rawlinson (New York: Appleton, 1859), Bk. 3, Ch. 38.
2. Ernest Hemingway, *Death in the Afternoon* (New York: Scribner's, 1932), p. 4.
3. Quoted in Harry V. Jaffa, *Homosexuality and the Natural Law* (Claremont, CA: Claremont Institute of the Study of Statesmanship and Political Philosophy, 1990), pp. 3–4.
4. John Ladd, *Ethical Relativism* (Belmont, CA: Wadsworth, 1973), p. 1.
5. Ruth Benedict, *Patterns of Culture* (New York: New American Library, 1934), p. 257.
6. W. G. Sumner, *Folkways* (Boston: Ginn & Co., 1905), Sec. 80, p. 76.
7. Benedict, *Patterns of Culture*.
8. Nancy Scheper-Hughes, "Virgin Territory: The Male Discovery of the Clitoris," *Medical Anthropology Quarterly* 5, no. 1 (March 1991): pp. 25–28.
9. Melville Herskovits, *Cultural Relativism* (New York: Random House, 1972).
10. E. O. Wilson, *On Human Nature* (New York: Bantam Books, 1979), pp. 22–23.
11. Colin Turnbull, *The Mountain People* (New York: Simon & Schuster, 1972).
12. Clyde Kluckhohn, "Ethical Relativity: Sic et Non," *Journal of Philosophy* 52 (1955): pp. 663–677.
13. See W. V. Quine, *Word and Object* (MIT Press, 1960) and *Ontological Relativity* (New York: Columbia University Press, 1969); Benjamin Whorf, *Language, Thought and Reality* (Cambridge, MA: MIT Press, 1956).
14. Kluckhohn, "Ethical Relativity"; Wilson, *On Human Nature*.

FOR FURTHER REFLECTION

MindTap Additional questions online

1. Examine the position paper of the American Anthropological Association, quoted at the opening of this chapter, which rhetorically concludes that there are no universal human rights. How sound is this argument implying that all morality, as well as human rights, is relative to culture? What does this mean regarding women's rights? Discuss the implications of this argument.

2. Go over John Ladd's definition of ethical relativism, quoted at the beginning of this chapter and discussed within it. Is it a good definition? Can you find a better definition of ethical relativism? Ask your friends what they think ethical relativism is and whether they accept it. You might put the question this way: "Are there any moral absolutes, or is morality completely relative?" Discuss your findings.
3. Examine the notion of subjective ethical relativism. It bases morality on *radical individualism*, the theory that each person is the inventor of morality: "Morality is in the eye of the beholder." Consider this assumption of individualism. Could there be a morality for only one person? Imagine that only one person existed in the world (leave God out of the account). Suppose you were that person. Would you have any moral duties? Certainly there would be *prudential* duties—some ways of living would help you attain your goals—but would there be moral duties?
4. Now imagine a second person has come into your world—a fully developed, mature person with wants, needs, hopes, and fears. How does this change the nature of the situation of the solitary individual?
5. Can you separate the anthropological claim that different cultures have different moral principles (the diversity thesis—called cultural relativism) from the judgment that *therefore* they are all equally good (ethical relativism)?

   Are there independent criteria by which we can say that some cultures are "better" than others?
6. Ruth Benedict has written that our culture is "but one entry in a long series of possible adjustments" and that "the very eyes with which we see the problem are conditioned by the long traditional habits of our own society." What are the implications of these statements? Is she correct? How would an objectivist respond to these claims?
7. Consider the practice of clitoridectomies in parts of Africa, discussed in this chapter. How would an ethical relativist defend such a practice? How would a nonrelativist argue against the practice?

3

Moral Objectivism

Here is the story of Seba, a girl from Mali:

> I was raised by my grandmother in Mali, and when I was still a little girl a woman my family knew came and asked her if she could take me to Paris to care for her children. She told my grandmother that she would put me in school, and that I would learn French. But when I came to Paris I was not sent to school. I had to work every day. In her house I did all the work; I cleaned the house, cooked the meals, cared for the children, and washed and fed the baby. Every day I started work before 7 a.m. and finished about 11 p.m.; I never had a day off. My mistress did nothing; she slept late and then watched television or went out.
>
> … She would often beat me. She would slap me all the time. She beat me with a broom, with kitchen tools, or whipped me with electric cable. Sometimes I would bleed; I still have marks on my body.
>
> Once in 1992, I was late going to get the children from school; my mistress and her husband were furious with me and beat me and then threw me out on the street. I didn't understand anything, and I wandered on the street. After some time her husband found me and took me back to the house. There they stripped me naked, tied my hands behind my back, and began to whip me with a wire attached to a broomstick. Both of them were beating me at the same time. I was bleeding a lot and screaming, but they continued to beat me. Then she rubbed chili pepper into my wounds and stuck it in my vagina. I lost consciousness.[1]

Surely, this case of modern slavery is an instance of injustice. Seba was treated with malicious cruelty. What happened to Seba should not happen to a dog, let alone a little girl. It is morally wrong, even if the people who enslaved Seba

believed what they were doing was morally permissible. You can be sincere but mistaken. The people who enslaved Seba violated at least three basic moral principles: (1) respect the freedom of rational beings; (2) don't cause unnecessary suffering; and (3) always treat people as ends in themselves, never merely as means (that is, don't exploit people). We will examine such principles throughout the rest of this book.

