

PHIL 310: INTRODUCTION TO ETHICS



Christian Bauer
Folsom Lake College

PHIL 310: Introduction to Ethics (Bauer)

This text is disseminated via the Open Education Resource (OER) LibreTexts Project (<https://LibreTexts.org>) and like the thousands of other texts available within this powerful platform, it is freely available for reading, printing, and "consuming."

The LibreTexts mission is to bring together students, faculty, and scholars in a collaborative effort to provide an accessible, and comprehensive platform that empowers our community to develop, curate, adapt, and adopt openly licensed resources and technologies; through these efforts we can reduce the financial burden borne from traditional educational resource costs, ensuring education is more accessible for students and communities worldwide.

Most, but not all, pages in the library have licenses that may allow individuals to make changes, save, and print this book. Carefully consult the applicable license(s) before pursuing such effects. Instructors can adopt existing LibreTexts texts or Remix them to quickly build course-specific resources to meet the needs of their students. Unlike traditional textbooks, LibreTexts' web based origins allow powerful integration of advanced features and new technologies to support learning.



LibreTexts is the adaptable, user-friendly non-profit open education resource platform that educators trust for creating, customizing, and sharing accessible, interactive textbooks, adaptive homework, and ancillary materials. We collaborate with individuals and organizations to champion open education initiatives, support institutional publishing programs, drive curriculum development projects, and more.

The LibreTexts libraries are Powered by [NICE CXone Expert](#) and were supported by the Department of Education Open Textbook Pilot Project, the California Education Learning Lab, the UC Davis Office of the Provost, the UC Davis Library, the California State University Affordable Learning Solutions Program, and Merlot. This material is based upon work supported by the National Science Foundation under Grant No. 1246120, 1525057, and 1413739.

Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the National Science Foundation nor the US Department of Education.

Have questions or comments? For information about adoptions or adaptations contact info@LibreTexts.org or visit our main website at <https://LibreTexts.org>.

The LibreTexts name, logo, and book covers are trademarked by LibreTexts, Inc. (a 501(c)(3) not-for-profit organization) and protected against unauthorized use.

This text was compiled on 09/06/2026

TABLE OF CONTENTS

Licensing

1: Evaluate a variety of concepts

1.1: Utilitarianism

- 1.1.1: An Introduction to Utilitarianism
- 1.1.2: Hedonism
- 1.1.3: Nozick's Experience Machine
- 1.1.4: The Foundations of Bentham's Utilitarianism
- 1.1.5: The Structure of Bentham's Utilitarianism
- 1.1.6: Hedonic Calculus
- 1.1.7: Problems with Bentham's Utilitarianism
- 1.1.8: Mill's Utilitarian Proof
- 1.1.9: Mill's Qualitative Utilitarianism
- 1.1.10: Mill's Rule Utilitarianism versus Bentham's Act Utilitarianism
- 1.1.11: Strong versus Weak Rule Utilitarianism
- 1.1.12: Comparing the Classical Utilitarians
- 1.1.13: Non-Hedonistic Contemporary Utilitarianism- Peter Singer and Preference Utilitarianism
- 1.1.14: Summary

1.2: Kantian Ethics

- 1.2.1: An Introduction to Kantian Ethics
- 1.2.2: Some Key Ideas
- 1.2.3: Acting for the Sake of Duty and Acting in Accordance with Duty
- 1.2.4: Categorical and Hypothetical Imperatives
- 1.2.5: The First Formulation of the Categorical Imperative
- 1.2.6: Perfect and Imperfect Duties
- 1.2.7: Second Formulation of the Categorical Imperative
- 1.2.8: The Third Formulation of the Categorical Imperative and Summary
- 1.2.9: Kant on Suicide
- 1.2.10: Problems and Responses- Conflicting Duties
- 1.2.11: Problems and Responses- The Role of Intuitions
- 1.2.12: Problem and Responses- Categorical Imperatives and Etiquette
- 1.2.13: Problems and Responses- The Domain of Morality
- 1.2.14: Summary

1.3: Aristotelian Virtue Ethics

- 1.3.1: Aristotelian Virtue Ethics Introduction
- 1.3.2: The Function Argument
- 1.3.3: Aristotelian Goodness
- 1.3.4: Eudaimonia and Virtue

- 1.3.5: Developing the Virtues
- 1.3.6: Practical Wisdom (Phronesis)
- 1.3.7: Voluntary Actions, Involuntary Actions and Moral Responsibility
- 1.3.8: Objection- Unclear Guidance
- 1.3.9: Objection- Clashing Virtues
- 1.3.10: Objection- Circularity
- 1.3.11: Objection- Contribution to Eudaimonia
- 1.3.12: Moral Good and Individual Good
- 1.3.13: Summary

1.4: Aquinas's Natural Law Theory

- 1.4.1: Introduction to Aquinas
- 1.4.2: Motivating Natural Law Theory- The Euthyphro Dilemma and Divine Command Theory
- 1.4.3: Natural Law Theory
- 1.4.4: Summary of Aquinas's Natural Law Theory
- 1.4.5: Putting this into Practice- The Doctrine of Double Effect (DDE)
- 1.4.6: Some Thoughts about Natural Law Theory
- 1.4.7: Summary

1.5: Fletcher's Situation Ethics

- 1.5.1: Situation Ethics Introduction
- 1.5.2: Fletcher's Overall Framework
- 1.5.3: The Four Working Principles of Situationism
- 1.5.4: How to Work out What to Do- Conscience as a Verb not a Noun
- 1.5.5: The Six Propositions of Situation Ethics
- 1.5.6: Problems with Fletcher's Situationism
- 1.5.7: Summary

2: Compare and contrast a variety of ethical theories with respect to specific ethical issues

2.1: The Ethics of Torture (Martine Berenpas)

- 2.1.1: What is torture?
- 2.1.2: The philosophy of torture
- 2.1.3: The "ticking time bomb" thought experiment
- 2.1.4: For Review and Discussion

2.2: An Argument Against Capital Punishment (Noah Levin)

- 2.2.1: Main Argument
- 2.2.2: For Review and Discussion

2.3: Common Arguments about Abortion (Nathan Nobis and Kristina Grob)

- 2.3.1: Introduction
- 2.3.2: Defining "Abortion"
- 2.3.3: Why Most Abortions Occur
- 2.3.4: Bad Arguments- "Question-Begging" Arguments and "Everyday" Arguments

2.3.5: “Question-begging” Arguments

2.3.6: “Everyday” Arguments

2.3.7: For Review and Discussion

2.4: Better (Philosophical) Arguments about Abortion (Nathan Nobis and Kristina Grob)

2.4.1: Introduction

2.4.2: Arguments Against Abortion

2.4.3: Arguments that abortion is often not wrong

2.4.4: Conclusion

2.4.5: For Review and Discussion

2.5: Animal Rights (Eduardo Salazar)

2.5.1: Virtue and Difference in Animal Ethics

2.5.2: Objection to Extending Moral Consideration to Animals

2.5.3: The Historical Non-Human Animal and Dominion

2.5.4: The Ontological Chain of Being

2.5.5: Modern Animal Rights- Singer and Regan

2.5.6: Virtue Ethics, Difference, and Dominion

2.5.7: Conclusion

2.5.8: For Review and Discussion

2.6: Environmental Ethics and Climate Change (Jonathan Spelman)

2.6.1: Introduction

2.6.2: Is it wrong to harm grasshoppers for no good reason?

2.6.3: The problem of climate change

2.6.4: How should we respond to the problem of climate change?

2.6.5: For Review and Discussion

3: Analyze arguments from primary sources concerning good, evil, right, wrong, and other ideas addressed in the course.

3.1: Metaethical Theories

3.1.1: Introduction

3.1.2: The Value of Metaethics

3.1.3: Cognitivism versus Non-Cognitivism

3.1.4: Realism versus Anti-Realism

3.1.5: The Metaethical Map

3.1.6: Cognitivist and Realist Theory One (Naturalism)

3.1.7: Objections to Naturalism

3.1.8: Cognitivist and Realist Theory Two (Non-Naturalism)

3.1.9: Objections to Intuitionism

3.1.10: Cognitivist and Anti-Realist Theory One (Moral Error Theory)

3.1.11: Objections to Moral Error Theory

3.1.12: Non-Cognitivism

- 3.1.13: Non-Cognitivist and Anti-Realist Theory One (Emotivism)
- 3.1.14: Objections to Emotivism
- 3.1.15: Non-Cognitivist and Anti-Realist Theory Two (Prescriptivism)
- 3.1.16: Objections to Prescriptivism
- 3.1.17: Summary

4: Assess presuppositions underlying various moral perspectives.

4.1: Utilitarianism- Pros and Cons (B.M. Wooldridge)

- 4.1.1: For Review and Discussion

4.2: The Categorical Imperative (Immanuel Kant)

- 4.2.1: For Review and Discussion

4.3: The Virtues (Aristotle)

- 4.3.1: Book I
- 4.3.2: Book II
- 4.3.3: For Review and Discussion

Index

Glossary

Detailed Licensing

Licensing

*A detailed breakdown of this resource's licensing can be found in **Back Matter/Detailed Licensing**.*

1: EVALUATE A VARIETY OF CONCEPTS

1.1: Utilitarianism

- 1.1.1: An Introduction to Utilitarianism
- 1.1.2: Hedonism
- 1.1.3: Nozick's Experience Machine
- 1.1.4: The Foundations of Bentham's Utilitarianism
- 1.1.5: The Structure of Bentham's Utilitarianism
- 1.1.6: Hedonic Calculus
- 1.1.7: Problems with Bentham's Utilitarianism
- 1.1.8: Mill's Utilitarian Proof
- 1.1.9: Mill's Qualitative Utilitarianism
- 1.1.10: Mill's Rule Utilitarianism versus Bentham's Act Utilitarianism
- 1.1.11: Strong versus Weak Rule Utilitarianism
- 1.1.12: Comparing the Classical Utilitarians
- 1.1.13: Non-Hedonistic Contemporary Utilitarianism- Peter Singer and Preference Utilitarianism
- 1.1.14: Summary

1.2: Kantian Ethics

- 1.2.1: An Introduction to Kantian Ethics
- 1.2.2: Some Key Ideas
- 1.2.3: Acting for the Sake of Duty and Acting in Accordance with Duty
- 1.2.4: Categorical and Hypothetical Imperatives
- 1.2.5: The First Formulation of the Categorical Imperative
- 1.2.6: Perfect and Imperfect Duties
- 1.2.7: Second Formulation of the Categorical Imperative
- 1.2.8: The Third Formulation of the Categorical Imperative and Summary
- 1.2.9: Kant on Suicide
- 1.2.10: Problems and Responses- Conflicting Duties
- 1.2.11: Problems and Responses- The Role of Intuitions
- 1.2.12: Problem and Responses- Categorical Imperatives and Etiquette
- 1.2.13: Problems and Responses- The Domain of Morality
- 1.2.14: Summary

1.3: Aristotelian Virtue Ethics

- 1.3.1: Aristotelian Virtue Ethics Introduction
- 1.3.2: The Function Argument
- 1.3.3: Aristotelian Goodness
- 1.3.4: Eudaimonia and Virtue
- 1.3.5: Developing the Virtues
- 1.3.6: Practical Wisdom (Phronesis)

1.3.7: Voluntary Actions, Involuntary Actions and Moral Responsibility

1.3.8: Objection- Unclear Guidance

1.3.9: Objection- Clashing Virtues

1.3.10: Objection- Circularity

1.3.11: Objection- Contribution to Eudaimonia

1.3.12: Moral Good and Individual Good

1.3.13: Summary

1.4: Aquinas's Natural Law Theory

1.4.1: Introduction to Aquinas

1.4.2: Motivating Natural Law Theory- The Euthyphro Dilemma and Divine Command Theory

1.4.3: Natural Law Theory

1.4.4: Summary of Aquinas's Natural Law Theory

1.4.5: Putting this into Practice- The Doctrine of Double Effect (DDE)

1.4.6: Some Thoughts about Natural Law Theory

1.4.7: Summary

1.5: Fletcher's Situation Ethics

1.5.1: Situation Ethics Introduction

1.5.2: Fletcher's Overall Framework

1.5.3: The Four Working Principles of Situationism

1.5.4: How to Work out What to Do- Conscience as a Verb not a Noun

1.5.5: The Six Propositions of Situation Ethics

1.5.6: Problems with Fletcher's Situationism

1.5.7: Summary

1.1: Utilitarianism

1.1.1: An Introduction to Utilitarianism

Some things appear to be straightforwardly good for people. Winning the lottery, marrying your true love or securing a desired set of qualifications all seem to be examples of events that improve a person's life. As a normative ethical theory, Utilitarianism suggests that we can decide what is morally right or morally wrong by weighing up which of our future possible actions promotes such goodness in our lives and the lives of people more generally.

1.1.2: Hedonism

Hedonism is a theory of well-being — a theory of how well a life is going for the person living that life. What separates Hedonism from other theories of well-being is that the hedonist believes that what defines a successful life is directly related to the amount of pleasure in that life; no other factors are relevant at all. Therefore, the more pleasure that a person experiences in their life then the better their life goes, and vice versa. Whereas other theories might focus on fulfilling desires people have, or an objective list of things such as friendship and health.

The roots of Hedonism can be traced back at least as far as **Epicurus** (341–270 BC) and Ancient Greece. Epicurus held the hedonistic view that the primary *intrinsic* good for a person is pleasure; meaning that pleasure is always good for a person in and of itself, irrespective of the cause or context of the pleasure. According to this theory pleasure is always intrinsically good for a person and less pleasure is always intrinsically bad.

Hedonism is a relatively simple theory of what makes your life better. If you feel that your life would be better if you won the lottery, married your true love or achieved your desired qualifications, then the hedonistic explanation of these judgments is that these things are good for you only if they provide you with pleasure. Many pleasures may be physical, but **Fred Feldman** (1941–) is a defender of a theory known as Attitudinal Hedonism. According to this theory, psychological pleasures can themselves count as intrinsically good for a person. So, while reading a book would not seem to produce pleasure in a physical way, a hedonist may value the psychological pleasure associated with that act of reading and thus accept that it can improve a person's well-being. This understanding of hedonistic pleasure may help to explain why, for example, one person can gain so much pleasure from a Lady Gaga album while another gains nothing at all; the psychological responses to the music differ.

1.1.3: Nozick's Experience Machine

One important problem for Hedonism is that our well-being seems to be affected by more than just the total pleasure in our lives. It may be the case that you enjoy gaining a new qualification, but there seems to be more to the value of this event than merely the pleasure produced. Many people agree that success in gaining a meaningful qualification improves your life even if no pleasure is obtained from it. Certainly, many believe that the relationship between what improves your life and what gives pleasure is not directly proportional, as the hedonist would claim.

Robert Nozick (1938–2002) attacked the hedonistic idea that pleasure is the only good by testing our intuitions via a now famous thought-experiment. Nozick asks:

Suppose there was an experience machine that would give you any experience you desired. Super-duper neuropsychologists could stimulate your brain so that you would think and feel you were writing a great novel, or making a friend, or reading an interesting book. All the time you would be floating in a tank, with electrodes attached to your brain. Should you plug into this machine for life, pre-programming your life experiences? [...] Of course, while in the tank you won't know that you're there; you'll think that it's all actually happening [...] would you plug in?

Nozick's challenge to Hedonism is based on the thought that most people who consider this possible situation would opt *not* to plug in. Indeed, if you ask yourself if you would actually choose to leave behind your real friends, family and life in favour of a pre-programmed existence you also might conclude that plugging into the experience machine would not be desirable. However, if Hedonism is correct and our well-being is determined entirely by the amount of pleasure that we experience, then Nozick wonders "what else can matter to us, other than how our lives feel from the inside?" The experience machine guarantees us pleasure yet we find it unappealing compared to a real life where pleasure is far from assured. This may suggest that our well-being is determined by other factors in addition to how much pleasure we secure, perhaps knowledge or friendships.

The hedonists need not give way entirely on this point, of course, as they may feel that the experience machine is desirable just because it guarantees experiences of pleasure. Or, you might believe that our suspicions about the machine are misplaced. After all, once inside the machine we would not suspect that things were not real. You may feel that the hedonist could bite-the-bullet (accept the apparently awkward conclusion as a non-fatal implication of the theory) and say that any reticence to enter the machine is *irrational*. Perhaps the lives of those choosing to be plugged in to the machine would go extraordinary well!

1.1.4: The Foundations of Bentham's Utilitarianism

Jeremy Bentham (1748–1832) was the first of the “classical utilitarians”. Driven by a genuine desire for social reform, Bentham wanted to be as much involved in law, politics and economics as abstract philosophising.

Bentham developed his moral theory of Utilitarianism on the foundation of the type of hedonistic thinking described in section two. For Bentham, the only thing that determines the value of a life, or indeed the value of an event or action, is the amount of pleasure contained in that life, or the amount of pleasure produced as a result of that event or action. Bentham is a *hedonistic utilitarian*. This belief in Hedonism, however, was not something that Bentham took to be unjustified or arbitrary; for him Hedonism could be *empirically justified* by evidence in the world in its favour. According to Bentham:

Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do.

Bentham moves from this empirical claim about the factors that guide our behaviour to a normative claim about how we *ought* to live. He creates a moral theory based on the bringing about of more pleasure and less pain.

When first understanding Utilitarianism, it is also crucial to understand what is meant by the term “utility”. Bentham defined it as “[...] that property in any object, whereby it tends to produce benefit, advantage, pleasure, good, or happiness [...] or [...] to prevent the happening of mischief, pain, evil, or unhappiness”. Utility is thus promoted when pleasure is promoted and when unhappiness is avoided. Bentham's commitment to Hedonism means for him that goodness is just an increase in pleasure, and evil or unhappiness is just an increase in pain or decrease in pleasure. With this understanding of utility in mind, Bentham commits himself to the *Principle of Utility*:

By the principle of utility is meant that principle which approves or disapproves of every action whatsoever, according to the tendency which it appears to have to augment or diminish the happiness of the party whose interest is in question: or, what is the same thing in other words, to promote or to oppose that happiness.

In effect, this principle simply says that promoting utility, defined in terms of pleasure, is to be approved of and reducing utility is to be disapproved of.

The Principle of Utility, backed by a commitment to Hedonism, underpins the central utilitarian claim made by Bentham. Based on a phrase that he wrongly attributed to **Joseph Priestley** (1733–1804), Bentham suggests that the measure of right and wrong is the extent to which an action produces the greatest good for the greatest number of people. Of course, what counts as good, for Bentham, is pleasure. We can then rephrase what Bentham himself call his fundamental axiom as a requirement to *promote the greatest pleasure for the greatest number of people, in order to act morally*.

1.1.5: The Structure of Bentham's Utilitarianism

In addition to being hedonistic, Bentham's Utilitarianism is also:

1. Consequentialist/Teleological
2. Relativist
3. Maximising
4. Impartial

Bentham's Utilitarianism is *consequentialist* because the moral value of an action or event is determined entirely by the consequences of that event. The theory is also described as *teleological* for the same reason, based on the Greek word *telos* that means "end" or "purpose". If more pleasure follows as a consequence of "Action A" rather than "Action B", then according to the fundamental axiom of Utilitarianism "Action A" should be undertaken and is morally right; choosing "Action B" would be morally wrong.

In addition, Bentham's Utilitarianism is *Relativistic* rather than *Absolutist*. Absolutist moral views hold that certain actions will always be morally wrong irrespective of context or consequences. For example, many campaigning groups suggest that torture is always morally unacceptable whether it is carried out by vindictive dictators seeking to instil fear in a population or whether it is authorised by democratically elected governments seeking to obtain information in order to stop a terrorist attack. For absolutists then, the act of torture is absolutely wrong in all cases and situations.

Clearly, Bentham cannot hold this type of view because sometimes the pain involved in torture may lead to the promotion of greater pleasure (or less intense pain) overall, such as in the case where torture stops a terrorist atrocity. On this basis, the Benthamite utilitarian must believe that whether a certain action is right or wrong is always relative to the situation in which the action takes place.

Bentham's Utilitarianism is *maximising* because it does not merely require that pleasure is promoted, but that the *greatest* pleasure for the *greatest* number is secured. This means that some actions that lead to pleasure will still not be morally good acts if another action that could have produced even more pleasure in that setting was rejected. Thus, for example, if you gain some pleasure from spending money on a new book, but that money could have produced more pleasure had it been donated to a local charity for the homeless, then buying a new book would be morally wrong even though it led to some pleasure because it did not maximise the total amount of pleasure that was possible in that circumstance.

Finally, Bentham's Utilitarianism is also *impartial* in the sense that what matters is simply securing the maximum amount of pleasure for the maximum number of people; the theory does not give special preference regarding which people are supposed to have access to, or share in, that total pleasure. Bentham's utilitarian theory is associated with the idea of *equal consideration of interests*; as long as total pleasure is maximised then it does not matter if that pleasure is experienced by royalty, presidents, siblings, children, friends or enemies. In the total calculation of pleasure, we are all equal regardless of our status, behaviour or any other social factor.

1.1.6: Hedonic Calculus

Hopefully it is now clear that for Bentham the consequences in terms of pleasure production of any action are what determine the morality of that action, and that no other factors are relevant. However, it is not clear how exactly we should go about working out what to do in specific cases. For example:

You are a military airman flying a fighter jet that is about to intercept a passenger airliner that seems to have been hijacked by an as yet unknown figure. The plane appears to be on a path that could take it either to an airport or, potentially, directly to a major and highly populated city. You are tasked with deciding how to act and must, therefore, choose whether or not to fire a missile at the plane. Firing at the plane would kill the passengers but save all lives on the ground, yet not firing may save the passengers, or it may give the passengers only a few more minutes before the plane is flown into a city full of innocents and they are killed in any case. Suggesting that the pilot weigh up the options and choose the action that secures the greatest pleasure for the greatest number is not obviously helpful in making such a difficult decision with so many variables.