One way of testing our behavior is by applying the Golden Rule: "Do unto others as you would have them do unto you." This is a procedure, for generally in everyday life we can decide what is right or wrong by putting ourselves in the shoes of people with whom we are interacting. I would not want you to steal my property, so I should not steal yours. As we will see in Chapter 8, this rule is not always correct, but it is a good rule of thumb. It's the beginning but not the last word in moral philosophy.

In Chapter 2, we examined moral relativism, the thesis that moral principles gain their validity only through approval by the culture or the individual, and concluded that it had major problems. However, showing that relativism is loaded with liabilities is one thing; showing that moral principles have objective validity, independent of cultural acceptance, is quite another. A rival theory to moral relativism attempts to do just that—namely, the position of **moral objectivism**: There are objective universal moral principles, valid for all people and all social environments. In this chapter, we examine several versions of this theory and ultimately accept a view that may be called **moderate objectivism**.

First, it is important to distinguish between moral objectivism and the closely related view of **moral absolutism**. The absolutist believes that there are moral principles that one ought never violate. Moral principles are exceptionless and nonoverrideable. For example, some absolutists hold that one ought never break a promise, no matter what. The objectivist shares with the absolutist the notion that moral principles have universal, objective validity. However, objectivists deny that moral norms are necessarily exceptionless. The objectivist could believe that no moral duty has absolute weight or strict priority; each moral principle must be weighed against other moral principles. For example, the duty to tell the truth might be overridden in a situation where speaking the truth would lead to serious harm. In this case, the duty to avoid harm would override the duty to tell the truth. Some versions of objectivism indeed do adopt the absolutist stance that moral principles are exceptionless and nonoverrideable. Other objectivist theories, though, reject absolutism and maintain instead that, in special situations, one moral duty might be overridden by a different and more compelling duty.

We begin our discussion with the views of one influential moral objectivist, Thomas Aquinas (1225–1274).

AQUINAS'S OBJECTIVISM AND ABSOLUTISM

Aquinas's moral philosophy has two components. First, he followed an objectivist approach called natural law theory. Second, he was a moral absolutist, and he developed this theme in a theory known as the doctrine of double effect. Let's look at each of these.

Natural Law Theory

Natural law theory is the view that there exists an eternal moral law that can be discovered through reason by looking at the nature of humanity and society. The idea of natural law first appears among the Stoics (first century BCE), who believed that human beings have within them a divine spark (from the Greek *logos spermatikos*, meaning "the rational seed or sperm") that enables them to discover the essential eternal laws necessary for individual happiness and social harmony. The whole universe is governed by laws that exhibit rationality. Nature in general and animals in particular obey these laws by necessity, but humans have a choice. Humans obey these laws because they can perceive the laws' inner reasonableness. This notion enabled the Stoics to be *cosmopolitans* ("people of the cosmos") who imposed a universal standard of righteousness (*jus naturale*) on all societies, evaluating various human-made or "positive laws" (from the *Latin jus gentium*, meaning "laws of the nations") by this higher bar of reason.

Aquinas combined the sense of cosmic natural law with Aristotle's view that human beings, like every other natural object, have a specific nature, purpose, and function. A knife's function is to cut sharply, a chair's function is to support the body in a certain position, and a house's function is to provide shelter from the elements. Humanity's essence or proper function is to live the life of reason. As Aristotle put it,

> It would seem too that reason is the true self of everyone, since a man's true self is his supreme or better part. It would be absurd, then, that a man should not choose the life which is properly his own, but the life which properly belongs to some other being. [2]

Humanity's function is to exhibit rationality in all its forms: contemplation, deliberation, and action. For Aquinas, reason's deliberative processes discover the natural laws. They are universal rules, or "ordinances of reason for the common good, spread by him who has the care of the community":

> To the natural law belong those things to which a man is inclined naturally; and among these it is proper to man to be inclined to act according to reason …. Hence this is the first precept of law, that good is to be done and promoted, and evil is to be avoided. All other precepts of the natural law are based upon this; so that all the things which the practical reason naturally apprehends as man's good belong to the precepts of the natural law under the form of things to be done or avoided.