Bentham recognised that such *Problems of Calculation* relating to the pleasure associated with future actions needed addressing in order for Utilitarianism to be a workable moral theory. Bentham therefore created the Hedonic Calculus (sometimes known as the Felicific Calculus) in order to help an individual work out how much pleasure would be created by differing possible actions. The Hedonic Calculus, as suggested by Bentham, is based on assessing possible pleasures according to their:

1. Intensity
2. Duration
3. Certainty
4. Remoteness (i.e. how far into the future the pleasure is)
5. Fecundity (i.e. how likely it is that pleasure will generate other related pleasures)
6. Purity (i.e. if any pain will be felt alongside that pleasure)
7. Extent (i.e. how many people might be able to share in that pleasure)

The Hedonic Calculus is therefore supposed to provide a decision-procedure for a utilitarian who is confused as to how to act in a morally tricky situation. Thus, our fighter-pilot might consider the intensity of the pleasure of surviving versus the duration of the pain of death, while also needing to balance these factors against the relative certainty of the possible pains or pleasures. No doubt, the fighter pilot would still face an agonising moral choice but it seems that he would at least have some methodology for working out what Utilitarianism morally requires of him.

1.1.7: Problems with Bentham's Utilitarianism

However, whether or not measuring possible actions in terms of “units of pleasure” associated with them is actually plausible is very much an open question and so the problem of calculation is not necessarily solved simply by the existence of the Hedonic Calculus. Consider the most recent highly pleasurable experience that you enjoyed and compare it to a highly pleasurable experience from earlier in your life. It may be that you cannot say confidently that one provided more pleasure than the other, especially if the experiences were extremely varied; perhaps winning a sporting trophy versus going on your first holiday. Pleasures that are so fundamentally different in nature may simply be incommensurable — they may be incapable of being measured by a common standard such as the Hedonic Calculus.

In addition, the problem of calculation can be extended beyond the issues raised above. Remember that Bentham's Utilitarianism is impartial in the sense that all individuals who gain pleasure as a result of a certain action count towards the total amount of pleasure. However, the following case raises the *Problem of Relevant Beings*:

You are considering whether or not to approve a new housing development on a piece of unoccupied land outside the current boundary of your town. You are clear that, if approved, the development will create a great deal of pleasure for both new residents and construction workers without any pain being experienced by others. You are aware, however, that the development will require the culling of several badgers and the removal of a habitat currently supporting many birds, stray cats and rodents of various types.

On the surface, this case should be obvious for the utilitarian without any special problem of calculation; the greatest good for the greatest number would be secured if the development were permitted to go ahead. However, this assumes that non-human animals are not relevant to the calculation of pleasures and pains. Yet, if pleasure is all that matters for how well a life goes then it is not clear why animals, that may be able to experience some form of pleasure and can almost certainly experience pain, should be excluded from the calculation process.

Indeed, Bentham, when referring to the moral value of animals, noted that: “The question (for deciding moral relevance) is not ‘Can they reason?’, nor ‘Can they talk?’, but ‘Can they suffer?’” If the suffering and pain of humans is relevant to moral calculations then surely it is at least plausible that so should the suffering and pain of non-human animals.

Being a maximising ethical theory, Utilitarianism is also open to a *Demandingness Objection*. If it is not the case that pleasure needs to be merely promoted but actually *maximised at all opportunities*, then the standard for acting morally appears to be set extremely high. For example, did you buy a doughnut at some point this year or treat yourself to a magazine? Live the life of a high-roller and treat yourself to a taxi ride rather than walking to your destination? While your actions certainly brought about differing degrees of pleasure to both yourself and to those who gained economic benefit from your decision, it seems that you could have created much more pleasure by saving up your money and ensuring it reached those suffering extreme financial hardships or residing in poverty around the world. As a result of being a maximising moral theory, Utilitarianism seems to make immorality very hard to avoid as it is so utterly demanding on our behaviour.

A further problem for Utilitarianism relates to the *Tyranny of the Majority*. Remember that as a relativistic moral theory, Utilitarianism does not allow for any moral absolutes — such as the absolute right to democracy, or absolute legal or basic human rights. Indeed, Bentham himself dismissed the idea of “natural rights” as a nonsensical concept masqueraded as a meaningful one. However, if we accept that absolute rights are simply “nonsense upon stilts” as Bentham put it, then Utilitarianism seems to be open to cases where the majority are morally required to exploit the minority for the greater good of maximising total pleasure. For example, imagine that total pleasure would be maximised if the resources of a small country were forcibly taken from them to be used freely and exploited by the people of a much larger country (this is hardly unrealistic). However, such forceful theft — only justified by the fact that a greater majority of people would gain pleasure — does not seem to be morally justifiable. Yet, according to Utilitarianism's commitment to maximising pleasure, such an action would not only be morally acceptable but it would be morally required.

As a consequentialist/teleological moral theory Utilitarianism is also open to the *Problem of Wrong Intentions*. This problem can be highlighted by considering the cases of Dominic and Callum.

Dominic is seating in a coffee shop when a masked intruder bursts in threatening to rob the shop. Dominic, with the intention of saving lives, attempts to stop the intruder but sadly, in the ensuing struggle, the intruder's gun is accidentally fired and an innocent person is killed. Now, consider a second case where an intruder bursts in with a gun but Callum, rather than trying

to intervene, immediately ducks for cover with the intention of saving himself and leaving the rest of the customers to fend for themselves. Luckily for Callum, when he ducks for cover he accidentally trips into the would-be thief, knocking him unconscious thus allowing his peaceful detention until police arrive.

According to the utilitarian calculation, Callum acted in a way that maximised pleasure while Dominic acted wrongly because the consequence of his act was tragic pain. However, it seems unfair and wrong to suggest that Callum acted rightly when he had just intended to save himself, although he had a lucky outcome, while Dominic acted wrongly when his intention was to save others but was unlucky in his outcome. Utilitarianism, as a consequentialist theory, ignores intentions and focuses only on consequences.

Utilitarianism also faces the *Problem of Partiality*. This is clear if we consider the familiar moral dilemma of being stuck on a life raft with three other people but with only enough supplies for two people. On the raft with you is a doctor who is confident that he can pass on a cure for cancer if he survives, a world class violinist who brings pleasure to millions each year, and one of your parents or siblings. I am afraid to report that, for the purposes of this example, your parent or sibling is nothing special in comparison to other individuals on the raft. In this circumstance, Utilitarianism would seem to require you not only to give up your own space on the raft but ensure that your parent or sibling joins you in the freezing water with no hope of survival; this is the way of maximising total pleasure in such a scenario. Yet, even if you believe that the morality might call for your own self-sacrifice, it seems extremely unfair not to allow you to give *extra moral weight* to the life of a loved one. Unfortunately for the utilitarian, perhaps, the status as a beloved family member should make no special difference to your judgment regarding how to act. This seems to be not only over-demanding but also overly cold and calculating. Utilitarianism requires *Agent-Neutrality* — you must look at the situation as any neutral observer would and not give special preference to anyone irrespective of your emotional attachments, because each individual must count for one and no more than one.

Finally, Bentham's Utilitarianism also comes under attack from the related *Integrity Objection*, framed most prominently by **Bernard Williams** (1929–2003). As an agent-neutral theory, no person can give up impartiality when it comes to judgements about the impact of a potential action upon their family or loved ones. In addition, no person can give up impartiality when it comes to the impact of an action upon their own feelings, character and general sense of integrity. In order to make clear the potential worry associated with this, Williams describes the fictional case of Jim and the Indians.

Jim is an explorer who stumbles upon an Indian leader who is about to execute twenty people. Jim knows nothing of their possible crimes or any other factors involved, but he is offered a difficult choice by the Indian chief who is eager to impress his foreign traveller. Jim can either shoot one of the prisoners himself and then the rest will be set free as a mark of celebration, or he can refuse the offer in which case all twenty prisoners will be executed as was planned. It is key to note that Jim does not have control of the situation in the sense that he is powerless to bargain or negotiate with anyone, and nor can he use a weapon to successfully free any prisoners. He has only the two options laid out.

The point of this example is not to establish what the right action is. You may find yourself in agreement with utilitarians who suggest Jim must shoot one prisoner in order to save the lives of the rest. Rather, the purpose of the example is to show that Utilitarianism forces us to reach this conclusion *too quickly*. Given the commitment to Agent-Neutrality, Jim must treat himself as a neutral observer working out which action will produce the greatest good for the greatest number. Morally, he is not entitled to give more weight to his own feelings than he would give to the feelings of any other and therefore it does not matter whether Jim is a pacifist and has been a lifelong advocate for prisoner reform and rehabilitation. If the utilitarian calculation suggests that he must shoot one of the prisoners then he must shoot with no regard to any compromising of his integrity and self-identity. You may accept this as an unfortunate consequence of a terrible situation, but it may be a problem for a moral theory if it fails to recognise or respect a person's most sincere and deepest convictions.

1.1.8: Mill's Utilitarian Proof

John Stuart Mill (1806–1873) was concerned by many of the problems facing the utilitarian theory put forward by Bentham, but as a hedonist he did not wish to see the theory rejected. Mill sought to refine and improve the Benthamite utilitarian theory in order to create a successful version of Hedonistic Utilitarianism.

Mill was so confident about the prospects for a version of Hedonistic Utilitarianism because he believed that there was an empirically backed proof available to support the principle that the greatest happiness/pleasure should always be secured for the greatest number. Mill's proof, much like Bentham's empirical defence of Hedonism, relies on the evidence from observation that people desire their own happiness. This observation of fact supports Mill's claim that since people desire their own happiness, this is evidence that such happiness is *desirable*. Mill says "...each person's happiness is a good to that person, and the general happiness, therefore, a good to the aggregate of all persons". Since our happiness is good for us, and general happiness is just the total of the happiness of all persons, then general happiness is also good. To put it another way, if individual happiness is a good worth pursuing then happiness in general must be worth pursuing.

In order to justify Hedonism, Mill sought to justify the claim that the good of happiness is the *only* thing that makes our lives go better. Mill defends this claim by suggesting that knowledge, health and freedom etc. (as other plausible goods that might make a life go better) are only valuable *in so far as* they bring about happiness. Knowledge is desired only because it provides happiness when acquired, not because it, by itself and in isolation, makes life go better.

Mill's proof of Utilitarianism in terms of the general desirability of maximising total happiness is, however, open to criticism. For one thing, the fact that something is desired does not seem to justify the claim that it is desirable. **G. E. Moore** (1873–1958) points out that Mill moves from the factual sense that something is desirable if it is desired to the normative sense that it *should* be desired without any justification. It is possible, for example, to desire to kill another person. This is desirable in the sense people could and do desire it (it is possible to do so — it is an action that is *desire-able*), but not in the sense that we would want them to desire it.

In addition, the idea that other apparent goods, such as knowledge and health, are only valuable in so far as they promote happiness/pleasure is extremely controversial; can you imagine a situation in which you gained value from knowledge without any associated pleasure or happiness? If so, you may have a counter example to Mill's claim.

1.1.9: Mill's Qualitative Utilitarianism

In attempting to redraw Bentham's Utilitarianism, Mill's most substantial thought was to move away from Bentham's idea that all that mattered was the *quantity* of total pleasure. Instead, Mill thought that *quality* of pleasure was also crucial to deciding what is moral.

Bentham's Utilitarianism is quantitative in the sense that all Bentham focusses on is the maximisation of hedonically calculated quantities of total pleasure. Thus, he says that "Prejudice apart, the game of push-pin is of equal value with the arts and sciences of music and poetry". All that matters for Bentham is producing pleasure and the way this is achieved is unimportant. If playing on a console affords you more pleasure than reading Shakespeare, then Bentham would view your life as going better if you play the console. However, Mill introduces a quality criterion for pleasure. Mill says that:

It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied. And if the fool, or the pig, is of a different opinion, it is only because they only know their own side of the question.

Bentham could not admit that the unhappy Socrates would be living a life with more value than the happier fool. Mill, on the other hand, believes that *quality*, not merely quantity, of pleasure matters and can therefore defend the claim that Socrates has the better life even by hedonistic standards.

According to Mill, higher pleasures are worth more than lower pleasures. Higher pleasures are those pleasures of the intellect brought about via activities like poetry, reading or attending the theatre. Lower pleasures are animalistic and base; pleasures associated with drinking beer, having sex or lazing on a sun-lounger. What we should seek to maximise are the higher quality pleasures even if the total pleasure (hedonically calculated via Bentham's calculus) turns out to be quantitatively lower as a result. Justifying this distinction between higher and lower quality pleasures as non-arbitrary and not just an expression of his own tastes, Mill says that *competent judges*, those people who have experienced both types of pleasure, are best placed to select which pleasures are higher and lower. Such competent judges, says Mill, would and do favour pleasures of the intellect over the base pleasures of the body. On this basis, Mill is open to the criticism that many people have both read books and drunk beer and that if given the choice would choose the latter. Whether or not Mill's defence of his supposedly non-prejudiced distinction of higher and lower pleasures is successful is an open question for your evaluation and analysis.

1.1.10: Mill's Rule Utilitarianism versus Bentham's Act Utilitarianism

In addition to a difference in views regarding the importance of the quality of a pleasure, Mill and Bentham are also separated by reference to Act and Rule Utilitarianism and although such terms emerged only after Mill's death, Mill is typically considered a rule utilitarian and Bentham an act utilitarian.

An act utilitarian, such as Bentham, focuses only on the consequences of individual actions when making moral judgments. However, this focus on the outcome of individual acts can sometimes lead to odd and objection-raising examples. **Judith Jarvis Thomson** (1929–) raised the problem of the “transplant surgeon”.

Imagine a case where a doctor had five patients requiring new organs to stop their death and one healthy patient undergoing a routine check. In this case, it would seem that total pleasure is best promoted by killing the one healthy patient, harvesting his organs and saving the other five lives; their pleasure outweighs the cost to the formerly healthy patient.

While Bentham does suggest that we should have “rules of thumb” against such actions, for typically they will lead to unforeseen painful consequences, in the case as simply described the act utilitarian appears powerless to deny that such a killing is required in order to maximise total pleasure (just add your own details to secure this conclusion for the act utilitarian).

Rule utilitarians, in whose camp we can place Mill, adopt a different moral decision-procedure. Their view is that we should create a set of rules that, if followed, would produce the greatest amount of total happiness. In the transplant case, killing the healthy man would not seem to be part of the best set of utilitarian-justified rules since a rule allowing the killing of healthy patients would not seem to promote total happiness; one outcome, for example, would be that people would very likely stop coming to hospitals for fear for their life! Therefore, if a rule permitting killing was allowed then the maximisation of total happiness would not be promoted overall.

It is through Rule Utilitarianism that we can make sense of Mill's “harm principle”. According to Mill, there is:

...one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control.

That principle is:

The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant.

Even if a particular act of harming another person might bring about an increase in total pleasure on a single occasion, that act may not be condoned by the set of rules that best promotes total pleasure overall. As such, the action would not be morally permitted.

1.1.11: Strong versus Weak Rule Utilitarianism

Rule utilitarians may seem to avoid troubling cases like the transplant surgeon and be able to support and uphold individual human and legal rights based on rules that reflect the harm principle. This fact would also help rule utilitarians overcome objections based on the treatment of minorities because exploitation of minority groups would, perhaps, fail to be supported by the best utilitarian-justified set of rules. Yet, rule utilitarians face a troubling dilemma:

1. *Strong Rule Utilitarianism*: Guidance from the set of rules that, if followed, would promote the greatest amount of total happiness must *always* be followed.
2. *Weak Rule Utilitarianism*: Guidance from the set of rules that, if followed, would promote the greatest amount of total happiness can be ignored in circumstances where more happiness would be produced by breaking the rule.

The strong rule utilitarian appears to suffer from what **J. J. C. Smart** (1920–2012) described as “Rule Worship”. No longer focussing on the consequences of the action before them, the strong rule utilitarian appears to ignore the option to maximise total happiness in favour of following a general and non-relative rule regarding how to act. The strong rule utilitarian may be able to avoid problems based on treatment of minorities or a lack of absolute legal and human rights, but it is not clear that they survive these problems holding on to a teleological, relativistic utilitarian theory. Utilitarianism seems to be saved from troubling implications only by denying core features.

On the other hand, while Weak Rule Utilitarianism retains a teleological nature it appears to collapse into Act Utilitarianism. The rules provide guidelines that can be broken, and given that the act utilitarian can also offer “rules of thumb” against actions that tend not to produce maximum goodness or utility in general, such as killing healthy patients, it is not clear where this version of Rule Utilitarianism gains a unique identity. In what cases would Act Utilitarianism and Weak Rule Utilitarianism actually provide different moral guidance? This is something you should consider in the light of your own examples or previous examples in this chapter.

1.1.12: Comparing the Classical Utilitarians

Bentham

- Hedonist
- All pleasure equally valuable
- Act Utilitarian
- Teleological, impartial, relativistic, maximising

Mill

- Hedonist
- Quality of pleasure matters: intellectual versus animalistic
- Viewed as rule utilitarian
- If strong rule utilitarian, not clear if teleological or relativistic
- Impartial, maximising theory

1.1.13: Non-Hedonistic Contemporary Utilitarianism- Peter Singer and Preference Utilitarianism

Utilitarianism is not a dead theory and it did not end with Mill. **Henry Sidgwick** (1838–1900) is considered to have taken over the baton after Mill, and **R. M. Hare** (1919–2002) was perhaps chief advocate in the mid twentieth century. However, few contemporary philosophers can claim as much influence in public life outside philosophy as can the preference utilitarian, **Peter Singer** (1946–).

Singer advocates a non-hedonistic version of Utilitarianism. His utilitarian theory is teleological, maximising, impartial and relativistic but he does not claim that the greatest good for the greatest number can be reduced to pleasure in either raw or higher forms. Instead, Singer believes that what improves a person's life is entirely determined by the satisfaction of their preferences. If you satisfy your preference to achieve a good qualification your life goes better *in virtue of satisfying that preference*. If someone else desires to get a job rather than continue in education, their life goes better for them if they secure their preference and gain employment. Individuals, according to Singer, must be at the core of moral thinking:

*There would be something incoherent about living a life where the conclusions you came to in ethics did not make any difference to your life. It would make it an academic exercise. The whole point about doing ethics is to think about the way to live. My life has a kind of harmony between my ideas and the way I live. It would be highly discordant if that was not the case.*¹⁶

On this basis, when making moral decisions we should consider how best to ensure the maximisation of total preference satisfaction — it does not matter if our preference satisfaction fails to provide pleasure for us. Continuing to follow Bentham's commitment to impartiality, Singer also supports equal weighing of preferences when deciding which action better promotes greater preference satisfaction; all preferences are to weigh equally. This potentially leaves Singer open to the same issues that plagued Bentham. Namely, regarding circumstances where partiality seems desirable, or when the preferences of the majority seem to threaten a minority group, or require us to sacrifice our integrity. Further, the problem of calculation also seems to be relevant, because it is not obvious how you could work out the preferences of others in at least some difficult moral cases (let alone the preferences of animals, if they are also relevant).

In response to a concern regarding the moral relevance of satisfying bloodthirsty or apparently immoral preferences, and counting such satisfaction as a moral achievement (consider the preferences of a nation of paedophiles, for example), we might look to the ideas of **Richard Brandt** (1910–1997). Brandt, writing about the rationality of certain preferences, suggested that rational preferences were those that might survive cognitive psychotherapy.¹⁷ However, there is a question as to how arbitrary this requirement is and whether or not some unnerving preferences might form the core of certain individual characters therefore being sustained even after such therapy.

1.1.14: Summary

Utilitarianism remains a living theory and retains hedonistic and non-hedonistic advocates, as well as supporters of both act and rule formulations. The core insight that consequences matter gives the theory some intuitive support even in the light of hypothetical cases that pose serious problems for utilitarians. The extent to which the different versions of Utilitarianism survive their objections is very much up to you as a critically-minded philosopher to decide.

COMMON STUDENT MISTAKES

- Not reflecting the attitudinal aspect of pleasure that Bentham's theory may account for.
- Minimising the long-term impact of actions when it comes to pleasure/pain production.
- Imprecise understanding of the hedonic/non-hedonic split in Utilitarianism.
- Imprecision in use of examples to defend/challenge Utilitarianism.
- Suggesting that "Jim and the Indians" is not a counterexample to Utilitarianism simply because you judge killing the fewer number of people is ultimately the morally right thing to do.

ISSUES TO CONSIDER

1. Is there anything that would improve your life that cannot be reduced to either pleasure or preference satisfaction?
2. Would you enter Nozick's experience machine if you knew you would not come out? Would you put someone you care about into the machine while they were asleep, so that they never had to make the decision?
3. Can pleasure be measured? Does Bentham go about this task correctly?
4. Which is the most serious problem facing Bentham's Act Utilitarianism? Can it be overcome?
5. Does Mill successfully improve Bentham's Act Utilitarianism in any way?
6. Are you ever told to stop watching television and do something else? Is this good for you? Why?
7. Look at the quote at the start of the chapter by Dara Ó Briain — is it possible that some pleasures are inferior in value to others?
8. Do you have convictions or beliefs you would not want to sacrifice for the greater good, should you ever be forced to?
9. Why do utilitarians not give up on the idea of maximising pleasure and just talk in terms of promoting sufficient pleasure? Would this solve or raise problems?
10. Is Weak Rule Utilitarianism merely Act Utilitarianism by another name?
11. Does Strong Rule Utilitarianism deserve to be labelled as a utilitarian theory?
12. If your preferences change after psychotherapy, did the original preferences ever matter?

KEY TERMINOLOGY

Normative

Relativistic

Teleological

Consequentialist

Principle of Utility

Agent-Neutrality

Hedonic Calculus

Utility

Intrinsic

References

Bentham, Jeremy, *The Rationale of Reward* (London: Robert Heward, 1830), freely available at <https://books.google.co.uk/books?id=6igN9srLgg8C>

—, 'An Introduction to the Principles of Morals and Legislation', in *Utilitarianism and Other Essays*, ed. by Alan Ryan (London: Penguin Books, 2004).

—, *An Introduction to the Principles of Morals and Legislation*, freely available at <http://www.econlib.org/library/Bentham/bnthPML18.html>

Brandt, Richard, *Ethical Theory: The Problems of Normative and Critical Ethics* (Englewood Cliffs, NJ: Prentice Hall, 1959).

Mill, John Stuart, *On Liberty* (London: Longman, Roberts, Green & Co., 1869), freely available at <http://www.econlib.org/library/Mill/mlLbty1.html>

—, 'Utilitarianism', in *Utilitarianism and Other Essays*, ed. by Alan Ryan (London: Penguin Books, 2004).

—, *Utilitarianism*, freely available at <https://www.utilitarianism.com/mill1.htm>

Nozick, Robert, 'The Experience Machine', in *Ethical Theory*, ed. by Russ Shafer-Landau (Oxford: Blackwell Publishing, 2007).

Thomson, Judith Jarvis, 'The Trolley Problem', *The Yale Law Journal*, 94.6 (1985): 1395–415, <https://doi.org/10.2307/796133>

Toolis, Kevin, 'The Most Dangerous Man in the World', *the Guardian* (6 November 1999), freely available at <https://www.theguardian.com/lifeandstyle/1999/nov/06/weekend.kevintoolis>

Williams, Bernard, 'Jim and the Indians', in his *A Critique of Utilitarianism*, freely available at https://www.unc.edu/courses/2009spring/plcy/240/001/Jim_and_Indians.pdf

1.2: Kantian Ethics

1.2.1: An Introduction to Kantian Ethics

Immanuel Kant was born in 1724 in Königsberg in East Prussia, where he died in 1804. Kant is famous for revolutionising how we think about just about every aspect of the world — including science, art, ethics, religion, the self and reality. He is one of the most important thinkers of all time, which is even more remarkable by the fact that Kant is a truly awful writer. His sentences are full of technical language, are very long, and are incredibly dense. You have been warned!

Kant is a rationalist writing during the Enlightenment (1685–1815). He thinks that we can gain knowledge from our senses and through our rational capacities. This means his general philosophical approach starts by asking what we can know *a priori*.

This is key to understanding his work but also makes his writing on ethics seem a bit odd. We think the study of ethics — unlike say maths — ought to direct our eye to what is going on around us in the world. Yet Kant starts by turning his eyes “inward” to thinking about ethical *ideas*.

Kant believes that in doing this people will come to recognise that certain actions are right and wrong irrespective of how we might feel and irrespective of any consequences. For Kant, actions are right if they respect what he calls the Categorical Imperative. For example, because lying fails to respect the Categorical Imperative it is wrong and is wrong irrespective of how we might feel about lying or what might happen if we did lie; it is actions that are right and wrong rather than consequences. This means that Kant's theory is deontological rather than teleological. It focuses on our *duties* rather than our ends/goals/consequences.

There is, however, something intuitive about the idea that morality is based on reason rather than feelings or consequences. Consider my pet cat Spartan. He performs certain actions like scrabbling under bed covers, meowing at birds and chasing his tail. Now consider my daughter Beth, she performs certain actions like caring for her sister and helping the homeless.

Spartan's actions are *not* moral whereas Beth's actions are. Spartan's thinking and actions are driven by his desires and inclination. He eats and plays and sleeps when he desires to do so, there is no reasoning on his part. Beth, in contrast, can reflect on the various reasons she has, reasons to care for her sister and the homeless.

We might think then that humans are moral beings not because we have certain desires but precisely because we are *rational*. We have an ability to “stand back” and consider what we are doing and why. Kant certainly thought so and he takes this insight as his starting point.

1.2.2: Some Key Ideas

Duty

Kant's main works in ethics are his *Metaphysics of Morals* (1797) and the *Groundwork of the Metaphysics of Morals* (1785). Neither give practical advice about particular situations but rather through rational reflection, Kant seeks to establish the supreme principle of morality.

He starts from the notion of “duty” and although this is a rather old-fashioned term, the idea behind it should sound familiar. Imagine, your friend has told you that she is pregnant but asks you to promise to keep her secret. Through the coming weeks this juicy bit of gossip is on the tip of your tongue but you do not tell anyone because of your promise. There are things we recognise as being required of us irrespective of what we (really) desire to do. This is what Kant means by duty.

But this raises the question. If it is not desires that move us to do what is right (even really strong desires), what does? In our example, why is it that we keep our promise despite the strong desire to gossip? Kant's answer is “the good will”.

Good Will

Kant gives the following characterization of the good will. It is something that is *good irrespective of effects*:

A good will is good not because of what it effects or accomplishes — because of its fitness for attaining some proposed end: it is good through its willing alone — that is, good in itself.

It is also good without qualification.

It is impossible to conceive anything at all in the world, or even out of it, which can be taken as good without qualification, except a good will.

What does Kant mean? Well, pick anything you like which you think might make an action good — for example, happiness, pleasure, courage, and then ask yourself if there are any situations you can think of where an action having those features makes those actions worse?

It seems there are. Imagine someone who is *happy* when kicking a cat; or someone taking *pleasure* in torture; or a serial killer whose courage allows her to abduct children in broad daylight. In such cases the happiness, pleasure and courage make the actions worse. Kant thinks we can repeat this line of thinking for anything and everything, except one thing — *the good will*.

The good will unlike anything else is good *unconditionally* and what makes a good will good is willing alone; not other attitudes, or consequences, or characteristics of the agent. Even Kant thinks this sounds like a rather strange idea. So how can he (and we) be confident that the good will even exists?

Consider **Mahatma Gandhi's** (1869–1948) non-violent protest for Indian independence. He stood peacefully whilst the British police beat him. Here is a case where there must have been an overwhelming desire to fight back. But he did not. In this type of action Kant would claim that we “see” the good will — as he says — “shining like a jewel”. Seeing such resilience in the face of such awful violence we are humbled and can recognize, what Kant calls, its moral worth. Obviously not all actions are as significant as Gandhi's! However, Kant thinks that any acts like this, which are *performed despite conflicting desires*, are due to the good will. Considering such actions (can you think of any?) means we can recognize that the good will exists.

1.2.3: Acting for the Sake of Duty and Acting in Accordance with Duty

From what we have said above about the nature of duty and good will we can see why Kant says that to act from good will is acting for the sake of duty. We act despite our desires to do otherwise. For Kant this means that acting for the sake of duty is the *only* way that an action can have moral worth. We will see below what we have to do for our actions to be carried out for the sake of duty. However, before we do this, we need to be really clear on this point about moral worth.

Imagine that you are walking with a friend. You pass someone begging on the street. Your friend starts to weep, fumbles in his wallet and gives the beggar some money and tells you that he *feels* such an empathy with the poor man that he just has to help him.

For Kant, your friend's action has *no* moral worth because what is moving him to give money is empathy rather than duty! He is *acting in accordance with duty*. However, Kant does think your friend should be applauded as such an action is something that is of value although it wouldn't be correct to call it a *moral* action.

To make this point clearer, Kant asks us to consider someone who has no sympathy for the suffering of others and no inclination to help them. But despite this:

...he nevertheless tears himself from his deadly insensibility and performs the action without any inclination at all, but solely from duty then for the first time his action has genuine moral worth.

In contrast to our friend, this person is acting *for the sake of* duty and hence their action is moral. We must be careful though. *Kant is not telling us to become emotionally barren robots!* He is not saying that before we can act morally we need to get rid of sympathy, empathy, desires, love, and inclinations. This would make Kant's moral philosophy an absurd non-starter.

Let us see why Kant is not saying this. Consider an action such as giving to others. We should ask whether an action of giving to others *would have* been performed *even if* the agent lacked the desire to do so. If the answer is "yes" then the act has moral worth. This though is consistent with the agent *actually having* those desires. *The question for Kant is not whether an agent has desires but what moved the agent to act.* If they acted *because* of those desires they acted in accordance with duty and their action had no moral worth. If they acted for the sake of duty, and just happened to have those desires, then their action has moral worth.

1.2.4: Categorical and Hypothetical Imperatives

If we agree with Kant and want to act for the sake of duty what should we do? His answer is that we have to act out of *respect for the moral law*. He has two examples of how this works in practice: lying and suicide. However, before doing this we need to get a sense of what Kant has in mind when he talks about acting out of respect for the moral law.

The moral law is what he calls the “Categorical Imperative”. He thinks there are three formulations of this.

CI-1: *...act only according to that maxim through which you can at the same time will that it become a universal law.*

CI-2: *So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means.*

CI-3: *...every rational being must so act as if he were through his maxim always a lawmaking member in the universal kingdom of ends.*

We will consider these in turn, showing how they are linked. Consider then, CI-1.

Kant’s idea is that we use this “test” to see what maxims are morally permissible. If we act in accordance with those then we are acting from duty and our actions have moral worth. Let us look at what this means.

Initially it is worth considering what “categorical” and “imperative” mean. An imperative is just a command. “Clean your room!” is an imperative I give my daughter every Saturday. “Do not park in front of these gates!” is a command on my neighbour’s gate. “Love your God with all your heart, mind and soul” is a command from the Bible.

What about the “categorical” part? If a command is categorical then people ought to follow it irrespective of how they feel about following it, irrespective of what consequences might follow, or who may or may not have told them to follow it. For example, the command “do not peel the skin of babies” is categorical. You ought not to do this and the fact that this might be your life’s ambition, or that you really want to do it, or that your teacher has told you to do it, is completely irrelevant.

Contrast this with Hypothetical Imperatives. If I tell my daughter to clean her room, this is hypothetical. This is because whether she ought to clean her room is dependent on conditions about her and me. If she does not care about a clean room and about what her dad thinks, then it is not true that she ought to clean her room. Most commands are hypothetical. For example, “study!” You ought to study only *if* certain things are true about you; for example, that you care about doing well, that you want to succeed in the test etc.

Kant thinks that moral “oughts” — for example, “you ought not lie” — are *categorical*. They apply to people irrespective of how they feel about them.

The next thing we need is the idea of a “maxim”. This is relatively simple and is best seen through the following examples. Imagine I’m considering whether to make a false promise. Perhaps I think that by falsely promising you that I will pay you back I will be more likely to get a loan from you. In that case my maxim is something like “*whenever I can benefit from making a false promise I should do so*”.

Imagine I decide to exercise because I feel depressed, then I may be said to be acting on the maxim “*Whenever I feel depressed I will exercise*”. A maxim is a general principle or rule upon which we act. We do not decide on a set of maxims, perhaps writing them down, and then try to live by them but rather a *maxim is the principle or rule that can make sense of an action whether or not we have thought about it in these terms*.

1.2.5: The First Formulation of the Categorical Imperative

Let's put these bits together in relation to CI-1

...act only according to that maxim through which you can at the same time will that it become a universal law.

The “test” that CI-1 prescribes is the following. Consider the maxim on which you are thinking about acting, and ask whether you can either (i) conceive that it become a universal law, or (ii) will that it become a universal law. If a maxim fails on either (i) or (ii) then there is no good reason for you to act on that maxim and it is morally impermissible to do so. If it passes the CI test, then it is morally permissible.

Kant is *not* saying that the CI-1 test is a way of working out what is and what is not moral. Presumably we can think of lots of maxims, which are non-moral, which pass the test, for example, “whenever I am bored I will watch TV”.

Equally he is not saying that if a maxim cannot be universalized then it is morally impermissible. Some maxims are just mathematically impossible. For example, “whenever I am going to exercise I will do it for an above the average amount of time”. This maxim cannot be universalized because we cannot conceive that everyone does something above “average”.

Finally, it is worth remembering that the maxim must be able to be *willed* as a universal law. This is important because maxims such as “if your name is Jill and you are 5ft 11, you can lie” will fail to be universalized because you cannot will that your name is Jill or that your height is 5ft11. It has to be possible to will as a universal law and for this to be true it must be at least possible for it actually to come about. This shows that the common concern that we can get any maxim to pass the CI-1 test by simply adding more and more specific details, such as names, heights or locations, *fails*. This is very abstract (what did we tell you about Kant's work!). Let us consider an example.

1.2.6: Perfect and Imperfect Duties

Recall the example of making a false promise to secure a loan. The maxim is “*whenever I can benefit from doing so, I should make a false promise*”. The question is whether I could conceive or will that this become a universal law.

I could not. If everyone followed this maxim then we would all believe everyone else could make a false promise if it would benefit them to do so. Kant thinks such a situation is not conceivable because the very idea of making a promise relies on trust. But if “whenever it is of benefit to you, you can make false promises” was to become a universal law then there would be no trust and hence no promising. So by simply thinking about the idea of promising and lying we see the maxim will fail the test and, because we cannot universalize the maxim, then making a false promise becomes morally impermissible. This is true universally for all people in all circumstances for anyone can, in principle, go through the same line of reasoning.

A maxim failing at (i) is what Kant calls a *contradiction in conception*, and failing at (i) means we are dealing with what Kant calls a *perfect duty*. In our example we have shown we have a perfect duty not to make false promises.

Consider another example. Imagine that someone in need asks us for money but we decide not to help them. In this case our maxim is “whenever someone is in need and asks for money do not give them money”. Does this pass the CI-1 test?

No it fails the CI-1 test. Although it is true that the maxim passes (i) not giving to the needy does not threaten *the very idea* of giving money away. Kant thinks that anyone thinking about this will see that that maxim will fail at (ii) and hence it is morally impermissible. Here is why.

You cannot know if you will be in need in the future and presumably you would want to be helped if you were in need. In which case you are being inconsistent if you willed that “people should not help those in need” should become a universal law. For you might want people to help those in need in the future, namely, *you*.

So we cannot will the maxim “whenever someone is in need do not help them” to become a universal moral law. Again this is a thought process that *anyone* can go through and it means that this moral claim is true universally for all people in all circumstances. Failing at (ii) is what Kant calls a *contradiction in will*, and failing at (ii) means we are dealing with what Kant calls an *imperfect duty*.

It is absolutely key to recognize that CI-1 is not simply asking “what if everyone did that?” CI-1 is *not a form of Utilitarianism* (see Chapter 1.1). Kant is not saying that it is wrong to make false promises because if people did then the world would be a horrible place. Rather Kant is asking about whether we can *conceive or will* the maxim to become a universal law.

1.2.7: Second Formulation of the Categorical Imperative

The second formulation (CI-2) is the following:

So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means.

Kant thinks that CI-1 and CI-2 are two sides of the same coin, though precisely how they are related is a matter of scholarly debate. Put very simply CI-2 says you should not use people, because if you do, you are failing to treat them as a rational agent and this is morally wrong.

For example, if I use your essay without your knowledge then I have not treated you as a rational agent. I would have done had I asked you for your essay and you had freely chosen to let me have it. But given that I did not ask you, I was in a sense *making choices on your behalf* and thus did not treat you as a rational agent. So according to Kant I should always treat you as an end not a means. I should always treat you as a free rational agent.

Kant's theory then has a way of respecting the *dignity* of people. We should treat people with respect and with dignity purely on the basis that they are rational agents, and not because of their race, gender, education, upbringing etc. From this you can also see that Kant's theory allows us to speak about "rights". If someone has a right then they have this right irrespective of gender, education, upbringing etc. For example, Jill has a right to free speech because she is a person, consequently that right will not disappear if she changes her location, personal circumstances, relationship status, political viewpoint etc. After all she does not stop being a person.

Importantly, CI-2 does not say that you *either* treat someone as a means *or* an end. I could treat someone as an end *by* treating them as a means. Suppose that you have freely decided to become a taxi driver. If I use you as a means by asking you to take me to the airport I am also treating you as an end. But Kant does not believe this to be morally wrong because I am respecting you as a rational agent; after all, you *chose* to be a taxi driver. Of course, if I get into your car and point a gun at your head and ask to be taken to the airport then I am not treating you as an end but rather solely as a means, which is wrong.

1.2.8: The Third Formulation of the Categorical Imperative and Summary

The final formulation of the Categorical Imperative is a combination of CI-1 and CI-2. It asks us to imagine a kingdom which consists of only those people who act on CI-1. They never act on a maxim which cannot become a universal law. In such a kingdom people would treat people as ends, because CI-2 passes CI-1. This is why CI-3 is often called the “Kingdom of Ends” formulation:

...every rational being must so act as if he were through his maxim always a lawmaking member in the universal kingdom of ends.

In summary, we have seen that Kant thinks that acts have moral worth only if they are carried out for the sake of duty. Agents act for the sake of duty if they act out of respect for the moral law, which they do by following the Categorical Imperative in one of its formulations.

Consequently, Kant thinks that acts are wrong and right universally, irrespective of consequences and desires. If lying is wrong then it is wrong in all instances. From all this, it follows that we cannot be taught a set of moral rules for each and every situation and Kant believes that it is up to us to work it out for ourselves by thinking rationally.

There have been, and continue to be, many books and journal articles written about Kant's ethics. He has a profound and deep insight into the nature of morality and he raises some fundamental questions about what it is to be human. Kant's moral theory is radically *Egalitarian* as his theory is blind to individual personal circumstances, race, gender and ethnicity. Everyone is equal before the moral law!

Related to this, his theory respects the rights of individuals and, relatedly, their dignity. Any theory that is to have a hope of capturing our notion of rights needs to be able to respect the thought that a right is not something that disappears if circumstances change. Jill has a right to life, period; we do not say Jill has a right to life “if...” and then have to fill in the blanks. This is precisely something that Kant's theory can give us. CI-1 generates maxims which do not have exceptions and CI-2 tells us that we should *always* treat everyone as an end in themselves and *never* solely as a means to an end. It tells us, for example, that we ought not to kill Jill, and this holds true in all circumstances.

There are, though, a number of tough questions that Kant's work raises. We consider some of these below. However, as with all the philosophical ideas we discuss in this book, Kant's work is still very much alive and has defenders across the world. Before we turn to these worries, we work through an example that Kant gives regarding suicide.

1.2.9: Kant on Suicide

Kant is notoriously stingy with examples. One he does mention is suicide. This is an emotive topic and linked to questions about mental health and religion. An attraction of Kant's view is the ability to apply his Categorical Imperatives in a dispassionate way. His framework should allow us to "plug in" the issue and "get out" an answer. Let's see how this might work.

Kant thinks that suicide is always wrong and has very harsh words for someone who attempts suicide

He who so behaves, who has no respect for human nature and makes a thing of himself, becomes for everyone an Object of freewill. We are free to treat him as a beast, as a thing, and to use him for our sport as we do a horse or a dog, for he is no longer a human being; he has made a thing of himself, and, having himself discarded his humanity, he cannot expect that others should respect humanity in him.

But why does he think this? How does this fit with Kant's Categorical Imperatives? We will look at the first two formulations.

Fundamental to remember is that for Kant the motive that drives *all* suicide is "avoid evil". By which he means avoiding suffering, pain, and other negative outcomes in one's life. All suicide attempts are due to the fact that we love ourselves and thus want to "avoid evils" that may befall us.

Imagine then that I decide to commit suicide. Given what we have just said about my motives this means I will be acting on this maxim: "From self-love I make as my principle to shorten my life when its continued duration threatens more evil than it promises satisfaction".

Following CI-1 the question then is whether it is possible to universalise this maxim? Kant thinks not. For him it is unclear how we could will it that all rational agents as the result of *self-love* can *destroy themselves* when their continued existence threatens more evil than it promises satisfaction. For Kant self-love leading to the destruction of the self is a *contradiction*. Thus he thinks that we have a *perfect* (rather than an imperfect) duty to ourselves not to commit suicide. To do so is morally wrong. This is how Kant puts it:

One sees at once a contradiction in a system of nature whose law would destroy life [suicide] by means of the very same feeling that acts so as to stimulate the furtherance of life [self-love], and hence there could be no existence as a system of nature. Therefore, such a maxim cannot possibly hold as a universal law of nature and is, consequently, wholly opposed to the supreme principle of all duty.

Notice a few odd things here in relation to CI-1. The point about universalisation seems irrelevant. Kant could have just said it is a contradiction to will from self-love the destruction of oneself. It seems that there is nothing added by asking us to consider this point universalised. It does not add weight to the claim that it is a contradiction.

Second, it is not really a "contradiction" at all! It is different to the lying promise example. In this it seems that the very concept of a promise relies on trust, which lying would destroy. In contrast in the suicide case the "contradiction" seems more like a by-product of Kant's assumption regarding the motivation of suicidal people. So we can avoid the "contradiction" if we allow for the possibility that suicide need not be driven by self-love. If this were true then there would be no "contradiction". Hence, it seems wrong to call the duty not to kill oneself — if such a duty exists — a "perfect" duty. So the first formulation does not give Kant the conclusion that suicide is morally wrong.