> Since, however, good has the nature of an end, and evil, the nature of the contrary, hence it is that all those things to which man has a natural inclination are naturally apprehended by reason as good, and consequently as objects of pursuit, and their contraries as evil, and objects of avoidance. Therefore, the order of the precepts of the natural law is according to the order of natural inclinations.[3]

Aquinas and other Christians who espoused natural law appealed to the "Epistle to the Romans" in the New Testament, where Paul wrote,

> When the Gentiles, who have not the [Jewish-revealed] law, do by nature what the law requires, they are a law to themselves, even though they do not have the law. They show that what the law requires is written on their hearts, while their conscience also bears witness and their conflicting thoughts accuse or perhaps excuse them. (Romans 2:14–15)

The key ideas of the natural law tradition are the following:

1. Human beings have an essential rational nature established by God, who designed us to live and flourish in prescribed ways (from Aristotle and the Stoics).
2. Even without knowledge of God, reason, as the essence of our nature, can discover the laws necessary for human flourishing (from Aristotle; developed by Aquinas).
3. The natural laws are universal and unchangeable, and one should use them to judge individual societies and their positive laws. Positive (or actual) laws of societies that are not in line with the natural law are not truly laws but counterfeits (from the Stoics).

Moral laws have objective validity. Reason can sort out which inclinations are part of our true nature and how we are to relate them to one another. Aquinas listed the desires for life and procreation as fundamental values without which other values could not even get established. Knowledge and friendship (or sociability) are two other intrinsic values. These values are not good because we desire them; rather, we desire them because they are good—they are absolutely necessary for human flourishing.

The Doctrine of Double Effect

Aquinas's position is not only objectivist but also absolutist. For Aquinas, humanity has an essentially rational nature, and reason can discover the right action in every situation by following an appropriate *exceptionless* principle. But, sometimes we encounter moral dilemmas in which we cannot do good without also bringing about evil consequences. To this end, Aquinas devised the *doctrine of double effect* (DDE), which provides a tidy method for solving all moral disputes in which an act will have two effects, one good and the other bad. The doctrine says, roughly, that it is always wrong to do a bad act intentionally to bring about good consequences, but that it is sometimes permissible to do a good act despite

knowing that it will bring about bad consequences. This doctrine consists in four conditions that must be satisfied before an act is morally permissible:

1. *The nature-of-the-act condition*. The action must be either morally good or indifferent. Lying or intentionally killing an innocent person is never permissible.
2. *The means–end condition*. The bad effect must not be the means by which one achieves the good effect.
3. *The right-intention condition*. The intention must be the achieving of only the good effect, with the bad effect being only an unintended side effect. If the bad effect is a means of obtaining the good effect, then the act is immoral. The bad effect may be foreseen but must not be intended.
4. *The proportionality condition*. The good effect must be at least equivalent in importance to the bad effect.

Let's illustrate this doctrine by applying it to a woman whose life is endangered by her pregnancy. Is it morally permissible for her to have an abortion to save her life? The DDE says that an abortion is not permissible.

Because abortion kills an innocent human being and intentionally killing innocent human beings is always wrong, it is always wrong to have an abortion—even to save the woman's life. Abortion also fails condition 2 (the means–end condition). Killing the innocent to bring about a good effect is never justified, not even to save a whole city or the world. As the Stoics said, "Let justice be done, though the heavens fall." However, if the woman's uterus happens to be cancerous, then she may have a hysterectomy, which will result in the death of the fetus. This is because the act of removing a cancerous uterus is morally good (thus passing condition 1). The act of performing a hysterectomy also passes condition 3 because the death of the fetus is the unintended (although foreseen) effect of the hysterectomy. Condition 2 is passed because the death of the fetus is not the means of saving the woman's life—the hysterectomy is. Condition 4 is passed because saving the woman's life is a great good, at least as good as saving the fetus. In this case, given the DDE, the woman is really lucky to have a cancerous uterus.

On the other hand, if the doctor could save the woman's life only by changing the composition of the amniotic fluid (say, with saline solution), which in turn would kill the fetus, then this would not be morally permissible according to the DDE. In this case, the same result occurs as in the hysterectomy, but killing the fetus is *intended* as the means of saving the woman's life. Similarly, crushing the fetus's head to remove the fetus vaginally and thus save the mother's life would be disallowed because this would violate conditions 2 and 3.

The Roman Catholic Church uses this doctrine to prohibit not only most abortions but also the use of contraceptives. Because the procreation of life is good and the frustration of life is bad and because the natural purpose of sexual intercourse is to produce new life, it is wrong to use devices that prevent intercourse from producing its natural result.

The doctrine is also used by just-war theorists in defending strategic bombings in contrast with terrorist bombings. In a strategic bombing, the intention is

to destroy a military target such as a munitions factory. One foresees that in the process of destroying this legitimate target, noncombatants will be killed. On the basis of DDE, the bombing is justified because the civilians were not the intended target. In a terrorist bombing, on the other hand, noncombatants are the intended target. The Allied fire bombings of Hamburg and Dresden in World War II and the dropping of the atom bomb on Hiroshima and Nagasaki are condemned on the basis of the DDE because they clearly intended to kill civilians. Utilitarians, by contrast, would permit such bombings because they were likely to produce overall benefit—namely, ending the war sooner, thus saving thousands of lives.