Moving to the second formulation. This helps us understand Kant's harsh assessment of people attempting suicide. Remember he calls such people "objects" or "beasts" or "things". So, what is the difference between beasts or objects or things, and humans? The answer is that we are *rational*. Recall, that for Kant our rationality is of fundamental value. If anyone's actions do not recognize someone else's rationality then they have done something morally wrong. This amounts to treating them as merely means to our own end. Given all this you can see what Kant is getting at. For him committing suicide is treating yourself as a mere means to some end — namely the end of avoiding pain and suffering etc. — and not an end in itself. You are treating yourself as a "beast" a "thing" an "object", not as a human being with the gift of reason. This is morally wrong.

Moreover, if you do this, then others treating you with respect as a *rational person* can conclude that you also want others to treat you in this way. Because if you are rational then you must think that it is OK to universalise the maxim that we can treat others as objects, beast and thing. They can thus treat you as a beast, object, and thing and still be treating you with respect as a rational agent. With regard to attempting suicide your action is wrong because you have ignored your own rationality. You have treated

yourself as a mere means to an end.

But, like the first formulation this is very weak. It is unclear why in attempting suicide you are treating yourself as a mere means to an end. You might think you are respecting your rationality *by* considering suicide. Recall, Kant says that it is sometimes fine to treat people as a means to an end, e.g. a taxi driver. It is fine where people have given consent for you to treat them that way. In that case, suicide might be like the taxi driver case. We have freely decided to treat ourselves as a means to an end. We are, then, treating ourselves as a rational agent and not doing something morally wrong by committing suicide.

There are some other things that Kant says about the wrongness of suicide that do not link to the Categorical Imperatives. For example, he talks about humans being the property of God and hence our lives not being something we can choose to extinguish. However, we need not discuss this here.

There is a consensus between Kant scholars that, as it stands, Kant's argument against suicide fails. There are some though who use Kant's ideas as a starting point for a more convincing argument against suicide. For example, see **J. David Velleman** (1999) and **Michael Cholbi** (2000).

1.2.10: Problems and Responses- Conflicting Duties

If moral duties apply in *all* circumstances, then what happens when we have duties which conflict? Imagine that you have hidden some Jewish people in your basement in Nazi Germany. Imagine then that an SS officer knocks at your door and asks if you are hiding Jews? What might Kant's theory tell us to do? Our duty is to refrain from lying so does this mean we are morally required to tell the SS officer our secret? If this is the conclusion then it makes Kant's theory morally repugnant.

However, *there is no requirement in Kant's theory to tell the truth*, there is just a requirement *not to lie*. Lying is about intentional deceit, so maybe in this example there is a way not to lie. For example, if we simply stayed silent.

Even if we respond in this sort of way in this example, presumably we can engineer an example that would not allow for this. For example, perhaps we are in a law court and the SS officer asks us under oath. In that example, silence would not be an option. This certainly would seem to count against Kant's theory for it does seem morally wrong to reveal the location of the Jewish people.

The main point though is that Kant thinks we need to take the features of each individual situation into account. He does not just want us to mindlessly apply generic rules whilst paying no attention to what is before us. So **Peter Rickman** writes regarding these types of cases:

...it should be plain that more than one imperative/moral principle is relevant to the situation. Certainly we should tell the truth; but do we not also have a duty to protect an innocent man from harm? Further, do we not have an obligation to fight evil? We are confronted with a conflict of values here. Unfortunately, as far as I know, there is no explicit discussion of this issue in Kant. One could assume, however, that his general approach of distinguishing the lesser from the greater evil should be applied. I think Kant might say that although lying is never right, it might be the lesser evil in some cases.

So the point is not that these sorts of examples are “knock down” criticisms of Kant's theory but rather that Kant's theory is underspecified and fails to give guidance with these specific sorts of cases. In fact, we might think that this is an advantage of his theory that has given us the supreme principle of morality and the general way of proceeding but has left it up to us to work out what to do in each situation. We will leave the reader to see if this can be done and in particular, whether it can be done in a way consistent with the other aspects of his moral theory.

1.2.11: Problems and Responses- The Role of Intuitions

One of the most common criticisms levelled at Kant's theory is that it is simply counter intuitive. For example, lying, for him, is morally impermissible in all instances irrespective of the consequences. Yet we seem to be able to generate thought experiments that show that this is a morally repugnant position.

However, in Kant's defence we might ask why we should use our intuitions as any form of test for a moral theory. Intuitions are notoriously fickle and unreliable. Even if you pick the oddest view you can think of, you would probably find some people at some point in time that would find this view "intuitive". So how worried should we be if Kant's theory leads to counter intuitive consequences? This then raises a more general methodological question to keep at the forefront of your mind when reading this book. What role, if any, should intuitions have in the formation and the testing of moral theory?

1.2.12: Problem and Responses- Categorical Imperatives and Etiquette

Kant argues that what we are morally required to do is a matter of reason. If people reason in the right way then they will recognise, for example, that lying is wrong. However, some philosophers, for example **Philippa Foot** (1920–2010), have worried about this link to reason. The strength of Foot's challenge is that she agrees that morality is a system of Categorical Imperatives but says that this *need not be due to reason*.

Foot uses the example of *etiquette* to motivate her argument. Rules of etiquette seem to be Categorical Imperatives but are *not* grounded in reason. Consider an example. I had a friend at university who was a sportsman. He was in many teams, his degree was in sports and exercise and if there were ever a spare minute he would be running, on his bike or in the pool. Unsurprisingly he wore a tracksuit and trainers all the time!

During our second year at university a mutual friend died. There was a big formal funeral arranged. My friend decided to go to this funeral in his tracksuit and trainers. I asked him about this and his response was that it was what he liked wearing. However, to my mind at least, this reason, which was based on his desire, did not change the fact that he really ought not have worn a tracksuit. Foot would agree and thinks that rules of etiquette are categorical because they are not dependent on any particular desires someone would have.

However, even if they are categorical, Foot thinks that rules of etiquette are not rules of reason. We do not think that if we reasoned correctly we would recognise that we ought not to wear tracksuits to funerals, or (to think of some other rules of etiquette) we ought not to reply to a letter written in the third person in the first person, or we ought not to put our feet on the dinner table during a meal etc. It is not simply a matter of thinking in the right way but rather to recognise these “oughts” as part of a shared cultural practice.

So although this does not show that Kant is wrong, it does throw down a challenge to him. That is, we need independent reasons to think that the *categorical* nature of moral “oughts” are based on *reason* and not just part of a shared cultural practice. To respond to this challenge, the Kantian would have to put forward the argument that in the particular case of moral “oughts”, we have a good argument to ground the categorical nature in reason rather than institutional practices.

1.2.13: Problems and Responses- The Domain of Morality

Kant thinks that the domain of morality is merely the domain of reasons and as far as we are agents who can reason then we have duties and rights and people ought to treat us with dignity. The flip side of this is that non-rational agents, such as non-human animals, do not have rights and we can, according to Kant, treat them as we like!

The challenge to Kant's theory is that the scope of morality seems bigger than the scope of reasons. People do think that we have moral obligations toward non-rational agents. Consider someone kicking a cat. We might think that *morally* they ought not to do this. However, Kant's theory does not back this up because, as far as we know, cats are not rational agents. Despite it not being wrong to treat animals in this way, Kant *still thinks that we should not*, because if we did, then we would be more likely to treat humans in this way.

1.2.14: Summary

Kant's moral theory is extremely complicated and badly expressed. However, it is hugely influential and profound. As a system builder Kant's work starts with rational reflection from which he attempts to develop a complete moral system.

He starts from the notion of duty. He shows that what allows us to act for the sake of duty is the good will, and that the good will is unconditionally good. If we want to act for the sake of duty we need to act out of respect for the moral law and this amounts to following the Categorical Imperative. Kant argues that in following the Categorical Imperative, agents will converge on what is morally permissible. Hence Kant can talk about absolute and objective moral truths.

COMMON STUDENT MISTAKES

- Confusing acting in *accordance with* duty and acting *for the sake of* duty.
- Thinking that Kant's theory has no room for emotions.
- Thinking that Kant's Categorical Imperative can be summed up in the question: "how would you like it if everyone did that"?
- Thinking that the Categorical Imperative is a form of Utilitarianism.
- Thinking Kant believes you can never treat someone as a means to an end.

ISSUES TO CONSIDER

1. Think about your life. Do you think there are things you "ought to do"?
2. Do you think that there are things you ought to do irrespective of your desires and inclinations?
3. What are Categorical and Hypothetical Imperatives? Do you think that rules of etiquette are categorical or hypothetical?
4. How might Kant respond to the SS officer example?
5. Can you think of some examples where you might be treating someone solely as means-to-an-end?
6. Would capital punishment pass the CI-2 test?
7. How might CI-2 relate to prostitution? Do you think that Kant would say that it is morally permissible?
8. Why might Kant's theory be well placed to respect people's rights?
9. Do you think we have any moral obligations towards animals? What would Kant say?
10. What role do you think intuitions should have in assessing moral theories?

KEY TERMINOLOGY

A priori

Categorical Imperative

Deontological

Duty

Egalitarian

Good will

Hypothetical Imperative

Maxim

Rationalist

Rights

References

- Cholbi, Michael J., 'Kant and the Irrationality of Suicide', *History of Philosophy Quarterly*, 17.2 (2000): 159–76.
- Foot, Philippa, 'Morality as a System of Hypothetical Imperatives', *The Philosophical Review*, 81.3 (1972): 305–16, <https://doi.org/10.2307/2184328>
- Kant, Immanuel, *Moral Law: The Groundwork of the Metaphysics of Morals*, Translated and analysed by H. J. Paton (Oxford: Routledge, 2013).
- , *Lectures on Ethics* (Cambridge: Cambridge University Press, 1997).
- Rickman, Peter, 'Having Trouble with Kant?', *Philosophy Now*, freely available at https://philosophynow.org/issues/86/Having_Trouble_With_Kant
- Velleman, J. David, 'A Right of Self-termination?', *Ethics*, 109.3 (1999): 606–28, <https://doi.org/10.1086/233924>
- , *Beyond Price: Essays on Birth and Death* (Cambridge: Open Book Publishers, 2015), <https://doi.org/10.11647/OBP.0061>; freely available at <https://www.openbookpublishers.com/reader/349>

1.3: Aristotelian Virtue Ethics

1.3.1: Aristotelian Virtue Ethics Introduction

Aristotle (384–322 BC) was a scholar in disciplines such as ethics, metaphysics, biology and botany, amongst others. It is fitting, therefore, that his moral philosophy is based around assessing the broad characters of human beings rather than assessing singular acts in isolation. Indeed, this is what separates Aristotelian Virtue Ethics from both Utilitarianism and Kantian Ethics.

1.3.2: The Function Argument

Aristotle was a *teleologist*, a term related to, but not to be confused with, the label “teleological” as applied to normative ethical theories such as Utilitarianism. Aristotle was a teleologist because he believed that every object has what he referred to as a final cause. The Greek term *telos* refers to what we might call a purpose, goal, end or true final function of an object. Indeed, those of you studying Aristotle in units related to the Philosophy of Religion may recognise the link between Aristotle’s general teleological worldview and his study of ethics.

Aristotle claims that “...for all things that have a function or activity, the good and the ‘well’ is thought to reside in the function”. Aristotle’s claim is essentially that in achieving its function, goal or end, an object achieves its own good. Every object has this type of a true function and so every object has a way of achieving goodness. The *telos* of a chair, for example, may be to provide a seat and a chair is a good chair when it supports the curvature of the human bottom without collapsing under the strain. Equally, says Aristotle, what makes good sculptors, artists and flautists is the successful and appropriate performance of their functions as sculptors, artists and flautists.

This teleological (function and purpose) based worldview is the necessary backdrop to understanding Aristotle’s ethical reasoning. For, just as a chair has a true function or end, so *Aristotle believes human beings have a telos*. Aristotle identifies what the good for a human being is in virtue of working out what the function of a human being is, as per his Function Argument.

Function Argument

1. All objects have a *telos*.
2. An object is good when it properly secures its *telos*.

Given the above, hopefully these steps of the argument are clear so far. At this point, Aristotle directs his thinking towards human beings specifically.

3. The *telos* of a human being is to *reason*.
4. The good for a human being is, therefore, acting in accordance with reason.

In working out our true function, Aristotle looks to that feature that *separates man from other living animals*. According to Aristotle, what separates mankind from the rest of the world is our ability not only to reason but to *act on reasons*. Thus, just as the function of a chair can be derived from its *uniquely differentiating characteristic*, so the function of a human being is related to our uniquely differentiating characteristic and we achieve the good when we act in accordance with this true function or *telos*.

The notion that man has a true function may sound odd, particularly if you do not have a religious worldview of your own. However, to you especially Aristotle wrote that “...as eye, hand, foot and in general each of the parts evidently has a function, may one lay it down that man similarly has a function apart from all these?”

On the basis that we would ascribe a function to our constituent parts — we know what makes a good kidney for example — so too Aristotle thinks it far from unreasonable that we have a function as a whole. Indeed, this may be plausible if we consider other objects. The component parts of a car, for example, have individual functions but a car itself, as a whole, has its own function that determines whether or not it is a good car.

1.3.3: Aristotelian Goodness

On the basis of the previous argument, the good life for a human being is achieved when we act in accordance with our *telos*. However, rather than leaving the concept of goodness as general and abstract we can say more specifically what the good for a human involves. Aristotle uses the Greek term *eudaimonia* to capture the state that we experience if we fully *achieve* a good life. According to Aristotle, *eudaimonia* is the state that all humans should aim for as it is the aim and end of human existence. To reach this state, we must ourselves act in accordance with reason. Properly understanding what Aristotle means by *eudaimonia* is crucial to understanding his Virtue Ethical moral position.

Eudaimonia has been variously translated and no perfect translation has yet been identified. While all translations have their own issues, *eudaimonia understood as flourishing* is perhaps the most helpful translation and improves upon a simple translation of happiness. The following example may make this clearer.

Naomi is an extremely talented pianist. Some days, she plays music that simply makes her happy, perhaps the tune from the television soap opera “Neighbours” or a rendition of “Twinkle, Twinkle Little Star”. On other days, she plays complex music such as the supremely difficult Chopin-Godowsky *Études*. These performances may also make Naomi happy, but she seems to be flourishing as a pianist only with the latter performances rather than the former. If we use the language of function, both performances make Naomi happy but she fulfils her function as a pianist (and *is* a good pianist) only when she flourishes with the works of greater complexity.

Flourishing in life may make us happy but happiness itself is not necessarily well aligned with acting in accordance with our *telos*. Perhaps, if we prefer the term happiness as a translation for *eudaimonia* we mean really or *truly* happy, but it may be easier to stay with the understanding of *eudaimonia* as flourishing when describing the state of acting in accordance with our true function.

Aristotle concludes that a life is *eudaimon* (adjective of *eudaimonia*) when it involves “...the active exercise of the mind in conformity with perfect goodness or virtue”. *Eudaimonia* is secured not as the result exercising of our physical or animalistic qualities but as the result of the exercise of our distinctly human rational and cognitive aspects.

1.3.4: Eudaimonia and Virtue

The quotation provided at the end of section three was the first direct reference to virtue in the explanatory sections of this chapter. With Aristotle's theoretical presuppositions now laid out, we can begin to properly explain and evaluate his conception of the virtues and their link to moral thinking.

According to Aristotle, *virtues are character dispositions or personality traits*. This focus on our dispositions and our character, rather than our actions in isolation, is what earns Aristotelian Virtue Ethics the label of being an *agent-centred* moral theory rather than an *act-centred* moral theory.

Act-Centred Moral Theories

Utilitarianism and Kantian Ethics are two different examples of act-centred moral theories due to their focus on actions when it comes to making moral assessments and judgments. Act-centred moral theories may be teleological or deontological, absolutist or relativist, but they share a common worldview in that particular actions are bearers of moral value — either being right or wrong.

Agent-Centred Moral Theories

Aristotelian Virtue Ethics is an agent-centred theory in virtue of a primary focus on people and their characters rather than singular actions. For Aristotle, morality has more to do with the question “how should I *be*?” rather than “what should I *do*?” If we answer the first question then, as we see later in this chapter, the second question may begin to take care of itself. When explaining and evaluating Aristotelian Virtue Ethics you must keep in mind this focus on character rather than specific comments on the morality of actions.

Aristotle refers to virtues as character traits or psychological dispositions. Virtues are those particular dispositions that are appropriately related to the situation and, to link back to our function, encourage actions that are in accordance with reason. Again, a more concrete example will make clear how Aristotle identifies virtues in practice.

All of us, at one time or another, experience feelings of anger. For example, I may become angry when my step-son thoughtlessly eats through the remaining crisps without saving any for others, or he may feel anger when he has to wait an extra minute or two to be picked up at work because his step-father is juggling twenty-six different tasks and momentarily loses track of time (how totally unfair of him...). Anyway, as I was saying, back to Aristotle, “Anyone can become angry — that is easy. But to be angry with the right person, to the right degree, at the right time, for the right purpose, and in the right way — that is not easy”.

For Aristotle, *virtue is not a feeling* itself but an appropriate psychological disposition in response to that feeling; the proper response. The correct response to a feeling is described as acting on the basis of the *Golden Mean*, a response that is neither excessive nor deficient. The table below makes this more apparent.

Feeling/Emotion	Vice of Deficiency	Virtuous Disposition (Golden Mean)	Vice of Excess
Anger	Lack of spirit	Patience	Irascibility
Shame	Shyness	Modesty	Shamefulness
Fear	Cowardice	Courage	Rashness

Indignation	Spitefulness	Righteousness	Envy
-------------	--------------	---------------	------

Anger is a feeling and therefore is neither a virtue nor a vice. However, the correct response to anger — the Golden Mean between two extremes — is patience, rather than a lack of spirit or irascibility. Virtues are not feelings, but characteristic dispositional responses that, when viewed holistically, define our characters and who we are.

The Golden Mean ought not to be viewed as suggesting that a virtuous disposition is always one that gives rise to a “middling” action. If someone puts their life on the line, when unarmed, in an attempt to stop a would-be terrorist attack, then their action may be rash rather than courageous. However, if armed with a heavy, blunt instrument their life-risking action may be courageously virtuous rather than rash. The Golden Mean is not to be understood as suggesting that we always act somewhere between complete inaction and breathless exuberance, but as suggesting that we act between the vices of excess and deficiency; such action may well involve *extreme* courage or *exceptional* patience.

In addition to feelings, Aristotle also suggests that we may virtuously respond to situations. He suggests the following examples.

Situation	Vice of Deficiency	Virtuous Disposition (Golden Mean)	Vice of Excess
Social conduct	Cantankerousness	Friendliness	Self-serving flattery
Conversation	Boorishness	Wittiness	Buffoonery
Giving money	Stinginess	Generosity	Profligacy

We must keep in mind the agent-centred nature of Aristotelian Virtue Ethics when considering these examples. A person does not cease to have a witty disposition in virtue of a single joke that might err on the side of buffoonery, or cease to be generous because they fail to donate to charity on one occasion. Our psychological dispositions, virtuous or not, are only to be assessed by judgment of a person’s general character and observation over more than single-act situations. If we act in accordance with reason and fulfill our function as human beings, our behaviour will generally reflect our virtuous personality traits and dispositions.

1.3.5: Developing the Virtues

In a quote widely attributed to Aristotle, **Will Durrant** (1885–1981) sums up the Aristotelian view by saying that “...we are what we repeatedly do. Excellence, then, is not an act but a habit”. It is fairly obvious that we cannot become excellent at something overnight. Making progress in any endeavour is always a journey that requires both effort and practice over time. Aristotle holds that the same is true for human beings attempting to develop their virtuous character traits in attempt to live the good life. You may feel yourself coming to an Aristotelian Virtue Ethical view after reading this chapter and therefore be moved to become wittier, more courageous and more generous but you cannot simply acquire these traits by decision; rather, you must *live* these traits in order to develop them.

Cultivating a virtuous character is something that happens by practice. Aristotle compares the development of the skill of virtue to the development of other skills. He says that “...men become builders by building” and “...we become just by doing just acts”. We might know that a brick must go into a particular place but we are good builders only when we know how to place that brick properly. Building requires practical skill and not merely intellectual knowledge and the same applies to developing virtuous character traits. Ethical characters are developed by practical learning and habitual action and not merely by intellectual teaching.

In the end, the virtuous individual will become comfortable in responding to feelings/situations virtuously just as the good builder becomes comfortable responding to the sight of various tools and a set of plans. A skilled builder will not need abstract reflection when it comes to knowing how to build a wall properly, and nor will a skilled cyclist need abstract reflection on how to balance his speed correctly as he goes around a corner.

Analogously, a person skilled in the virtues will not need abstract reflection when faced with a situation in which friendliness and generosity are possibilities; they will simply know on a more intuitive level how to act. This is not to say that builders, cyclists and virtuous people will not sometimes need to reflect specifically on what to do in abnormal or difficult situations (e.g. moral dilemmas, in the case of ethics) but in normal situations appropriate responses will be natural for those who are properly skilled.

It is the need to become skilled when developing virtuous character traits that leads Aristotle to suggest that becoming virtuous will require a lifetime of work. Putting up a single bookshelf does not make you a skilled builder any more than a single act of courage makes you a courageous and virtuous person. It is the repetition of skill that determines your status and the development of virtuous characters requires a lifetime of work rather than a single week at a Virtue Ethics Bootcamp.