Consider another example. Suppose that Sally's father has planted a nuclear bomb that will detonate in a half hour. Sally is the only person who knows where he hid it, and she has promised him that she will not reveal the location to anyone. Although she regrets his act, as a devoted daughter she refuses to break her promise and give away the secret. However, if we do not discover where the bomb is and dismantle it within the next half hour, it will blow up a city and kill a million people. Suppose we can torture Sally to get this information from her. According to the DDE, is this permissible? No, for the end does not justify the means. Condition 2 is violated. We are using a bad act to bring about a good effect.

On the other hand, suppose someone has tampered with the wires of my television set in such a way that turning it on will send an electrical signal to the next town where it will detonate a bomb. Suppose I know that this will happen. Is it morally wrong, according to the DDE, to turn on my television to watch an edifying program? Yes it is because condition 4 is violated. The unintended evil outweighs the good.

Problems with the Doctrine of Double Effect

If we interpret the proportionality principle in this way, then a lot of other seemingly innocent or good actions would also violate it. Suppose that I am contemplating joining a religion to save my eternal soul. However, I realize that, by doing so, I will create enormous resentment in my neighborhood over my act, resentment that will cause five neighbors to be damned. Or, suppose that my marrying the woman of my heart's desire generates such despair in five other fellows (who, we may imagine, would be reasonably happy as bachelors as long as no one married her) that they all commit suicide. We may suppose that the despair I cause these five fellows will make their free will nonoperational. I understand ahead of time that my act will have this result. Is my act morally justified? In both of these cases, the DDE seems to imply that my actions are not morally justified because, according to condition 4, the good effects would be much less than the bad effects.

The DDE has problems. First, some of the prescriptions seem patently counterintuitive. It seems absurd to prohibit someone from changing his or her religion or marrying the person of his or her choice because other people will feel depressed or do evil deeds. Normally, we want to say, "That's their problem." And, regarding the abortion example, we generally judge the mother's life to be more valuable

than the fetus's life, so commonsense morality would permit all abortions that promise to save the mother's life. The response to this may be that our intuitions are not always correct. They can lead us astray. Some people have intuitions that it is bad luck to walk under a ladder or have a black cat cross one's path, but these are simply superstitions. The counterresponse is that intuitions about a person's right to life are not superstitions but a fundamental moral right.

Second, it's not always clear how closely an effect must be connected with the act to be counted as the intended act. Consider the trolley problem, first set forth by Philippa Foot. A trolley is speeding down a track, and Edward the driver notices that the brakes have failed. Five people who will be killed if something is not done are standing on the track a short distance ahead of the trolley. To the right is a sidetrack in a tunnel on which a single worker is working. Should Edward turn the wheel onto the sidetrack, killing the single worker? Utilitarians and many others would say that Edward should turn the trolley onto the sidetrack, for it is better to kill one person than allow five equally innocent people to die. The DDE would seem to prohibit this action, holding that it would violate conditions 2 and 3, or at least 2, doing a bad effect to bring about a good effect. It would seem to violate 3, given that the effect of turning the trolley onto the right sidetrack is so closely linked with the death of the worker because only a miracle could save him. The idea is that killing is worse than letting die. So, it would seem, according to DDE, Edward should not turn the trolley onto the sidetrack.

However, the proponent of DDE responds, "Edward has not formed an actual intention to kill the worker, so condition 3 is not violated. The trolley driver would not object if an angel rescued the worker while the trolley sped through the tunnel." The counterresponse is that turning the trolley onto the sidetrack is so closely and definitely linked with the death of the innocent worker that the intention is connected with the act. Otherwise, couldn't the terrorists on 9/11 argue that their destroying the Twin Towers of the World Trade Center was permitted by the DDE? Imagine such a defense: "We only meant to destroy the symbols of corporate greed and foresaw that innocent lives would be lost as collateral damage. We would not have objected if an angel had rescued the lives of the passengers in the plane and the people in the Twin Towers."

Third, there is the problem of how to describe an act. Could I not redescribe abortion in which the woman's health or life is in danger as intending to improve the woman's health (or save her life) and only foreseeing that removing the fetus will result in its unintended death? Or, could I not steal some food from the grocery store, intending to feed the poor and foreseeing that the grocer will be slightly poorer? And, could I not redescribe Edward's trolley car dilemma as merely trying to save the lives of five people with the unintended consequence of allowing the trolley to run over one person?