1.3.6: Practical Wisdom (Phronesis)

Aristotle does offer some specifics regarding how exactly we might, to use a depressingly modern phrase, “upskill” in order to become more virtuous. Aristotle suggests that the aim of an action will be made clear by the relevant virtuous characteristic as revealed by the Golden Mean; for example, our aim in a situation may be to respond courageously or generously. It is by developing our skill of practical wisdom (translation of “*phronesis*”) that we become better at ascertaining what exactly courage or generosity amounts to in a specific situation and how exactly we might achieve it.

By developing the skill of practical wisdom, we can properly put our virtuous character traits into practice. For the Aristotelian, practical wisdom may actually be the most important virtuous disposition or character trait to develop as without the skill of practical wisdom it may be difficult to actually practice actions that are witty rather than boorish, or courageous rather than cowardly. Imagine trying to be a philosopher without an acute sense of logical reasoning; you would struggle because this seems to be a foundational good on which other philosophical skills rely. So too it may be with the virtues, practical wisdom supports our instinctive knowledge of how to respond virtuously to various feelings, emotions and situations.

If this still seems to be somewhat opaque, then we may develop our sense of practical wisdom by looking at the actions of others who we do take to be virtuous. A child, for example, will most certainly need to learn how to be virtuous by following examples of others. If we are unsure in our own ability to discern what a courageous response in a given situation is, then we may be guided by the behaviour of Socrates, Jesus, Gandhi, Mandela or King, as examples. If we learn from the wisdom and virtue of others, then just as a building apprentice learns from a master so too virtue apprentices can learn from those more skilled than they in practising virtue. Hopefully, such virtue apprentices will eventually reach a point where they can stand on their own two feet, with their personally developed sense of practical wisdom.

1.3.7: Voluntary Actions, Involuntary Actions and Moral Responsibility

Despite the focus on agents and not actions, Aristotle does have something to contribute when it comes to discussions of potential *moral responsibility* as associated with particular actions. We can separate actions into two obvious categories:

1. Voluntary actions
2. Involuntary actions

Very broadly, an action is voluntary when it is freely chosen and involuntary when it is not — these terms are more precisely defined next, in line with Aristotle's ideas. These distinctions matter in ethics because a person might be held to be morally responsible for their voluntary actions but not for their involuntary actions. According to Aristotle, an action is voluntary unless it is affected by *force* or *ignorance*, as understood in the following ways.

Physical Force

Imagine that Reuben is driving his car on his way home from work. Out of the blue, his passenger grabs his hand and forces him to turn the steering wheel, sending the car into oncoming traffic. Without this physical force, Reuben would not have turned the wheel and he very much regrets the damage that is caused. According to Aristotle, Reuben's action is involuntary because of this external physical force and so he is not morally responsible for the crash.

Psychological Force

Think of David, working at a bank when a group of thieves break in armed with guns. David is told that if he does not open the safe then he will be killed. Under this extreme psychological pressure, Aristotle would accept that David's opening of the safe is involuntary, because David would not have opened the safe otherwise and he very much regrets doing so. On this basis, David is not morally responsible in any way for the theft.

In addition to force, ignorance of a certain type can also support an action being labelled as involuntary.

Action from Ignorance

Rhys, a talented musician, wishes to perform a surprise concert for a friend and has been practicing songs from the Barry Manilow back catalogue for weeks. However, in the days before the surprise concert his friend, unbeknown to Rhys, develops an intense and very personal dislike for Manilow. Thus, when Rhys takes to the stage and blasts out his rendition of the classic tune "Copacabana" his friend storms off in much distress. In this situation, Aristotle would accept that Rhys acted involuntarily when causing offence because he was unaware of the changed circumstances; he acted from ignorance when performing the song rather than from malice. Without this epistemic (or knowledge-related) barrier, Rhys would not have acted as he did and he very much regrets the distress caused. For these reasons, Rhys bears no moral responsibility for the upset resulting from his song choice.

Crucially, Aristotle does not allow that all action that involves ignorance can be classed as involuntary, thereby blocking associated claims of moral responsibility.

Action in Ignorance

Laurence has had too much to drink and chooses to climb a traffic light with a traffic cone on his head. Laurence's alcohol consumption has made him ignorant, at least temporarily, of the consequences of this action in terms of social relationships, employment and police action. However, for Aristotle this would not mean that his action was involuntary because Laurence acts in ignorance rather than from ignorance due to an external epistemic (or knowledge-based) barrier. Laurence does not, therefore, escape moral responsibility as a result of his self-created ignorance.

Finally, Aristotle also identifies a third form of action — non-voluntary action — that is also related to ignorant action.

Action from Ignorance with No Regret

Return to the case of Rhys and his Manilow performance but remove any sense of regret on Rhys' part for the distress caused. If, at the moment that the epistemic gap is bridged and Rhys learns of his friend's newly acquired musical views, he feels no regret for his action, then Aristotle would class it as a non-voluntary rather than involuntary action. The action cannot be voluntary as Rhys acted from ignorance, but it is not obviously involuntary as, without a sense of regret, it may have been that Rhys would have performed the action even if he knew what was going to happen.

The detail above is important and your own examples will help your understanding and explanations. The summary, however, is refreshingly simple. *If an action is voluntary, then it is completed free from force and ignorance and we can hold the actor morally responsible. However, if the action is involuntary then the actor is not morally responsible as they act on the basis of force or from ignorance.*

1.3.8: Objection- Unclear Guidance

Consider yourself caught in the middle of a moral dilemma. Wanting to know what to do you may consult the guidance offered by Utilitarianism or Kantian Ethics and discover that various specific actions you could undertake are morally right or morally wrong. Moving to seek the advice of Aristotelian Virtue Ethics, you may find cold comfort from suggestions that you act generously, patiently and modestly whilst avoiding self-serving flattery and envy. Rather than knowing how to live in general, you may seek knowledge of what to actually do in this case. Virtue Ethics may therefore be accused of being a theory, not of helpful moral guidance, but of unhelpful and non-specific moral platitudes.

In response, the virtue ethicist may remind us that we can learn how to act from considering how truly virtuous people might respond in this situation, but this response raises its own worry — how can we identify who is virtuous, or apply their actions to a potentially novel situation? Although a defender of Virtue Ethics, **Rosalind Hursthouse** (1943–) gives a voice to this common objection, putting forward the worry directly by saying that “Virtue Ethics does not, because it cannot, tell us what we should do... It gives us no guidance whatsoever. Who are the virtuous agents [that we should look to for guidance]?” If all the virtue ethicist can offer to a person wondering how to act — perhaps wondering whether or not to report a friend to the police, or whether or not to change careers to work in the charity sector — is “look to the moral exemplars of Socrates and Gandhi and how they would act in this situation”, then we might well sympathise with the objector since very often our moral dilemmas are new situations, not merely old ones repeated. Asking “what would Jesus do”, if we deem Jesus to be a morally virtuous role model, might not seem very helpful for an MP trying to determine whether or not to vote for an increase in subsidies for renewable energy technologies at huge expense, and potential financial risk, to the tax-payer (to take a deliberately specific example).

Despite her statement of the objection, Hursthouse thinks that this is an unfair characterisation of Virtue Ethics. Hursthouse suggests that Virtue Ethics provides guidance in the form of “v-rules”. These are guiding rules of the form “do what is honest” or “avoid what is envious”. These rules may not be specific, but they do stand as guidance across lots of different moral situations. Whether or not you believe that this level of guidance is suitable for a normative moral theory is a judgment that you should make yourself and then defend.

1.3.9: Objection- Clashing Virtues

Related to the general objection from lack of guidance, a developed objection may question how we are supposed to cope with situations in which virtues seem to clash. Courageous behaviour may, in certain cases, mean a lack of friendliness; generosity may threaten modesty. In these situations, the suggestion to “be virtuous” may again seem to be unhelpfully vague.

To this particular objection, the Aristotelian virtue ethicist can invoke the concept of practical wisdom and suggest that the skilled and virtuous person will appropriately respond to complex moral situations. A Formula One car, for example, will be good when it has both raw speed and delicate handling and it is up to the skilled engineer to steer a path between these two virtues. So too a person with practical wisdom can steer a path between apparently clashing virtues in any given situation. Virtue ethicists have no interest in the creation of a codified moral rule book covering all situations and instead put the onus on the skill of the virtuous person when deciding how to act. Again, whether this is a strength or weakness is for you to decide and defend.

1.3.10: Objection- Circularity

An entirely different objection to Aristotelian Virtue Ethics is based on a concern regarding logical circularity. According to Aristotle, the following statements seem to be correct:

1. An act is virtuous if it is an act that a virtuous person would commit in that circumstance.
2. A person is virtuous when they act in virtuous ways.

This, however, looks to be circular reasoning. If virtuous actions are understood in terms of virtuous people, but virtuous people are understood in terms of virtuous actions, then we have unhelpfully circular reasoning.

Julia Annas (1946–) responds to this apparent problem by arguing that there is nothing dangerously circular in this reasoning because it is simply a reflection of how we learn to develop our virtuous dispositions. Annas suggests the analogy of piano-playing:

1. Great piano playing is what great pianists do.
2. A pianist is great when he “does” great piano playing.

In this case, there does not seem to be any troubling circularity in reasoning. It is not the case that whatever a great pianist plays will be great, but rather that great pianists have the skills to make great music. So too it is with virtues, for virtuous people are not virtuous just because of their actual actions but because of who they are and how their actions are motivated. It is their skills and character traits that mean that, in practice, they provide a clear guide as to which actions are properly aligned with virtues. Thus, if we wish to decide whether or not an act is virtuous we can assess what a virtuous person would do in that circumstance, but this does not mean that what is virtuous is determined by the actions of a specifically virtuous individual. The issue is whether or not a person, with virtuous characteristics in the abstract, would actually carry that action out. Virtuous people are living and breathing concrete guides, helping us to understand the actions associated with abstract virtuous character dispositions.

1.3.11: Objection- Contribution to Eudaimonia

The final distinct objection to Aristotelian Virtue Ethics considered in this chapter stems from the Aristotelian claim that living virtuously will contribute to our ability to secure a *eudaimon* life. A challenge to this view may be based on the fact that certain dispositions may seem to be virtuous but may not actually seem to contribute to our flourishing or securing the good life.

As an example of this possible objection in practice, consider the following. Shelley is often described as generous to a fault and regularly dedicates large amounts of her time to helping others to solve problems at considerable cost, in terms of both time and effort, to herself. Working beyond the limits that can reasonably be expected of her, we may wish to describe Shelley as virtuous given her generous personality. However, by working herself so hard for others, we may wonder if Shelley is unduly limiting *her own* ability to flourish.

Responses to this initial statement of the objection are not hard to imagine. We may say that Shelley has either succumbed to a vice of excess and is profligate with her time rather than generous, or we may accept that she is generous rather than profligate and accept the uncomfortable conclusion and say that this virtuous character trait is helping her to flourish. This second claim may seem more plausible if we ruled out a description of Shelley wasting her time.

Still, this objection may stand up if you can envisage a situation in which someone could be properly described as rash rather than courageous or wasteful rather than generous and, because of these traits, actually be contributing to their own flourishing. You should consider your own possible cases if you seek to support this general objection.

1.3.12: Moral Good and Individual Good

For Aristotle, moral goodness and individual goodness may seem to be intimately linked. After all, a virtuous person will be charitable and friendly etc. and as a result of these characteristics and dispositions will both advance their own journey towards *eudaimonia* and make life better for others. Hedonism (which claims that pleasure is the only source of well-being — see Chapter 1.1), as a rival theory attempting to outline what is required for well-being, might be thought to fail because it downplays the importance of acting in accordance with reason, so hedonists do not therefore live according to their *telos* or true function.

Aristotle says of his ideally virtuous person that they will have a unified psychology — that their rational and non-rational psychologies will speak with one voice. On the contrary, the non-virtuous person will have a psychology in conflict between their rational and non-rational elements. In considering who has the better life from their own individual perspectives — the happy Hedonist or the Aristotelian virtuous person — you should again form your own reasoned judgment.

It is important to note, as we conclude this chapter, that Aristotle does not suggest that living a virtuous life is sufficient to guarantee a state of *eudaimonia* for a person. External factors such as poverty, disease or untimely death may scupper a person's advance towards *eudaimonia*. However, for Aristotle, being virtuous is necessary for the achievement of *eudaimonia*; without the development of virtues it is impossible for a person to flourish even if they avoid poverty, disease, loneliness etc.

1.3.13: Summary

Aristotelian Virtue Ethics is very different in nature to the other act-centred normative moral theories considered in this book. Whether this, in itself, is a virtue or a vice is an issue for your own judgment. The lack of a codified and fixed moral rule book is something many view as a flaw, while others perceive it as the key strength of the theory. Some, meanwhile, will feel uncomfortable with Aristotle's teleological claims, differing from those who are happy to accept that there is an objectively good life that is possible for human beings. Regardless, there is little doubt that Aristotelian Virtue Ethics offers a distinct normative moral picture and that it is a theory worthy of your reflections.

COMMON STUDENT MISTAKES

- Understanding virtues as feelings.
- Misunderstanding the function of a human being (*eudaimonia*).
- Thinking that the Golden Mean always suggests “neutral” or “middling” actions.
- Incorrect differentiation between voluntary, involuntary and non-voluntary actions.
- Claiming that Virtue Ethics offers no guidance whatsoever in moral situations.
- Claiming that Virtue Ethics is uninterested in actions.

ISSUES TO CONSIDER

1. Who has the better life — the happy hedonist or the virtuous individual?
2. Are the virtues fixed and absolute? Or can virtues be relative to culture and time?
3. Is becoming moral a skill? Is morality based on “knowing that” or “knowing how”?
4. Can Virtue Ethics offer useful guidance?
5. Is the Golden Mean a useful way of working out virtuous characteristics?
6. Are some virtues more important than others? Why?
7. Can you think of a virtue that does not contribute to *eudaimonia*?
8. Can you think of something that contributes to *eudaimonia* that is not a virtue?
9. If there is no purpose to life, is there any point in subscribing to Aristotelian Virtue Ethics?
10. What should you do if virtues seem to clash when faced with different possible actions?
11. Who might count as virtuous role models and why?
12. Do human beings have a *telos* or proper function?

KEY TERMINOLOGY

Act-centred

Agent-centred

Dispositions

Eudaimonia

Phronesis

Virtue

Telos

Golden mean

References

Annas, Julia, *Intelligent Virtue* (Oxford: Oxford University Press, 2011).

Aristotle, *The Nicomachean Ethics*, translated by William David Ross (Oxford: Clarendon Press, 1908), freely available at <http://sacred-texts.com/cla/ari/nico/index.htm>

Hursthouse, Rosalind, 'Normative Virtue Ethics', in *Ethical Theory*, ed. by Russ Shafer-Landau (Oxford: Blackwell Publishing, 2007), pp. 701–09.

Panin, Ivan, *Thoughts* (Grafton: Ivan Panin, 1887), freely available at <https://ia601405.us.archive.org/8/items/thoughts00panigoog/thoughts00panigoog.pdf>

1.4: Aquinas's Natural Law Theory

Grace does not destroy nature but perfects it.

They show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts sometimes accusing them and at other times even defending them.

1.4.1: Introduction to Aquinas

Thomas Aquinas (1225–1274) was an intellectual and religious revolutionary, living at a time of great philosophical, theological and scientific development. He was a member of the Dominican Friars, which at that time was considered to be a cult, and was taught by one of the greatest intellects of the age, **Albert the Great** (1208–1280). In a nutshell Aquinas wanted to move away from Plato's thinking, which was hugely influential at the time, and instead introduce Aristotelian ideas to science, nature and theology.

Aquinas wrote an *incredible* amount — in fact one of the miracles accredited to him was the amount he wrote! His most famous work is *Summa Theologica* and this runs to some three and half thousand pages and contains many fascinating and profound insights, such as proofs for God's existence. The book remained a fundamental basis for Catholic thinking right up to the 1960s! But do not worry we will only be focusing on a few key ideas! Specifically *books I–II, questions 93–95*.

1.4.2: Motivating Natural Law Theory- The Euthyphro Dilemma and Divine Command Theory

The likely answer from a religious person as to *why* we should not steal, or commit adultery is: “because God *forbids* us”; or if we ask *why* we should love our neighbour or give money to charity then the answer is likely to be “because God *commands* it”. Drawing this link between what is right and wrong and what God commands and forbids is what is called the *Divine Command Theory* (DCT).

There is a powerful and influential challenge to such an account called the *Euthyphro dilemma* after the challenge was first raised in Plato’s *Euthyphro*. The dilemma runs as follows:

Either God commands something is right because it is, *or* it is right because God commands it. If God commands something because it is right, then God’s commands do not make it right, His commands only tell us what is right. This means God simply drops out of the picture in terms of *explaining why* something is right.

If on the other hand something is right *because* God commands it then *anything* at all could be right; killing children or setting fire to churches could be morally acceptable. But if a moral theory says this then that looks as if the theory is wrong.

Most theists reject the first option and opt for this second option — that God’s commands *make* something right. But they then have to face the problem that it make morality haphazard. This “*arbitrariness problem*” as it is sometimes called, is the reason that many, including Aquinas, give up on the Divine Command Theory.

So for Aquinas what role, if any at all, does God have when it comes to morality? For him, God’s commands are there to help us to *come to see* what, as a matter of fact, is right and wrong rather than determine what is right and wrong. That is, Aquinas opts for the first option in the Euthyphro dilemma as stated above. But then this raises the obvious question: if it is not God’s commands that make something right and wrong, then what does? Does not God just fall out of the picture? This is where his Natural Law Theory comes in.

1.4.3: Natural Law Theory

Aquinas's Natural Law Theory contains four different types of law: *Eternal Law*, *Natural Law*, *Human Law* and *Divine Law*. The way to understand these four laws and how they relate to one another is via the Eternal Law, so we'd better start there...

By "Eternal Law" Aquinas means God's rational purpose and plan for *all* things. And because the Eternal Law is part of God's mind then it has always, and will always, exist. The Eternal Law is not simply something that God decided at some point to write.

Aquinas thinks that *everything* has a purpose and follows a plan. He, like Aristotle, is a teleologist (the Greek term "*telos*" refers to what we might call a purpose, goal, end/or the true final function of an object) (see Chapter 1.3; not to be confused with a teleological ethical *theory* such as Utilitarianism) and believes that *every* object has a *telos*; the acorn has the *telos* of growing into an oak; the eye a *telos* of seeing; a rat of eating and reproducing etc. If something fulfils its purpose/plan then it is following the Eternal Law.

Aquinas thinks that something is *good* in as far as it fulfils its purpose/plan. This fits with common sense. A "good" eye is one which sees well, an acorn is a good if it grows into a strong oak tree.

But what about humans? Just as a good eye is to see, and a good acorn is to grow then a good human is to...? Is to what? How are we going to finish this sentence? What do you think?

Aquinas thinks that the answer is *reason* and that it is this that makes us distinct from rats and rocks. What is right for me and you as humans is to act according to reason. If we act according to reason then we are partaking in the *Natural Law*.

If we all act according to reason, then we will all agree to some overarching general rules (what Aquinas calls *primary precepts*). These are *absolute* and binding on all rational agents and because of this Aquinas rejects *relativism*.

The first primary precept is that *good is to be pursued and done and evil avoided*. He thinks that this is the guiding principle for all our decision making.

Before unpacking this, it is worth clarifying something about what "law" means. Imagine that we are playing Cluedo and we are trying to work out the identity of the murderer. There are certain rules about how to move around the board, how to deal out cards, how to reveal the murderer etc. These rules are all written down and can be consulted.

However, in playing the game there are other rules that operate which are so obvious that they are neither written down nor spoken. One such rule is that a claim made in the game cannot both be true and false; if it is Professor Plum who is the murderer then it cannot be true that it is *not* Professor Plum who is the murderer. These are *internal rules* which *any* rational person can come to recognize by simply thinking and are not external like the other rules — such as you can only have one guess as to the identity of the murderer. When Aquinas talks of Natural Laws, he means internal rules and not external ones.

Natural Law does not generate an external set of rules that are written down for us to consult but rather it generates general rules that any rational agent can come to recognize simply in virtue of being rational. For example, for Aquinas it is not as if we need to check whether we should pursue good and avoid evil, as it is just part of how we already think about things. Aquinas gives some more examples of primary precepts:

1. *Protect and preserve human life.*
2. *Reproduce and educate one's offspring.*
3. *Know and worship God.*
4. *Live in a society.*

These precepts are *primary* because they are true for *all people in all instances* and are consistent with Natural Law.

Aquinas also introduces what he calls the *Human Law* which gives rise to what he calls "*Secondary Precepts*". These might include such things as do not drive above 70mph on a motorway, do not kidnap people, always wear a helmet when riding a bike, do not hack into someone's bank account. Secondary precepts are *not generated by our reason* but rather they are imposed by governments, groups, clubs, societies etc.

It is *not* always morally acceptable to follow secondary precepts. It is only morally acceptable *if* they are consistent with the

Natural Law. If they are, then we ought to follow them, if they are not, then we ought not. To see why think through an example.