Of course, the DDE must set limits to redescription; otherwise, almost any act can be justified by ingenious redescription. Eric D'Arcy has attempted to set such limits. He quotes the jingle "Imperious Caesar, dead and turned to clay, might stop a hole to keep the wind away" but adds that it would be ridiculous to describe killing Caesar as intending to block a windy draft. His own solution to this problem is that "certain kinds of acts are of such significance that the

terms which denote them may not, special contexts apart, be elided into terms which (a) denote their consequences, and (b) conceal, or even fail to reveal, the nature of the act itself."[4]

This explanation may lend plausibility to the DDE, but it is not always possible to identify the exact nature of the act itself—it may have various interpretations. Furthermore, the absolutism of the doctrine will make it counterintuitive to many of us. It would seem to prohibit lying to save a life or breaking a promise to spare someone great suffering. Why should we accept a system that allows the destruction of many innocent people simply because we may have to override a normal moral precept? Aren't morals made for the human good? Doesn't the strong natural law tradition reverse things—requiring that humans serve rules for the rules' own sake? Furthermore, there may be more than a single right answer to every moral dilemma. The DDE seems *casuistic*, making hairsplitting distinctions that miss the point of morality. It gives us solutions to problems that seem to impose an artificial rigidity on human existence.

Fourth, there is one other difficulty with the absolute version of natural law: It is tied closely to a teleological view of human nature, a view that sees not only humanity but also each individual as having a plan designed by God or a god-like nature, so any deviation from the norm is morally wrong. Hence, because the plan of humanity includes procreation and sexuality is the means to that goal, only heterosexual intercourse (without artificial birth control devices) is morally permitted.

However, according to Darwinian evolutionary theory, there is no design. Human beings are animals who evolved from "lower" forms of life via the survival of the fittest. We are the product of chance in this struggle for existence. If this is so, then the ideas of a single human purpose and an absolute set of laws to serve that purpose are problematic. We may have many purposes, and our moral domain may include a certain relativity. For example, heterosexuality may serve one social purpose whereas homosexuality serves another, and both may be fulfilling for different types of individuals. Reason's task may not be to discover an essence of humanity or unchangeable laws but simply to help us survive and fulfill our desires.

However, even if this nonreligious account of evolution is inaccurate and there is a God who has guided evolution, it is still not obvious that the absolutist's way of looking at the world and morality is the best one available. Nonetheless, the DDE may remind us of two important moral truths: (1) Negative duties are typically more stringent than positive ones. Ordinarily, it is less wrong to allow an evil than to do evil; otherwise, a maniac, known to reliably execute his threats could get us to kill someone merely by threatening to kill five people unless we carried out the murder. (2) People have rights that must be respected, so we cannot simply decide what to do based on a crude utilitarian calculus.

If we give up the notion that a moral system must contain only absolute principles, duties that proceed out of a rigid formula such as the DDE, what can we put in its place? One possibility is that there are valid rules of action that one should generally adhere to but in cases of moral conflict may be overrideable by another moral principle. William D. Ross refers to these overrideable moral rules as **prima facie duties**. That is, they are binding only initially, or on "first appearance," until overridden by a more urgent duty.[5] For example, even

though a principle of justice may generally outweigh a principle of benevolence, there are times when one could do enormous good by sacrificing a small amount of justice; thus, an objectivist would be inclined to act according to the principle of benevolence.

There may be some absolute or nonoverrideable principles, but there need not be any (or many) for objectivism to be true. Renford Bambrough states this point nicely:

> To suggest that there is a *right* answer to a moral problem is at once to be accused of or credited with a belief in moral absolutes. But it is no more necessary to believe in moral absolutes in order to believe in moral objectivity than it is to believe in the existence of absolute space or absolute time in order to believe in the objectivity of temporal and spatial relations and of judgments about them.[6]

MODERATE OBJECTIVISM

What is central to moral objectivism, then, is not the absolutist position that moral principles are exceptionless and nonoverrideable. Rather, it is that there are universal and objective moral principles, valid for all people and social environments. If we can establish or show that it is reasonable to believe that there is, in some ideal sense, at least one objective moral principle that is binding on all people everywhere, then we will have shown that relativism probably is false and that a limited objectivism is true. There are good reasons to believe that many qualified general ethical principles are binding on all rational beings, but one principle will suffice to refute relativism:

A. It is morally wrong to torture people for the fun of it.

This principle is binding on all rational agents, so that if some agent, S, rejects A, we should not let that affect our intuition that A is a true principle; rather, we should try to explain S's behavior as perverse, ignorant, or irrational instead. For example, suppose Adolf Hitler doesn't accept A. Should that affect our confidence in the truth of A? Is it not more reasonable to infer that Hitler is morally deficient, morally blind, ignorant, or irrational than to suppose that his noncompliance is evidence against the truth of A?

Suppose further that there is a tribe of "Hitlerites" somewhere who enjoy torturing people. Their whole culture accepts torturing others for the fun of it. Suppose that Mother Teresa or Mohandas Gandhi tries unsuccessfully to convince these sadists that they should stop torturing people altogether, and the sadists respond by torturing her or him. Should this affect our confidence in A?

Would it not be more reasonable to look for some explanation of Hitlerite behavior? For example, we might hypothesize that this tribe lacks the developed sense of sympathetic imagination that is necessary for the moral life. Or we might theorize that this tribe is on a lower evolutionary level than most *Homo sapiens*. Or we might simply conclude that the tribe is closer to a Hobbesian state of

nature than most societies, and as such probably would not survive very long—or if it did, the lives of its people would be largely "solitary, poor, nasty, brutish and short" as in the Ik culture in northern Uganda where the core morality has partly broken down. But we need not know the correct answer as to why the tribe is in such bad shape to maintain our confidence in A as a moral principle. If A is a basic or core belief for us, then we will be more likely to doubt the Hitlerites' sanity or ability to think morally than to doubt the validity of A.

Core Morality

We can perhaps produce other candidates for membership in our minimally basic objective moral set:

1. Do not kill innocent people.
2. Do not cause unnecessary pain or suffering.
3. Do not lie or deceive.
4. Do not steal or cheat.
5. Keep your promises and honor your contracts.
6. Do not deprive another person of his or her freedom.
7. Do justice, treating people as they deserve to be treated.
8. Reciprocate: Show gratitude for services rendered.
9. Help other people, especially when the cost to oneself is minimal.
10. Obey just laws.

These ten principles are examples of the *core morality*, principles necessary for the good life within a flourishing human community. They are not arbitrary, for we can give reasons that explain why they are constitutive elements of a successful society, necessary to social cohesion and personal well-being. Principles like the Golden Rule, (1) not killing innocent people, (3) telling the truth, (5) keeping promises, (6) respecting liberty, (7) rewarding or punishing people (whichever they deserve—justice), (9) helping those in need, and the like are central to the fluid progression of social interaction and the resolution of conflicts of interest that ethics bears on.

For example, regarding rule 1, the survival instinct causes us to place a high value on our lives so that any society that would survive must protect innocent life. Without the protection of innocent life, nothing would be possible for us. Rule 2, "Do not cause unnecessary pain or suffering," seems quite obvious. No normal person desires gratuitous pain or harm. We want to be healthy and successful and have our needs taken into consideration. The ancient code of medicine requiring that doctors "Above all, do no harm" is applicable to all of us.

Regarding rule 3, language itself depends on a general and implicit commitment to the principle of truth telling. Accuracy of expression is a primitive form of truthfulness. Hence, every time that we use words correctly (for example, "That is a book" or "My name is Sam"), we are telling the truth. Without a high degree of reliable matching between words and objects, language itself would be

impossible. Likewise, regarding rule 5, without the practice of promise keeping, we could not rely on one another's words when they inform us about future acts. We could have no reliable expectations about their future behavior. Our lives are social, dependent on cooperation, so it is vital that when we make agreements, we fulfill them (for example, "I'll help you with your philosophy paper if you'll help me install a new computer program"). This agreement involves reciprocity, rule 8; we need to have confidence that the other party will reciprocate when we have done our part. Even chimpanzees follow the rule of reciprocity, *returning good for good*.

Regarding rule 4, without a prohibition against stealing and cheating, we could not claim property—not even ownership of our very limbs, let alone external goods. And, if freeloading and stealing became the norm, very little productive work would be done, so there would be little to steal and our lives would be impoverished. Anyone who has ever been confined to a small room or has had his limbs tied up should be able to see the need for rule 6, respect other people's liberty; for without freedom we could hardly attain our goals.

Sometimes, people question whether rule 7—that we do justice, treating people according to what they merit—implies that we should reward and punish on the basis of morally relevant criteria, not irrelevant ones like race, ethnicity, or gender. One part of justice advocates consistency. If a teacher gives Jack an A for a certain quality of essay, she should give Jill the same grade if her essay is of the same quality. A stronger, more substantive principle of justice holds that we should "Give people what they deserve."

Rule 10, "Obey just laws," is necessary for harmonious social living. We may not always agree with the law, but in social situations we must make reasonable compromises and accept the decisions of the government. When we disagree with the law, we may work to convince the powers-that-be to change it; in extreme situations such as living in a society with racist laws, we may decide to engage in civil disobedience.

There may be other moral rules necessary or highly relevant to an objective core morality. Perhaps we should add something like "Cooperate with others for the common good," although this is already included when we combine rules 2, 4, and 9. Perhaps you can think of other rules that are necessary to a flourishing community. In any case, although a moral code would be adequate if it contained a requisite set of these objective principles, there could be more than one adequate moral code that contained different rankings or different combinations of rules. Different specific rules may be required in different situations. For example, in a desert community, there may be a strict rule prohibiting the wasting of water, and in a community with a preponderance of females over males, there may be a rule permitting polygamy. A society where birth control devices are available may differ on the rule prescribing chastity from one that lacks such technology. Such moral flexibility does not entail moral relativism but simply a recognition that social situations can determine which rules are relevant to the flourishing of a particular community. Nevertheless, an essential core morality, such as that described above, will be practically necessary for human flourishing.