Consider the secondary precept that “*if you are a woman and you live in Saudi Arabia then you are not allowed to drive*”. Aquinas would argue that this secondary precept is practically *irrational* because it treats people differently based on an arbitrary difference (gender). He would reason that if the men in power in Saudi actually really thought hard then they too would recognize that this law is morally wrong. This in turn means that Aquinas would think that *this* human law *does not* fit with the Natural Law. Hence, it is morally wrong to follow a law that says that men can, and women cannot, drive. So although it is presented as a secondary precept, because it *is not* in accordance with Natural Law, it is what Aquinas calls an *apparent good*. This is in contrast with those secondary precepts which *are* in accordance with the Natural Law and which he calls the *real goods*.

Unlike primary precepts, Aquinas is *not* committed to there being only one set of secondary precepts for all people in all situations. It is consistent with Aquinas’s thinking to have a law to drive on the right in the US and on the left in the UK as there is no practical reason to think that there is one correct side of the road on which to drive.

It is clear that on our own we are not very good at discovering primary precepts and consequently Aquinas thinks that what we ought to do is talk and interact with people. To discover our real goods — our secondary precepts which accord with Natural Law — we need to be part of a society. For example, we might think that “treat Christians as secondary citizens” is a good secondary precept until we talk and live with Christians. The more we can think and talk with others in society the better and it is for this reason that “live in society” is itself a primary precept.

But looking at what we have said already about Natural Laws and primary and secondary precepts, we might think that there is no need for God. If we can learn these primary precepts by rational reflection then God simply drops out of the story (recall the Euthyphro dilemma above).

Just to recap as there are a lot of moving parts to the story. We now have Eternal Law (God’s plans/purpose for all things), Natural Laws (our partaking in the Eternal Law which leads to primary precepts), Human Laws (humans making specific laws to capture the truths of the Natural Laws which lead to secondary precepts) and now finally Aquinas introduces *the Divine Law*.

The Divine Law, which is discovered through *revelation*, should be thought of as the Divine equivalent of the Human Law (those discovered through rational reflection and created by people). Divine laws are those that God has, in His grace, seen fit to give us and are those “mysteries”, those rules given by God which we find in scripture; for example, the ten commandments. But why introduce the Divine Law at all? It certainly feels we have enough Laws. Here is a story to illustrate Aquinas’s answer.

A number of years ago I was talking to a minister of a church. He told me about an instance where a married man came to ask his advice about whether to finish an affair he was having. The man’s reasoning went as follows — “I am having an affair which just feels so right, we are both very much in love and surely God would want what is best for me! How could it be wrong if we are so happy?”

In response, the minister opened the Bible to the Ten Commandments and pointed out the commandment that it says that it is wrong to commit adultery. Case closed. The point of this story is simple. We can be confused and mistaken about what we think we have most reason to do and because of this we need someone who actually knows the mind of God to guide us, and who better to know this than God Himself. This then is precisely what is revealed in the Divine Law.

Or consider another example. We recognize that we find it hard to forgive our friends and nearly always impossible to forgive our enemies. We tell ourselves we have the right to be angry, to bear grudges, etc. Isn’t this just human? However, these human reasons are *distortions* of the Eternal Law. We need some guidance when it comes to forgiveness and it is where the Divine Law which tells us that we should forgive others — including our enemies. Following the Human Laws *and* the Divine Laws will help us to fulfil our purposes and plans and be truly happy.

1.4.4: Summary of Aquinas's Natural Law Theory

For Aquinas everything has a function (a *telos*) and the good thing(s) to do are those acts that fulfil that function. Some things such as acorns, and eyes, just do that naturally. However, humans are free and hence need guidance to find the right path. That right path is found through *reasoning* and generates the “internal” Natural Law. By following the Natural Law we participate in God’s purpose for us in the Eternal Law.

However, the primary precepts that derive from the Natural Law are quite general, such as, *pursue good and shun evil*. So we need to create secondary precepts which can actually guide our day-to-day behaviour. But we are fallible so sometimes we get these secondary precepts wrong, sometimes we get them right. When they are wrong they only reflect our apparent goods. When they are right they reflect our real goods.

Finally, however good we are because we are finite and sinful, we can only get so far with rational reflection. We need some *revealed guidance* and this comes in the form of Divine Law. So to return to the Euthyphro dilemma. God’s commands through the Divine Law are ways of *illuminating* what is in fact morally acceptable and *not what determines* what is morally acceptable. Aquinas rejects the Divine Command Theory.

1.4.5: Putting this into Practice- The Doctrine of Double Effect (DDE)

Let's consider some examples to show that what we have said so far might actually work. Imagine someone considering suicide. Is this morally acceptable or not? Recall, it is part of the Natural Law to preserve and protect human life. Clearly suicide is not preserving and protecting human life. It is therefore irrational to kill oneself and cannot be part of God's plan for our life; hence it is morally unacceptable.

Imagine that someone is considering having an abortion after becoming pregnant due to rape. The same reasoning is going to apply. We ought to preserve and protect human life and hence an abortion in this case is morally wrong.

However, as we will see, Aquinas thinks that there are *some* instances where it *is* morally acceptable to kill an innocent person and therefore there may be occasions when it is morally acceptable to kill a foetus. But how can this be correct? Will this not violate the primary precept about preserving life? The answer is to understand that for Aquinas, *an action is not just about what we do externally but is also about what we do internally* (i.e. our motivations). With this distinction he can show that, for example, killing an innocent *can be* morally acceptable.

To make this clear, Aquinas introduces one of his most famous ideas: the "*Doctrine of Double Effect*". Let's see how this works.

Imagine a child brought up in a physically, sexually and emotionally abusive family. He is frequently scared for his life and is locked in the house for days at a time. One day when his father is drunk and ready to abuse him again he quickly grabs a kitchen knife and slashes his father's artery. His father bleeds out and dies in a matter of minutes. Do you think the son did anything wrong?

Many people would say that he did nothing morally wrong and in fact, some might even go as far as to say that he should get a pat on the back for his actions. What about Aquinas? What would he say?

We might think that given the Natural Law to "preserve and protect life" he would say that this action is morally wrong. But, in fact, he would say the son's action was not morally wrong (Aquinas discusses self-defence in the *Summa Theologica* (II-II, Qu. 64)).

So why is the son killing the father not in direct contradiction with the primary precept? Aquinas asks us to consider the difference between the external act — the fact that the father was killed, and the internal act — the motive.

In our example, the action is one of *self-defence* because of the son's internal action and because of this, Aquinas would think the killing is morally acceptable. This distinction and conclusion is possible because of Aquinas's Doctrine of Double Effect which states that if an act fulfils four conditions then it is morally acceptable. If not, then it is not.

1. The first principle is that the act must be a *good* one.
2. The second principle is that the act must come about before the consequences.
3. The third is that the intention must be good.
4. The fourth, it must be for serious reasons.

This is abstract so let's go back to our example. The act of the son was performed to *save his own life* so that is good — we can tick (1). Moreover, the act to save his life came about first — we can tick (2). The son did not first act to kill his father in order to save his own life. That would be doing evil to bring about good and that is never morally acceptable. The intention of the son was to preserve and protect his life, so the intention was good — tick (3). Finally, the reasons were serious as it was his life or his father's life — tick (4).

So given that the act meets all four principles, it is in line with the DDE and hence the action is *morally acceptable*, even though it caused someone to die and hence seems contrary to the primary precept of preserving life.

We can draw a contrasting case. Imagine that instead of slashing his father in self-defence, the son *plans* the killing. He works out the best time, the best day and then sets up a trip wire causing his father to fall from his flat window to his death. Does this action meet the four criteria of the DDE? Well, no, because the son's *intention is to kill the father rather than save his own life* — we must put a cross at (3).

We have already seen that suicide is morally impermissible for Aquinas, so does that mean that *any* action you take that leads knowingly to your own death is morally wrong? No. Because even though the external act of your own death is the same, the internal act — the intention — might be different. *An action is judged via the Natural Law both externally and internally.*

Imagine a case where a soldier sees a grenade thrown into her barracks. Knowing that she does not have time to defuse it or throw it away, she throws herself on the grenade. It blows up, killing her but saving other soldiers in her barracks. Is this wrong or right? Aquinas says this is morally acceptable given DDE. If we judge this act *both* internally and externally we'll see why.

The intention — the internal act — was *not* to kill herself even though she could *foresee* that this was certainly what was going to happen. The act itself is good, to save her fellow soldiers (1). The order is right, she is not doing evil so good will happen (2). The intention is good, it is to save her fellow soldiers (3). The reason is serious, it concerns people's lives (4).

Contrast this with a soldier who decides to kill herself by blowing herself up. The intention is not good and hence the DDE does *not* permit this suicidal action.

Finally, imagine that a woman is pregnant and also has inoperable uterine cancer. The doctors have two choices; to take out the uterus and save the mother, but the foetus will die; or leave the foetus to develop and be born healthy, but the woman will die. What would Aquinas say in this instance? Well using the DDE he would say that it is morally *acceptable* to remove the cancer.

The action is to remove the cancer; it has the foreseeable consequences of the foetus dying but that is not what is intended. The action — to remove the cancer — is good (1). The act of removing the cancer comes before the death of the foetus (2). The intention to save the woman's life is also good (3). Finally, the reasons are serious as they are about the life and death of the woman and the foetus (4).

So even though this is a case where the doctor's actions bring about the death of the foetus it would be acceptable for Aquinas through his Natural Law Theory, as is shown via the DDE.

1.4.6: Some Thoughts about Natural Law Theory

There are many things we might consider when thinking through Aquinas's Natural Law Theory. There are some obvious problems we could raise, such as the problem about whether or not God exists. If God does not exist then the Eternal Law does not exist and therefore the whole theory comes tumbling down. However, as good philosophers we ought always to operate with a *principle of charity* and grant our opponent is rational and give the strongest possible interpretation of their argument. So, let's assume *for the sake of argument* that God exists. How plausible is Aquinas's theory? There are a number of things that we can pick up on.

Aquinas's theory works on the idea that if something is "natural", that is, if it fulfils its function, then it is morally acceptable, but there are a number of unanswered questions relating to *natural*.

We might ask, why does "natural" matter? We can think of things that are not "natural" but which are perfectly acceptable, and things which *are* natural which are not. For example, wearing clothes, taking medication and body piercing certainly are not natural, but we would not want to say such things are morally wrong.

On the other hand we might consider that violence *is* a natural response to an unfaithful partner, but also think that such violence is morally unacceptable. So it is not true that we can discover what is morally acceptable or not simply by discovering what is natural and what is not.

Put this worry aside. Recall, Aquinas thinks that reproduction is natural and hence reproduction is morally acceptable. This means that sex that *does not* lead to reproduction is morally unacceptable. Notice that Aquinas is not saying that if sex does not lead to pregnancy it is wrong. After all, sometimes the timing is not right. His claim is rather that if there is *no potential* for sex to lead to pregnancy then it is wrong. However, even with this qualification this would mean a whole host of things such as homosexuality and contraception are morally wrong. We might take this as a reason to rethink Aquinas's moral framework.

There is, though, a more fundamental worry at the heart of this approach (and Aristotle's) to ethics. Namely, they think that *everything* has a goal (*telos*). Now, with some things this might be plausible. Things such as the eye or an acorn have a clear function — to grow, to see — but what about humans? This seems a bit less obvious! Do humans (rather than our individual parts) really have a *telos*? There are certainly some philosophers — such as the existentialists, for example **Simone de Beauvoir** (1908–1986) — who think that there is no such thing as human nature and no such thing as a human function or goal. But if we are unconvinced that humans have a goal, then this whole approach to ethics seems flawed.

Next we might raise questions about DDE. Go back to our example about abortion. For Aquinas it *is* morally acceptable to remove the uterus even if we know that in doing so the foetus will die. What is not morally acceptable is to intend to kill the foetus by removing the uterus. On first reading this seems to make sense; we have an intuitive feel for what DDE is getting at. However, when we consider it in more detail it is far from clear.

Imagine two doctors who (apparently) do exactly the same thing, they both remove the uterus and the foetus dies. The one intends to take out the uterus — in full knowledge that the foetus will die — the other intends to kill the foetus. For the DDE to work in the way that Aquinas understands it, this difference in intention makes the moral difference between the two doctors. However, is there really a moral difference? To put pressure on the answer that there is, ask yourself what you think it means to intend to do something. If the first doctor says "I did not intend to kill the foetus" can we make sense of this? After all, if you asked her "did you know that in taking out the uterus the foetus would die?" she would say "yes, of course". But if she did this and the foetus died, did not she intend (in some sense) to kill the foetus? So this issue raises some complex question about the nature of the mind, and how we might understand intentions.

Finally, we might wonder how easy it is to work out what actually to do using the Natural Law. We would hope our moral theory gives us direction in living our lives. That, we might think, is precisely the role of a moral theory. But how might it work in this case?

For Aquinas, if we rationally reflect then we arrive at the right way of proceeding. If this is in line with the Natural Law and the Divine Law then it is morally acceptable. If it is out of line, then it is not. The assumption is that the more we think, the more rational we become, the more convergence there will be. We'll all start to have similar views on what is right and wrong. But is this too optimistic? Very often, even after extensive reflection and cool deliberation with friends and colleagues, it is not obvious to us what we as rational agents should do. We all know people we take to be rational, but we disagree with them on moral issues. And even in obviously rational areas such as mathematics, the best mathematicians are not able to agree. We might then be sceptical

that as rational agents we will come to be in line with the Natural and Divine Laws.

1.4.7: Summary

Aquinas is an intellectual giant. He wrote an incredible amount covering a vast array of topics. His influence has been immense. His central idea is that humans are created by God to reason — that is our function. Humans do the morally right thing if we act in accordance with reason, and the morally wrong thing if we don't.

Aquinas is an incredibly subtle and complex thinker. For example, his Doctrine of Double Effect makes us to reflect on what we actually mean by “actions”, “intentions” and “consequences”. His work remains much discussed and researched and typically still plays a central role in a Christian Ethics that rejects Divine Command Theory.

COMMON STUDENT MISTAKES

- Thinking that Aquinas is a Divine Command Theorist.
- Thinking that Eternal Law is something that God decided to write.
- Thinking that Natural Laws are laws of science — e.g. law of thermodynamics.
- Thinking that all the “laws” are absolute.
- Thinking that it is always morally required of us to follow secondary precepts.
- Thinking that Aquinas is committed to there being only one set of secondary precepts for all people in all situations.

ISSUES TO CONSIDER

1. If God exists then what — if anything — do you think that has to do with what is right and wrong?
2. We might answer the “arbitrariness” dilemma by citing God's nature. Why might this answer be problematic?
3. What is the Eternal Law?
4. What are Natural Laws and primary precepts?
5. What are Human Laws and secondary precepts?
6. What are Divine Laws?
7. Just as a good eye is to see, and a good acorn is to grow then a good human is to...? Is to what? How are we going to finish this sentence?
8. People often talk about what is “natural”? What do you think they mean by this? How useful is the notion of “natural” in a moral theory?
9. Think of a descriptive claim. Think of a prescriptive claim. Why might it be problematic moving from one to the other?
10. If people thought long enough, do you think there would be convergence on what is morally right and wrong?
11. What is the Doctrine of Double Effect?
12. What is the difference — if anything — between intending to bring about some end and acting where you know your action will bring about that end?

KEY TERMINOLOGY

Apparent goods

A priori

A posteriori

Eternal Law

External acts

Natural Law

Primary precepts

Real goods

Secondary precepts

Internal acts

Doctrine of Double Effect

References

Aquinas, Thomas, *Summa Theologica*, freely available at <http://www.summatheologica.info/summa/parts/?p=1>

—, *Romans (Commentary on the Letter of Saint Paul to the Romans)*

Plato, *Euthyphro*, translated by Benjamin Jowett, freely available at <http://classics.mit.edu/Plato/euthyfro.html>

1.5: Fletcher's Situation Ethics

Every man must decide for himself according to his own estimate of conditions and consequences...

People like to wallow or cower in the security of the law.

1.5.1: Situation Ethics Introduction

In the introduction to *The Situation Ethics: The New Morality* **Joseph Fletcher** (1905–1991) develops what he calls an ethical non-system. His book caused a “fire storm” amongst the public because it legitimised the general post-war dissatisfaction with authority. At the time it was written it seemed to make some radical claims such as that it is not wrong to have extramarital sex, to be homosexual, or to have an abortion. All that said, Fletcher’s work is not widely discussed nor respected in philosophical circles. It is badly argued, idiosyncratic and rehashes old ideas.

Although there is the clothing of religion in the book — Fletcher uses religious terms such as “*agápe*” and cites famous theologians such as **Rudolf Bultmann** (1884–1976) — the central ideas do not rely on the truth of any particular religion. As he says his argument has “...nothing special to do with theological...faith”

Fletcher calls this ethical “non-system” *Situationism* and a Bible story will illustrate the general point of the book. In Mark 3:1–6 we are told that Jesus healed a man with a withered hand in the Jewish Temple; an act which we would consider to demonstrate Jesus’s love for all. However, the Pharisees tell him off because he has performed this healing on the Sabbath day and the Jewish law says that no one can work on the Sabbath.

Fletcher’s work is an attempt to show how acts can be morally acceptable even if they go against so-called moral laws (if you’ve read Chapter 1.3 on Aristotle you might already have an answer to this). Fletcher says that Jesus’ act is morally acceptable — despite going against the Jewish law — because he acted to bring about the most love.

1.5.2: Fletcher's Overall Framework

Fletcher says there are two unattractive views in ethics: “*Legalism*” and “*Antinomianism*”, and one attractive view which sits in between them: “*Situationism*”.

Legalism

Someone who is following the system of Legalism is someone who “blindly” observes moral rules without being sensitive to the situation. Fletcher has in mind a simple minded deontologist who holds that actions are right and wrong irrespective of the consequences. For example, we ought to tell the truth in all situations, even if this means that, say, millions of people die.

Various Christian sects are legalistic; for instance, some might refuse medical help — such as blood transfusions — when someone in their community is ill because they think it is against God’s commands. Or consider an example of Islamic Legalism (obviously, just as in the Christian sect, these are not wholly representative of either religion). In 2002 the religious police of Saudi Arabia refused to let a group of girls escape from a burning building because they were wearing “inappropriate” clothing, which was against the will of Allah. One witness said he saw three policemen “beating young girls to prevent them from leaving the school because they were not wearing the *abaya*”. Fifteen girls died.

Antinomianism

The other extreme is Antinomianism (“anti” meaning against; “nominalism” meaning law). This is the view that says that an agent can do whatever he or she wants in a situation. Fletcher calls this an “*existential*” view because it is one that says that people are *always free* to choose what they want. Any supposed laws and rules limiting the actions of people are simply a way of trying to comfort them because they are scared of absolute freedom. If Antinomianism is right and if an agent believes that something is right, then it is. Antinomianism means the moral agent is erratic and random, is unpredictable, and any decisions taken are *ad hoc*. There are no laws nor guiding principles, just agents and their conscience and the institutions in which they find themselves.

A Middle Ethics: Situationism

We might think that Legalism and Antinomianism exhaust the possibilities. If we reject moral laws then are not we forced into lawless moral anarchy? Fletcher thinks not.

Fletcher says that there *is* a moral law, and hence he rejects Antinomianism. But there is only *one* moral law, so he rejects Legalism. Fletcher’s one moral law is that we ought to always act so as to bring about the most love for the most people (“*Agápē Calculus*”). Fletcher’s Situationism is then a *teleological* theory. It is directed at the consequences that will determine whether an action is right or wrong.

Of course, *any* teleological theory will ask us to look at the details of the situation; consider Chapter 1.1 where we talk about Bentham and Mill’s Utilitarianism. So, Fletcher’s view is not unique. What makes his view different is the centrality of “love”, or as he calls it *agápē*.

Fletcher thinks that there *can* be moral *principles* but that these differ from *laws*. Principles are generalizations which are context-sensitive and which derive from the one law regarding maximizing love. For example, we might have a moral principle that we ought not to murder. This is a *principle* because we might think in that *in general* murder is wrong because it does not bring about the most love. However, it is not a *law* because for Fletcher, murder is not wrong in *all* situations. This then is similar to the discussion of Rule-Utilitarianism in Chapter 1.1.

For example, a situation might arise where the child of a terrorist would have to be murdered in order to get information to stop a nuclear attack. Fletcher would say that here is a situation where we ought not to follow the principle do not murder but rather do the most loving thing, which in this case turns out to be murder. From the universal law we can only derive principles, not other universal laws. As Fletcher puts it: “we cannot milk a universal from a universal”.

This mean that for Fletcher it might, on occasions, be morally acceptable to break the Ten Commandments. In fact, he says something stronger, that in some situations it is our *duty* to break these commandments. He thinks that there are four working

principles of Situationism.

1.5.3: The Four Working Principles of Situationism

Principle 1. Pragmatism

The situationalist follows a strategy which is *pragmatic*. What does that mean? Well it does *not* mean that Fletcher is a pragmatist. “Pragmatism” is a very specific and well worked-out philosophical position adopted by the likes of **John Dewey** (1859–1952), **Charles Peirce** (1839–1914) and **William James** (1842–1910). Fletcher does not want his theory associated with these views and rejects all the implications of this type of “Pragmatism”.

What makes his view pragmatic is very simple. It is just his attraction to moral views which do not try to work out what to do in the abstract (e.g. Kant’s Categorical Imperative (see Chapter 1.2)), but rather explores how moral views might play out in each *real life situations*.

Principle 2: Relativism

Even with his rejection of Antinomianism and his acceptance of one supreme principle of morality, Fletcher, surprisingly, still calls himself a relativist. This does not mean he is a relativist in the sense that we can simply choose what is right and wrong rather it is just an appeal for people to stop trying to “lay down the law” for all people in all contexts. If situations vary then consequences vary and what we ought to do will change accordingly. This is a very simple, unsophisticated idea, like his ideas on pragmatism, and Fletcher just means that what is right or wrong is related to the situation we are in.

Principle 3: Positivism

His use of “positivism” is not the philosophical idea with the same name but rather is where:

Any moral or value judgment in ethics, like a theologian’s faith propositions, is a decision — not a conclusion. It is a choice, not a result reached by force of logic...

So when challenged as to *how* he can justify that the only law is to maximize love, Fletcher will say that he cannot. It is not a result of logic or reasoning, rather it is a decision we take, it is like the “theologian’s faith”.

Principle 4: Personalism

Love is something that is experienced by *people*. So Personalism is the view that if we are to maximize love we need to consider the person in a situation — the “who” of a situation. Summing up this Fletcher says:

Love is of people, by people, and for people. Things are to be used; people are to be loved... Loving actions are the only conduct permissible.

These then are his “four working principles”: pragmatism, relativism, positivism and personalism.

1.5.4: How to Work out What to Do- Conscience as a Verb not a Noun

For Fletcher “conscience” plays a role in working out what to do. He says “conscience” is a verb and not a noun. This sounds complicated but it really is not.

First consider what he means when he says conscience “is not a noun”. Conscience is not the name of an internal faculty nor is it a sort of internal “moral compass”. This is how people typically think of conscience and it is often portrayed in cartoons with a devil and angel sitting on someone’s shoulder whispering into her ears.

Rather for Fletcher conscience is a verb. Imagine we have heard some bullies laughing because they have sent our friend some offensive texts and we are trying to decide whether or not to check his phone to delete the texts before he does. The old “noun” view of conscience would get us to think about this in the abstract, perhaps reason about it, or ask for guidance from the Holy Spirit, a guardian angel etc.

According to Fletcher this is wrong. Instead, we need to be in the situation, and experience the situation, we need to be doing (hence “verb”) the experiencing. Maybe, we might conclude that it is right to go into our friend’s phone, maybe we will not but whatever happens the outcome *could not have been known beforehand*. What our conscience would have us do is revealed when we live in the world and not through armchair reflection.

1.5.5: The Six Propositions of Situation Ethics

Fletcher gives six propositions (features) of his theory.

1: Only one ‘thing’ is intrinsically good; namely, love, nothing else at all

There is one thing which is intrinsically good, that is good irrespective of context, namely love. If love is what is good, then an action is right or wrong in as far as it brings about the most amount of love. Echoing Bentham's Hedonic Calculus (see Chapter 1.1) Fletcher defends what he calls the:

agapeic calculus, *the greatest amount of neighbor welfare for the largest number of neighbors possible.*

Notice that here he talks about “welfare” rather than “love”. Fletcher does this because of how he understands love which, importantly, is not about having feelings and desires. We discuss this below.

2: The ruling norm of Christian decision is love, nothing else

As we have seen in the first proposition, the *only* way to decide what we ought to do (the ruling norm) is to bring about love. We need to be careful though because for Fletcher “love” has a technical meaning.

By love Fletcher means “*agápē*” — from ancient Greek. *Agápē* has a very particular meaning. Initially it is easier to see what it is *not*. It is not the feeling we might have towards friends or family member which is better described as brotherly love (*philēo*). Nor is it the erotic desire we might feel towards others (*érōs*).

Rather *agápē* is an *attitude* and not a feeling at all, one which does not expect anything in return and does not give any special considerations to anyone. *Agápē* regards the enemy in the same way as the friend, brother, spouse, lover. Given our modern context and how people typically talk of “love” it is probably unhelpful to even call it “love”.

Typically people write and think about love as experiencing an intense feeling. In cartoons when a character is in love their hearts jump out of their chest, or people “in love” are portrayed as not being able to concentrate on things because they “cannot stop thinking” about someone.

This is not what love means for Fletcher. In the Christian context *agápē* is the type of love which is manifest in how God relates to us. Consider Christ's love in saying that he forgave those carrying out his execution or consider a more modern example. In February 1993, Mrs Johnson's son, Laramiun Byrd, 20, was shot in the head by 16-year-old Oshea Israel after an argument at a party in Minneapolis, Minnesota. Mrs Johnson subsequently forgave her son's killer and after he had served a 17 year sentence for the crime, asked him to move in next door to her. She was not condoning his actions, nor will she ever forget the horror of those actions, but she does love her son's killer. That love is *agápē*.

3: Love and justice are the same, for justice is love distributed, nothing else

For Fletcher, practically all moral problems we encounter can be boiled down to an apparent tension between “justice” on the one hand and “love” on the other. Consider a recent story:

Trevell Coleman, better known as the rapper G Dep, was a rising star on the New York hip-hop scene and had been signed to P Diddy's Bad Boy record label. He also had a wife, Crystal, and twin boys.

Yet Trevell, who was brought up a Catholic and always retained his faith, had a terrible secret, as an 18-year-old, he had mugged and shot a man. He never knew what happened to his victim, yet 17 years later, in 2010, he could no longer bear the guilt and went to the police — a step almost unimaginable for someone from the Hip Hop world.

A police search of their cold case files revealed the case of John Henkel — shot and killed in 1993 at exactly the same street

corner in Harlem where Trevell says he committed his crime. He is now serving a jail sentence of 15 years to life for Henkel's murder. Yet he has no regrets; "I wanted to get right with God", he says.

Trevell's choice was perhaps hardest to bear for his wife Crystal, who now has to bring up their teenage boys on her own.

This could be expressed as a supposed tension between "love" of family and doing the right thing — "justice". Fletcher thinks that most other moral problems can be thought of in this way. Imagine we are trying to decide what is the best way to distribute food given to a charity, or how a triage nurse might work in a war zone. In these cases we might put the problem like this. We want to distribute fairly, but how should we do this?

Fletcher says the answer is simple. To act justly or fairly is precisely to act in love. "Love is justice, justice is love".

4: Love wills the neighbor's good when we like him or not

This is self-explanatory. As we noted above, *agápē* is in the business of loving the unlovable. So related to our enemies:

Christian love does not ask us to lose or abandon our sense of good and evil, or even of superior and inferior; it simply insists that however we rate them, and whether we like them nor not, they are our neighbors and are to be loved.

5: Only the ends justify the means, nothing else

In direct rejection of the deontological approaches Fletcher says that any action we take, as considered as an action independent of its consequences is literally, "meaningless and pointless". An action, such as telling the truth, only acquires its status as a means by virtue of an end beyond itself.

6: Love's decisions are made situationally, not prescriptively

Ethical decisions are not cut and dried most of the time and they exist in a grey area. No decision can be taken before considering the situation. Fletcher gives the example of a women in Arizona who learned that she might "bear a defective baby because she had taken thalidomide". What should she do? The loving decision was not one given by the law which stated that all abortions are wrong. However, she travelled to Sweden where she had an abortion. Even if the embryo had not been defective according to Fletcher her actions were "brave and responsible and right" because she was acting in light of the particulars of the situation so as to bring about the most love.

1.5.6: Problems with Fletcher's Situationism

Fletcher's Situationism is a hopelessly confused and confusing moral theory. Fletcher's work has the annoying tendency to present trivially true claims as if they are profound philosophical insights.

At the most general level, Fletcher commits the *fallacy of appealing to authority*. This is simply the mistake of thinking that an argument is strengthened by saying that someone else — normally someone in “authority”, holds it.

Fletcher uses many quotations from famous theologians and mentions famous philosophers, such as Aristotle, as a substitute for argument. Unfortunately simply appealing to others is not an argument. To see how useless this approach is consider the following: “Walker's crisps are healthy because Gary Lineker says so”.

The other concern throughout Fletcher's work is that he is simply unclear and inaccurate, especially when dealing with the two central ideas: “love” and “situation”.

In some places he talks about love being an “attitude”. In other places he says it is what we ought to *bring about* as an *end point*. Which is it? Is it a loving “attitude” in virtue of which we act? Or is it about bringing about certain consequences?

To see why this might be problematic, consider a case where we act out of the attitude of *agápē* but the consequence is one of great death and destruction. Suppose we act in good “conscience” as Fletcher calls it but our act brings about horrendously dire consequences. According to Fletcher have we done right or wrong? It is not clear.

If he does say that what we did is “wrong” then fine, *agápē* should not be thought of as an attitude, but rather some feature of consequences. This reading is of course in line with his *agápē* calculus. Ok, so then imagine the devil acting out of hatred and malice but — due to his lack of knowledge — happens to bring about a vast amount of love in the world. Has the devil acted in the morally right way? If the “*agápē* calculus” is used then “yes”. So, according to Fletcher has the devil done the right thing? It is not clear.

Notice it is no good saying “well we cannot decide because it depends on the situation!” Because we have just given you the details of the situation. If you need more information, just make some up and then reframe the question. So what Fletcher means by “love” is not clear. Nor is what he means by “situation”.

If you were writing a book on Situationism you would expect a clear and extended discussion of these concepts. However, there is no discussion of it in his key text and this is an important omission. To see how thorny the issue actually is consider the following. A politician stands up and says “given the current situation we need to raise taxes”. Our first response is probably going to be “what situation?” The point, simply put, is that there is no obvious way of knowing what is meant by “situation”. What we will choose to consider in any situation will depend on what is motivating us, what our dispositions are, what agendas we have.

Consider a moral example. A terminally ill patient wants to die; given the situation what ought we to do? The point is what does, and does not, get considered in “the situation”, will be dependent on what we *already think* is important. Do we consider his religious views, the fact that he has three cats which depend on him? What about the type of illness, the type of death, who he leaves behind, the effect it might have on the judicial system, the effect on the medical profession etc.

So then, as a way of actually working out what we ought to do, Fletcher's prescription that we should “ask what will bring about the most love in the situation” is singularly unhelpful. It seems perfectly plausible that one person might see the situation in one way and someone else see it in another, and hence we get two different claims about what we ought to do. You might think this is OK, on Fletcher's account. But recall he rejects Antinomianism (Relativism).

It is in fact quite easy to generate lots and lots of worries about Fletcher's account. This is because his theory is based on a very crude form of Utilitarianism. Have a look at Chapter 1.1 where we suggest some problems and simply replace “happiness” with *agápē*. Here is one example.

Utilitarianism is accused of being counter intuitive. If we could only save our dad or five strangers from drowning, the utilitarian would argue we should save the strangers because five lots of happiness is better than one. But is not it admirable and understandable to save a loved one over strangers?

The situationalist will have exactly the same problem. We might imagine that saving five strangers would bring about more “love”

than saving your dad. In which case we ought to save the strangers over your dad. But is not it admirable and understandable to save a loved one over strangers?

You can simply repeat this substitution for most of the problems we cited regarding Utilitarianism, e.g. it being “too demanding” and hence generate a whole host of problems for Fletcher.

We leave you with the following quotation from Graham Dunstan writing in the Guardian, regarding Fletcher’s book:

It is possible, though not easy, to forgive Professor Fletcher for writing his book, for he is a generous and lovable man. It is harder to forgive the SCM Press for publishing it.

1.5.7: Summary

Fletcher's Situational Ethics gained a popular following as it allowed the religious believer to fit their views into the rapidly changing and nuanced moral and political landscape of the 1960s. Fletcher's position has a central commitment to God's love — *agápē*. It is this central focus on *agápē* as the moral guide for behaviour that allows Fletcher to claim that an action might be right in one context, but wrong in a different context — depending on the level of *agápē* brought about. In fact, Fletcher thinks that sometimes what might be morally required of us is to break the Ten Commandments.

Despite how popular the theory was it is not philosophically sophisticated, and we soon run into problems in trying to understand it. His position is worth studying though (not just because it is on the curriculum!) because it opens up the conceptual possibility that a committed Christian/Jew/Muslim etc. may consider the answers to moral questions to depend on the diverse situations we find ourselves in.

COMMON STUDENT MISTAKES

- Mixing up Fletcher's use of "Positivism" with Ayer's use of "positivism".
- Thinking that Fletcher's is a "pragmatist".
- Think that situation ethics allows you do to anything you want.
- Think that love is about feelings.
- Think that by "conscience" Fletcher means a "moral compass".

ISSUES TO CONSIDER

1. Why do you think Fletcher's book was so popular at the time of publication?
2. If an alien visited earth and asked "What is love?" how would you answer them?
3. How does Situationism differ from "Utilitarianism" if at all?
4. If we act from love, does that mean we can do anything?
5. What does it mean to say that conscience is a verb rather than a noun? Do you think we have a conscience? If you do, should we think of it as a verb or a noun?
6. Why does Fletcher say that his theory is: "fact-based, empirical-based, data-conscious and inquiring"?
7. What do you think a Christian would make of Fletcher's theory?
8. What do you think "situation" means?
9. What does Fletcher mean by "positivism"?
10. What is the "fallacy of appealing to authority"? Can you give your own example?
11. Pick one challenge to Utilitarianism, and reform the challenge as one towards Situationism.

KEY TERMINOLOGY

Agápē

Agápē calculus

Eros

Legalism

Pragmatic

Conscience

Consequentialism

References

Fletcher, Joseph F., *Situation Ethics: The New Morality* (Louisville and London: Westminster John Knox Press, 1966).

Kirk, Kenneth E., *Conscience and Its Problems: An Introduction to Casuistry* (Louisville: Westminster John Knox Press, 1999).

'Saudi Police "Stopped" Fire Rescue', *BBC News* (15 March 2002), freely available at http://news.bbc.co.uk/1/hi/world/middle_east/1874471.stm

2: COMPARE AND CONTRAST A VARIETY OF ETHICAL THEORIES WITH RESPECT TO SPECIFIC ETHICAL ISSUES

2.1: The Ethics of Torture (Martine Berenpas)

- 2.1.1: What is torture?
- 2.1.2: The philosophy of torture
- 2.1.3: The “ticking time bomb” thought experiment
- 2.1.4: For Review and Discussion

2.2: An Argument Against Capital Punishment (Noah Levin)

- 2.2.1: Main Argument
- 2.2.2: For Review and Discussion

2.3: Common Arguments about Abortion (Nathan Nobis and Kristina Grob)

- 2.3.1: Introduction
- 2.3.2: Defining “Abortion”
- 2.3.3: Why Most Abortions Occur
- 2.3.4: Bad Arguments- “Question-Begging” Arguments and “Everyday” Arguments
- 2.3.5: “Question-begging” Arguments
- 2.3.6: “Everyday” Arguments
- 2.3.7: For Review and Discussion

2.4: Better (Philosophical) Arguments about Abortion (Nathan Nobis and Kristina Grob)

- 2.4.1: Introduction
- 2.4.2: Arguments Against Abortion
- 2.4.3: Arguments that abortion is often not wrong
- 2.4.4: Conclusion
- 2.4.5: For Review and Discussion

2.5: Animal Rights (Eduardo Salazar)

- 2.5.1: Virtue and Difference in Animal Ethics
- 2.5.2: Objection to Extending Moral Consideration to Animals
- 2.5.3: The Historical Non-Human Animal and Dominion
- 2.5.4: The Ontological Chain of Being
- 2.5.5: Modern Animal Rights- Singer and Regan
- 2.5.6: Virtue Ethics, Difference, and Dominion
- 2.5.7: Conclusion
- 2.5.8: For Review and Discussion

2.6: Environmental Ethics and Climate Change (Jonathan Spelman)

- 2.6.1: Introduction
- 2.6.2: Is it wrong to harm grasshoppers for no good reason?
- 2.6.3: The problem of climate change

2.6.4: How should we respond to the problem of climate change?

2.6.5: For Review and Discussion

2.1: The Ethics of Torture (Martine Berenpas)

2.1.1: What is torture?

In 2002 the media began to carry stories that U.S. military officers were engaging in torturing a large number of prisoners at the Guantánamo Bay Naval Base. At first, the American government denied that torture methods were being used, but soon they had to admit that some torture was used as “an enhanced interrogation technique” to obtain information in the war on terrorism (Fletcher et al., 2008:4). In 2004, The Justice Department advised the White House that torture “may be justified” for interrogations conducted in the war on terrorism.

Torture is defined in part as the deliberate infliction of extreme suffering. Torture is prohibited by the *United Convention against Torture (Torture Convention)* and is a universal human right that is grounded in the *habeas corpus* right; the “right to have the body”. The *Torture Convention* is derived from the prohibition on torture as stated in the *Universal Declaration of Human Rights*. During war time, the *jus in bello* (“justice in war”) or the *International Humanitarian Law* is in place to “regulate how wars are fought, without prejudice to the reasons of how and why they had begun” (Luban, 2014). The 1996 *War Crimes Act* particularly prohibits willful killing, torture and inhumane treatment at all times.

The various national and international conventions and laws against torture make a distinction between torture and inhumane treatment. Some forms of mental suffering for example are not considered as torture because it does not cause severe physical suffering.

All of the practices of torture presuppose that the torturer has control over the victim’s body. Torture as such is the *intentional* infliction of extreme physical suffering on a non-consenting and defenseless person (Stanford Encyclopedia of Philosophy). The definition should exclude acts that are considered as acts of self-defense; torture is, contrary to acts of self-defense, aimed at undermining the victim’s autonomy.

Generally speaking, torture is the intentional infliction of extreme physical pain either for personal pleasure, interrogational, punitive or terroristic purposes (Stanford University of Philosophy). These motives are not mutually exclusive insofar as acts of torture might be motivated by several of these purposes. For example, torturing a criminal might have a punitive purpose as well as a terroristic purpose to deter future acts of crime.

Intentionally inflicting physical pain on a non-consenting and defenseless person is a moral evil that particularly undermines our liberal (in the sense of liberty) values. Yet even actions that are inherently morally wrong might be morally justified in extreme circumstances. What if we can save 1000 of lives when we torture a terrorist who can tell us how to dismantle a bomb?

Torture is an interesting philosophical topic, not only because it is grounded in some account of human rights, but more because the justification of torture frequently relies on some version of the “ticking time bomb” scenario. This philosophical experiment is used to justify torture as an exception to forestall a future catastrophe.

In this chapter, I will present some perspectives on torture from philosophers such as Aristotle, Hegel and Bentham. These perspectives show us that philosophers are concerned with the questions of if and when we can justify the use of torture. There are those such as Beccaria, who argued that torture should not be used because it is against the principle that someone should not be punished until he or she is proven guilty in court of law. Aristotle raises the question whether torture leads to “true knowledge”. The only philosopher who argues that torture is justified in extreme cases is Jeremy Bentham. We will relate Bentham’s argument to the ticking time bomb scenario, because justifying torture often relies on some form of consequentialism.

2.1.2: The philosophy of torture

Throughout history, torture has often been used to obtain information from a person. An important question is whether torture is even an adequate method to acquire useful information. Already in Aristotle's *Rhetoric*, we find a philosophical evaluation on the different positions that persons take in regard to evidence acquired through torture:

"Torture is a kind of evidence, which appears trustworthy, because a sort of compulsion is attached to it. Nor is it difficult to see what may be said concerning it, and by what arguments if it in our favor, we can exaggerate its importance by asserting that it is the only true kind of evidence; but if it is against us and in favour of our opponent, we can destroy its value by telling the truth about all kinds of torture generally; for those under compulsion are as likely to give false evidence as true, some being ready to endure everything rather than tell the truth, which others are equally ready to make false charges against others, in the hope of being sooner released from torture." (Aristotle, 2014:163).

Although Aristotle affirms that torture involves extreme physical pain inflicted to a non-consenting and defenseless person, he does not argue that torture is morally wrong. He only argues that the truthfulness of evidence obtained through torture is open for debate.

One of the first philosophers who argued that torture was a judicial vice, is Cesare Beccaria (1738-1794). Beccaria argued that torture was a violation of the principle that no one should be punished until proven guilty in court of law. Furthermore, Beccaria thought that torture was an ineffective punitive method that prevented the criminal from learning from his or her mistakes. Torture is not based on the principle of justice, but motivated by vengeance. Judicial punishment should never be based on emotions or sentiments, but should solely be based on the prevention of crime:

"The purpose of punishment, then, is nothing other than to dissuade the criminal from doing fresh harm. Punishments and the method of inflicting them should be chosen that, mindful of the proportion between crime and punishment, will make the most effective and lasting impression on men's minds and inflict the least torment on the body of the criminal" (Beccaria, 1964:53).

Torture is particularly morally revolting because it is aimed at a non-consenting, defenseless person. Torture practices presuppose that the torturer has control over the victim's body and degrades the victim to a mere object. The controlling relation and the power that the torturer has on the victim, is in the philosophy of Hegel explained as a struggle between rights and recognition.

Hegel used law extensively both as an illustration of the dialectical process of history as well as the necessary step in the unfolding of the ethical life (*Sittlichkeit*). From a Hegelian perspective, torture is grounded in the struggle of recognition and must be seen as a wrong in which the other is no longer or not yet regarded as counting as an end in itself. Hegel argues in particular that if the state uses torture as a judicial method, it fails to recognize the criminal as an end in himself and hinders the criminal's ability to achieve full self-consciousness within his community (Hegel, 1983:118; Woodson Hogan, 2013).