The core moral rules are analogous to the set of vitamins necessary for a healthy diet. We need an adequate amount of each vitamin—some need more of one than another—but in prescribing a nutritional diet we need not set forth recipes, specific foods, place settings, or culinary habits. Gourmets will meet the requirements differently from ascetics and vegetarians, but all may obtain the basic nutrients without rigid regimentation or an absolute set of recipes.

Our Common Human Nature

In more positive terms, an objectivist bases his or her moral system on a common human nature with common needs and desires. There is more that unites all humanity than divides us. As Aristotle wrote, "One may also observe in one's travels to distant countries the feelings of recognition and affiliation that link every human being to every other human being." Think of all the things we humans have in common. We all must take in nutrition and water to live and to lead a healthy life. We all want to have friends and family or some meaningful affiliation (for example, belonging to a fraternity, a church, or a club). Children in every culture must be nourished, cherished, and socialized to grow up into productive citizens. We are all vulnerable to disease, despair, and death. And we each must face our own death. There are many differences between human beings and cultures, but our basic nature is the same, and we have more in common than what separates us. Adopting this premise of our common human nature, we might argue for objectivism in the following manner:

(1) Human nature is relatively similar in essential respects, having a common set of basic needs and interests.
(2) Moral principles are functions of human needs and interests, instituted by reason to meet the needs and promote the most significant interests of human (or rational) beings.
(3) Some moral principles will meet needs and promote human interests better than other principles.
(4) Principles that will meet essential human needs and promote the most significant interests in optimal ways are objectively valid moral principles.
(5) Therefore, because there is a common human nature, there is an objectively valid set of moral principles, applicable to all humanity (or rational beings).

The argument assumes that there is a common human nature. In a sense, an objectivist accepts the view that morality depends on some social reality for its authentication; however, it is not the reality of cultural acceptance but the reality of our common nature as rational beings, with needs, interests, and the ability to reason. There is only one large human framework to which all humans belong and to which all principles are relative. Relativists sometimes claim that the idea of a common human nature is an illusion, but our knowledge of human genetics, anthropology, and history provides overwhelming evidence that we are all related by common needs, interests, and desires. We all generally prefer to survive, to be happy, to experience love and friendship rather than hatred and enmity, to be successful in reaching our goals, and the like. We care for our

children, feel gratitude for services rendered, and feel resentment for intentional harms done to us. We seek peace and security and, being social animals, want friends and family. Game theorists have performed decision-making experiments throughout the world, from tribes in the Amazon and New Guinea to Western societies. They confirm our judgment that all people value fairness and generosity and are willing to forego profit to punish freeloaders.[7] The core morality is requisite for the attainment of these goals.

Of course, these principles are prima facie, not absolutes. An absolute principle can never be overridden; it is exceptionless. Most moral principles, however, can be overridden when they conflict with other moral principles in some contexts.

For example, you may override the principle to keep your promise to meet me this afternoon if you come upon an accident victim in need of your help. Or you may override the principle forbidding lying when a murderer asks you where your friend, who the murderer wants to kill, is hiding. Or you may steal in dire circumstances to feed your family. In general, though, these principles should be adhered to in order to give the maximal guarantee for the good life.

ETHICAL SITUATIONALISM

One of the reasons people believe in ethical relativism is that they confuse it with ethical situationalism, so we need to examine this concept. Ethical situationalism is given expression in the famous passage from the Old Testament:

> For everything there is a season, and a time for every matter under heaven: a time to be born, and a time to die; a time to plant, and a time to pluck up what is planted; a time to kill, and a time to heal; a time to break down, and a time to build up; a time to weep, and a time to laugh; a time to mourn, and a time to dance; a time to cast away stones, and a time to gather stones together; a time to embrace, and a time to refrain from embracing; a time to seek, and a time to lose; a time to keep, and a time to cast away; a time to rend, and a time to sew; a time to keep silence, and a time to speak; a time to love, and a time to hate; a time for war, and a time for peace.
>
> What gain has the worker from his toil? I have seen the business that God has given to the sons of men to be busy with. He has made everything beautiful in its time. (Ecclesiastes 3:1–10)

Ethical situationalism states that objective moral principles are to be applied differently in different contexts, whereas ethical relativism denies universal **ethical principles** altogether. Here is an illustration of the difference.

In the book (and David Lean's Academy Award–winning movie made after it) *The Bridge over the River Kwai*,[8] there is a marvelous example of ethical situationalism. During World War II, British prisoners in the jungle of Burma are ordered to work for their Japanese captors by building a railroad bridge across

the River Kwai so that the Japanese can establish transportation between Rangoon and Bangkok. Their resourceful, courageous officer, Colonel Nicholson, sees this as a way of marshaling his soldiers' skills and establishing morale in a demoralizing situation. So, after some stubborn resistance and negotiations, Colonel Nicholson leads his men in building a first-rate bridge, one superior to what the Japanese had been capable of. However, the Allies discover that the bridge is soon to be used as a crucial link in the transport of Japanese soldiers and supplies to the war zone to fight the Allied forces, so a delegation of rangers is sent out to blow it up. As Major Warden, Lt. Joyce, and the American Spears lay their demolition onto the bridge, planning to explode it, Colonel Nicholson discovers a post with the lead wires attached to it, leading to the demolition device. Seeing Joyce about to blow up the bridge, Nicholson joins with the Japanese officer and charges at the British lieutenant, killing him. Nicholson himself is then shot by Major Warden, but as he begins to die, he realizes his folly and falls on the demolition charge, setting off the explosive, and blowing up the bridge just as the Japanese train is crossing it.

Colonel Nicholson exemplifies the rigid rule-follower who loses sight of the purpose of building the bridge, which was to build morale for the Allied prisoners, not to aid the enemy. But when the time came to destroy his handiwork, Nicholson could not do it, having made the bridge a moral fetish.

Fortunately, as he was dying, he came to his senses and served his mission. The duty of the British soldiers was to aid in defeating their lethal enemy. As prisoners, they could best serve that goal by staying alive and healthy, and a means to that subgoal was to keep their morale high by engaging in building the bridge. But when the situation altered, the main goal was served by destroying the bridge. In both situations, the same high purpose existed—working for victory over one's enemy, but the means changed as the circumstances changed.

A simpler example is that of Jesus breaking the Sabbath by picking food (work) to feed his disciples. When called to account by the Pharisees and charged with breaking the Sabbath law, he replied, "The Sabbath was made for man, not man for the Sabbath" (Mark 2:23–27). The commandments were given to promote human flourishing, not for their own sake.

CONCLUSION

We have outlined a moderate objectivism, the thesis that a core set of moral principles is universally valid, applying to all people everywhere. Thus, we have answered the moral relativist and moral nihilist. The relativist holds that there are moral principles, but they are all relative to culture. The nihilist denies that there are any moral valid principles. We have argued that nihilism is false because valid moral principles exist, but we have acknowledged some relativity in ethics, especially as morality comes close to etiquette. We have also noted that morality is situational: Principles can be applied differently in different contexts. We have

argued that a common human nature is the basis of our thesis that there is a set of universally valid moral rules. There is a commonsense, functional account of objective morality following from the notion that morality serves specific human functions in promoting the human good. There is a naturalist commonsense account to establish the core morality, although others may rely on direct intuitions or on religion to get to a similar conclusion.

Let's return now to the relativist question raised in Chapter 2: "Who's to judge what's right and wrong?" The correct reply is, "We all are—every rational being on Earth must make moral judgments and be prepared to be held responsible for one's own actions." We are to judge based on the best reasoning that we can supply, in dialogue with other people of other cultures, and with sympathy and understanding. Virtually all moral theories recognize that morality serves the human good although they weigh that idea differently.

NOTES

1. Kevin Bales, *Disposable People* (Oakland, CA: University of California Press, 2000), pp. 1–2. Seba eventually escaped to tell her story.
2. Aristotle, *Nicomachean Ethics* (London: MacMillan, 1892), Bk. 10, Ch. 7.
3. Thomas Aquinas, *Summa Theologica*, in *Basic Writings of St. Thomas Aquinas*, ed. A. C. Pegis (New York: Random House, 1945), Q94.
4. Eric D'Arcy, *Human Acts* (Oxford: Oxford University Press, 1963), Ch. 4.
5. William D. Ross, *The Right and the Good* (Oxford: Oxford University Press, 1932), p. 18f.
6. Renford Bambrough, *Moral Skepticism and Moral Knowledge* (London: Routledge, Kegan & Paul, 1979), p. 33.
7. Karl Sigmund, Ernest Fehr, and Martin Nowak, "The Economics of Fair Play," *Scientific American*, January, 2002.
8. Pierre Boulle, *The Bridge over the River Kwai* (New York: Vanguard, 1954).

FOR FURTHER REFLECTION

MindTap Additional questions online

1. Analyze the story of Seba. What light does reflection on this illustration throw on the dispute between ethical relativism and objectivism?
2. What is the natural law position in morality? Evaluate it.
3. Discuss the doctrine of double effect (DDE). How valid is it?
4. Could terrorists use a version of the doctrine of double effect to justify their violent acts? Explain.

5. What is the difference between *moral absolutism and moral objectivism*? Which position is the correct one, and why?
6. What is the difference between *ethical relativism and ethical situationalism*?
7. Consider the quote by David Hume at the opening of this chapter. Does it support moral objectivism? Explain.
8. What is a *prima facie duty*? Give some examples.