Most philosophers argue that torture is a morally questionable action that destroys human freedom, prevents the criminal from becoming a better person and treats humans as means and not as ends. The idea that a human should never be treated as a mere end is formulated by Immanuel Kant in the *Groundwork of the Metaphysic of Morals*. Kant identified the supreme principle, the categorical imperative, in which rational agency provides its own means. In other words: the categorical imperative is a moral law that is derived from pure reason and is universally valid. Based on the categorical imperative that one should act only according to the maxim of which one can make a universal law of the rule. The categorical imperative thus argues that we should not lie, because we don't want "You should lie" to be a universal moral law. Kant identified a second formulation of the categorical imperative for humanity, "Act in such a way that you treat humanity, whether in your own person or in the person of any other, never merely as a means to an end, but always at the same time as an end" (Kant, 1949:433).

Kant would argue the inherent immorality of torture, regardless of the circumstances or motives. Torture is always wrong, because it contradicts the second formulation of humanity and violates the categorical imperative. We will all agree that the use of torture should not be a universal moral law.

In philosophical terms, we call this approach to morality *deontological ethics*; in which the action in itself is assessed as wrong or right, regardless of the consequences of it. There are also some philosophers who argue that an action should be assessed on whether the action produces the right kinds of overall consequences. Those who argue that torture is morally wrong but is justified when it is used to prevent even greater crime, all adhere to some account of consequentialism (Stanford Encyclopedia

for Philosophy).

One of the most well-known accounts of consequentialism is Jeremy Bentham's Utilitarianism. Bentham's basic idea is that we should maximize utility, which is often defined in terms of universal well-being. Based on this line of reasoning, Bentham's raises the question whether torturing a criminal is justified when it prevents the killing hundreds of innocent people:

“For the purpose of rescuing from torture these hundreds innocents, should any scruple be made of applying equal or superior torture, to extract the requisite information from the mouth of one criminal, who having it in his power to make known the place where at this time the enormity was practicing or about to be practiced, should refuse do so?” (Bentham, 1804:6).

Bentham's argument is very close to what nowadays is known as the “ticking time bomb” scenario. Most persons who argue that torture is justified in extreme circumstances rely on some version of the “ticking time bomb” scenario and argue that torture is sometimes justified when it is used for interrogational purposes.

2.1.3: The “ticking time bomb” thought experiment

Thought experiments are frequently used in philosophy as a method to justify our intuitive thinking. A common feature of these thought experiments is that they are imaginary and involve some degree of generalization (Williamson, 2018).

One of the most used thought experiment in the torture debate is the “ticking time bomb” scenario. This experiment asks us to put ourselves in the position of an experienced law officer facing a situation in which a terrorist group states that it has hidden a nuclear bomb in the city center of New York. The authorities have arrested the leader of the group who says that he knows where the bomb is located. The terrorist however refuses to reveal the bomb’s location. As he is detained in the interrogation room, the clock is ticking. The question that this thought experiment addresses is whether we should use torture to obtain the information from the terrorist that can prevent the catastrophe.

The ticking time bomb argues that torture is inherently wrong, but that it might be justified in extreme circumstances. Furthermore, the “ticking time bomb” seems to suggest that torture might be justified for interrogational purposes to prevent a future catastrophe. Furthermore, the ticking time bomb suggests that torture is the only way of preventing the catastrophe. The terrorist in this experiment is already guilty – already a criminal – so why should we take his human rights into account if he is willing to kill so many innocent people?

The “ticking time bomb” is so mesmerizing because it plays with our moral intuition that we should at all time prevent innocent people from being killed. The scenario is framed to see the terrorist as a bad guy and, as such, we are more prone to dismiss his human rights and to justify the use of torture to save innocent lives. The problem with the “ticking time bomb” scenario is that torture in real-life cases are justified based on some version of this experiment. Our reality is, however, more complex and ambiguous than a philosophical thought experiment.

First of all, it is a false dichotomy to claim that we either torture the terrorist and save lives or not torture the terrorist and lose lives. In a real “ticking time bomb” situation there are certainly more options like evacuating the city or trying to locate and dismantle the bomb. Furthermore, in most real-life scenarios we most of the time only have a strong suspicion that the suspected is involved in the terrorist attack. We might have the suspicion that he or she is the mastermind behind the attack, but in real-life cases we are not one-hundred percent sure. Even in attacks that already happened, such as the 1995 Oklahoma bombing, we are still faced with unexplained details and are left with the question whether we have arrested all the accomplices involved in organizing and executing a crime. And even if we know that the suspect is the mastermind behind the crime, it might not lead to the information that we need. The point here is that in real-life cases we run the risk that we are torturing a suspect who does not have the information that we need, or does not give the information we need or does not give us it early enough to prevent the crime. One of the cases similar to the “ticking time bomb” scenario was the 2002 kidnapping in Germany of Jakob von Metzler in which the suspect revealed the location of the kidnapped boy because the police threatened to torture him; unfortunately, however, the boy had already been killed.

Even when we are sure that the suspect has the information, we are still faced with ethical challenges. When we argue that torture is allowed in extreme circumstances, we also need to think about what kind of torture techniques are permissible to extract the information from the suspect. Should we only engage in “torture lite” such as standing against the wall for a prolonged period, sleep deprivation and continuous sensory stimulation or should we use physical torture such as waterboarding, slapping or branding? And who should administer torture? Should we train somebody who can inflict just the right amount of physical or mental pain that will break the suspect?

Consequentialism argues that we should assess the good that results from the moral act against the bad. However, the problem in the “ticking time bomb” scenario is that the attack did not yet happen. It is only a threat; we don’t know how many people will die nor do we know for sure that the bomb will go off (it might be fake, or not working properly). How should we justify the use of torture against the consequences that are so difficult to determine?

David Luban aptly points to the fact that the “ticking time bomb” scenario is often used to justify torture in extreme cases, without having to engage in a thorough debate on torture, “Talking about them [ticking time bomb scenarios] is a distraction from discussing the actual practice of torture with no ticking bombs in the background” (Luban, 2014:75).

The “ticking time bomb” scenario in its generalized and idealized form is not helping us to address the issues we should address when we want to justify torture in extreme cases. Ticking time bomb versions in real-life are far more complicated and are not as clear-cut as the idealized version of it. Even the German case, in which the mere threat of torture did lead to the victim, no lives

were saved. The mere fact is that torture always violates the human rights and dignity of the suspect. Yet, violating the suspect's rights does not always save lives nor does it always lead to the prevention of a catastrophe.

Using the “ticking time bomb” scenario to justify torture in extreme circumstances is an ethically questionable argument in which we are faced with a lot of uncertainties and challenges. Questions and challenges that, when taken seriously, are not in favor of justifying torture, but highlight why we should refrain from torture at all times.

2.1.4: For Review and Discussion

1. Do you think that the *Torture Convention* is a natural law that should be abided at all times? What are the problems and challenges of universal declarations such as the *Torture Convention*?
 2. Philosophical experiments are frequently used in philosophical debates. When are these experiments useful and when are they not?
 3. In the scenario of the ticking time bomb, some scholars are reluctant to concede that the officer is morally entitled to torture the terrorist. How do these scholars justify their position?
-

References

Aristotle, (2003) *Rhetoric*, Createspace Independent Publishing Platform.

Beccaria, Cesare, (1964) [1764] *On Crimes and Punishments*, J. Grigson (trans.), Oxford: Oxford

University Press.

Bentham, Jeremy, (1804) *Of Torture*, Box 74.b, Bentham MSS, University College London Library.

Fletcher, Laurel et al., (2008) *Guantánamo and its aftermath: U.S. detention and interrogation practices and their impact on former detainees*, Berkeley: Human Rights Center, University of California.

Luban, David, (2014) *Torture, power and law*, Cambridge: Cambridge University Press.

Kant, Immanuel, (1949) "Groundwork of the Metaphysics of Morals", In: L.W. Beck, *Kant's Critique of*

Practical Reason and Other writings in moral philosophy, Chicago.

Miller, Seumas, "Torture", *The Stanford Encyclopedia of Philosophy* (Summer 2017 edition), Edward N.

Zalta (ed.), URL = <https://plato.stanford.edu/archives/...tries/torture/>.

Woodsen Hogan, Brandon (2013). *From punishment to recognition: Toward a Hegelian theory of*

criminal justice, Tufts University.

Williamson, Timothy (2013). *Doing philosophy. From common curiosity to logical reasoning*, Oxford

University Press.

2.2: An Argument Against Capital Punishment (Noah Levin)

2.2.1: Main Argument

Horrendous crimes are committed and will continue to be committed. Even before clear legal systems existed, people wanted to see perpetrators properly punished for the crimes they committed, and the more heinous the crime, the worse the punishment. Rape, murder, torture, and molestation will always be at the top of the list of crimes that are intolerable, as they are all gross violations of another's autonomy. I could describe a crime that would make anyone's blood boil and ignite a rage for vengeance on the criminal that had the coldness to carry out such a depraved act. I will spare the reader such a story, but you can imagine the types of crimes I am referring to. Once we catch a person that would do such a thing, the next issue we are faced with is clear: What do we do with this person? How do we punish them? Historically, execution, also known as capital punishment, has been used widely for many crimes. Today, it is reserved for the worst of the worst crimes and criminals in countries where it is used. However, many countries (notably, all of Europe except for Belarus) have either outlawed the punishment or chosen not to implement it. We thus ought to consider whether, in today's world, we should ever execute criminals.

While some crimes and criminals might *deserve* to be executed for their crimes, it is not a penalty that we should continue to implement, especially in the United States of America. There are four reasons for this: 1) the justice system is flawed, and with the finality of death, we should avoid punishments that cannot be properly compensated for; 2) on top of variations in prosecutors in seeking the death penalty, there are worrisome geographic and racial variations in the implementation of capital punishment that mean it is not applied fairly; 3) it is sought and carried out infrequently; and, 4) the United States is one of the few "Western" countries to still have it, and abolishing it would put the USA in-step with its closest allies and provide an important expression of moral fortitude.

My arguments will hinge on one major claim: a life behind bars would appear to be an equally just punishment when compared to the death penalty. While one has actual life, there is no freedom to go with it. The value of living might be completely removed if one is behind bars forever, making this punishment on equal footing to death. The Spanish phrase for life imprisonment is the poetic *cadena perpetua*, which literally translates to "perpetual chain," a reminder that the focus of such punishment isn't on living, but being imprisoned. In both prison and death freedom is removed, and never living free again is a fate that is akin to death, as any semblance of a quality life can only be a farce. On top of this, should there be good reason to do so, we can always lessen the term of the punishment and release the prisoner. Additionally, as the Dread Pirate Roberts told Westley in *The Princess Bride*, "Good night, Westley. Good work. Sleep well. I'll most likely kill you in the morning," there would remain the possibility of execution in the future if justice demands it (notwithstanding potential legal problems with altering a punishment); but we can't bring someone back to life (yet) if we execute them and regret it. This doesn't illustrate that execution is wrong, but shows a technical way that life imprisonment can be advantageous. In any event, it is unclear to me that execution is the *only* appropriate punishment for the crimes that it is a potential punishment for.

I have not mentioned anything about costs. My reasoning is simple: it is unclear whether life in

prison or the death penalty is more costly overall, as the likelihood of a shorter time spent in prison is offset by the increased costs of housing the prisoner and the longer court processes (such as multiple appeals) required for capital punishment. Of the many studies that have occurred and the analyses of the studies, there is no clear answer to the question of which one costs more, as costs per trial vary greatly based upon the details of the trial, and where it is carried out, as well as the overall costs of housing or executing an individual prisoner in a specific prison. Even if there were an answer, it is beside the point: if the death penalty is the *only just* punishment, then we ought to implement it since it would be appropriate to do so. It is very costly to put a car thief into prison, and a lot cheaper to implement the religious punishment of removing a hand. But it is often deemed inappropriate to do the latter, as mutilation is a permanent disfigurement that is particularly cruel. A few years of lost freedom (and maybe a monetary fine) are now deemed to be much more just.

Why should we execute people and for what crimes? There are three main reasons that hold philosophical value: justice, deterrence, and the impossibility of rehabilitation. The first, and most important, reason is that the criminal *deserves* to die. The act they have committed is so depraved and caused such harm, execution is the only way we can fairly punish the offender. If we kill people for awful crimes, then the threat of punishment also can function as a deterrent. If you might be killed for doing something awful, perhaps you'll refrain from doing it. Lastly, what should we do with those people that are so depraved they are beyond rehabilitation? Some people will just continue to do bad things, and will not, by their own admission, stop. Experts can interview them and concur. They are lost, there is no hope, and they may even see death as just and preferable. Certainly these people should be executed. On top of all of this, it gives the families of victims justice and satisfies our primal hunger for revenge.

To turn back to my primary reasons for advocating for the abolition of the death penalty in the United States, my first claim is

that given the finality of the punishment and the potential of executing innocent individuals, we ought to avoid it. Let's assume this occurs, and an innocent person was executed. Let's also assume that execution is appropriate for certain crimes. Would executing one innocent person be worth executing all of the actually guilty individuals that would come to have the punishment of execution? After all, we allow emergency vehicles to violate all sorts of traffic laws, resulting in the occasionally fatal, and likely avoidable, accident. We believe this cost is worth it because it means that more people, on the whole, are saved. Is execution so appropriate and so important that there are *no* suitable alternatives or that the only alternatives are actually, all-things-considered, significantly *less* just?

To alleviate this concern, someone might be quick to point out that no person has been executed and later been found to be innocent since the United States restarted capital punishment in 1977. As of this writing, 161 people have been exonerated before execution (out of approximately 7,800) making the wrongful sentencing rate at least 2% (for updated information on this and all of the statistics mentioned in this work, visit <http://deathpenaltyinfo.org>). Of course, there is little reason to find out if someone was actually innocent after they have died, so those sentenced to death that die before, or as a result of, execution are unlikely to be exonerated, should they actually be innocent. All crimes carry the chance of wrongful convictions, but most of the punishments can, at least in theory, be compensated for, assuming that the value of money can be comparable to the value of time. There is no compensation for a dead person that the person will directly benefit from. As such, the risk of executing an innocent person is too great, especially when life in prison would appear to be a fitting alternative.

There is extreme variation on the implementation of the death penalty across racial and geographic lines and its application is very dependent on the prosecutor. Where the death penalty is allowed, if you are a black male that killed a white female during a robbery, the odds of receiving the death penalty over a white male that tortured a black female before death are significant, and both are much greater than a white woman that tortured then killed a black man (I don't know the exact number since no one has crunched the numbers on all of these, but consider that less than 2% of all death row inmates are women despite committing roughly 10% of eligible homicides and that black males are 97% more likely to get the death penalty when they kill a white person over a black person). The race of the perpetrator and the victim both influence whether the death penalty is sought and applied. Justice is supposed to be blind, and even if everyone who got the death penalty deserved it, the application of it is unfair. This should be concerning.

The death penalty is sought in less than 1% of eligible cases. This statistic speaks for itself: capital punishment is rarely sought as a punishment even in cases where it can be used. Capital punishment will work as a deterrent if it actually deters, but since it is rarely used, it would be reasonable for criminals to believe they would not be executed if they commit capital crimes, and thus unlikely to work as a deterrent. For the threat of capital punishment to clearly work as a deterrent, it should be implemented a lot more frequently than it is. As there is no consensus in the research on whether it is effective as a deterrent, relying upon this reason to support maintaining the death penalty is problematic.

Finally, abolishing the death penalty in the United States would send a very important symbolic and humanitarian message: we stand with the rest of the NATO countries and majority of the world (and move away from being the country with the third most executions behind China and Saudi Arabia) in deciding not to systematically execute people in the name of justice. European countries did not disavow the death penalty because it was inappropriate, but rather many did so because of all the practical concerns I have laid out. If it is unfair in how it is used, then it shows the legal system disrespects its own desire for impartiality. It undermines the integrity of the legal and justice system itself.

Yet, there is still something to be said for keeping the death penalty in light of all of my reasons for abolishing it. Despite my claims that life in prison is just as bad as execution, many people disagree with this. Importantly, many *criminals* that face these punishments might disagree with it. The threat of execution could motivate criminals to cooperate and accept guilt more frequently, sparing us both the costs of seeking conviction and avoiding the possibility that they are found innocent (this is assuming that they really are guilty). Beyond this, people spending life in prison might not have anything *other than* their lives to lose, so keeping capital punishment gives them one final thing to fear and thereby prevent them from continuing to do awful things behind bars. Lastly, there might not be any value to the positive expression of our moral fortitude that abolishing the death penalty might bring with it. In fact, keeping it might be *more* expressive by saying that we will *never* tolerate extremely depraved acts.

I concede that each of these arguments provides a good reason to keep the death penalty on the table. Indeed, the fact it is rarely used is irrelevant for each of these arguments: it's on the table as a possible punishment, and that's what matters. However, the finality of the death penalty doesn't necessarily have to be the goalpost. We do not chain people to walls until they die in prison: inmates in prison for life are afforded some amount of pleasure and freedom behind walls, at the very least, in hopes of reform and an existence that contributes positively to society. We are also not heartless and can recognize the humanity in even the most hardened criminals. Thus, there can be (and are) varying degrees of freedom one may be privileged to while imprisoned, and the threat of continued loss of freedoms could be used as motivating factors in lieu of execution. To the last objection, that we do

not need to show anything to our Western allies or make any statements on punishment (and that having the death penalty might even be the statement we should be making), I'd like to point out that execution is the only punishment we have that intentionally inflicts direct physical harm on a criminal. We no longer lash people, use medieval torture devices, or otherwise use methods with the intention of inflicting physical harm. While we restrain and restrict, the purpose of all other types of punishments and incarcerations are not to physically harm. If physical harm comes, it is an unintended consequence. Abolishing the death penalty, the last bastion of physical violence as a punishment, illustrates that we have moved beyond intentionally inflicting physical harm as a form of punishment.

On March 12, 2019, the governor of California, Gavin Newsom, issued a moratorium on executions during his governorship. This means that while he is governor, no one will be executed and everyone on death row will be treated as if they are in prison for life. Future governors can restart executions, however. This move was met some anger, with the loudest shouting two things: (1) voters have constantly reiterated the desire for the death penalty and the governor disregarding this is overreaching on his part, and (2) that certain people deserve to die as a result of their crimes, and the justice system has confirmed this. The former argument is one about the political structure of the state and where powers lie, and while I can be sympathetic to this viewpoint, the facts are that the governor has the power to take the actions he did, an ability he has in order to maintain a proper system of checks and balances. Whether the system is *actually* balanced is a separate issue and not one I need to tackle right now. The second reason had people advocating for the killing of other human beings. It struck me as odd that the cause they are getting riled up about is one that involves such an act of violence. It feels as if we have lost our humanity if we scream and fight so that we may kill another person in the name of the law, because there is no other action that could possibly bring justice. It might be the only way to get revenge, but the law should not be used for revenge. I do believe that some crimes are worthy of such a sentence, but it is not something worth fighting for, especially when the alternative of life in prison is a sufficient proxy. I fully sympathize with the families of victims and in no way want to ignore the awfulness of the crimes these people committed, but fighting for someone else to die in the name of justice does not promote the values we ought to promote as a modern society.

To summarize, while some crimes are heinous enough that the offender can be deserving of capital punishment, implementing execution is riddled with too many problems and complications to be morally appropriate in today's world. It should thus be abolished because the alternative of life in prison is an acceptable replacement.

2.2.2: For Review and Discussion

1. Do you think there are certain crimes where execution is appropriate? If so, which ones and why? If not, why not?
2. Assume that execution is the appropriate punishment for some crimes. Should it be used? Why or why not?
3. Is execution a “cruel” or “unusual” punishment? Why or why not?

2.3: Common Arguments about Abortion (Nathan Nobis and Kristina Grob)

2.3.1: Introduction

Abortion is often in the news. In the course of writing this essay in early 2019, Kentucky, Mississippi, Ohio, Georgia, Alabama and Missouri passed legislation to outlaw and criminalize abortions starting at six to eight weeks in pregnancy, with more states following. Federal law, however, generally permits abortions, so it is unclear what the legal outcome here will be.

Abortion is a political issue – with different political parties *tending* to have different perspectives on the issue – because abortion is a *moral* or *ethical* issue. (These two words mean the same thing).

Some believe that abortions are typically *morally permissible*, or *not wrong*, and so believe that abortions should be legal. If doing something isn't wrong, it shouldn't be illegal: criminalizing actions that aren't wrong is a form of *injustice*.

Other believe that abortion is morally wrong, that it's *often* wrong, maybe *nearly always* or even *always*.

Some people argue that even though they believe abortion is wrong, it should remain legal: after all, if *every* morally wrong action was illegal, we would all be in jail! Seriously though, there are many actions that are morally wrong, even really hurtful, that the government shouldn't try to prevent or punish. (You can supply the potential examples to make the point). They might also think that, for a variety of other reasons, their personal moral views on the issues shouldn't be made into law for all.

Others argue that abortions are wrong and should be illegal. What *types* of wrongdoing should be illegal? This question isn't easy to answer: it's abstract and general. One answer is that *seriously, extremely wrong actions should be illegal*. This might seem plausible, since many illegal actions *are* seriously wrong, but since there are other very wrong actions that shouldn't be illegal, this answer isn't perfect.

2.3.2: Defining “Abortion”

Abortion might personally affect you or someone you know: you or a partner, spouse, relative or friend may have had an abortion, have considered abortion, or will have an abortion. But what is an abortion?

There are a number of common definitions, some of which are better and others which are worse:

Definition 1: An abortion is the *murder* of an unborn *baby* or *child*.

Definition 2: An abortion is the intentional *termination* of a fetus to end a pregnancy.

Definition 3: An abortion is the intentional *killing* of a fetus to end a pregnancy.

Definition 3 is best. We'll explain why after we show the problems with the first two definitions.

“Murdering Babies”

Definition 1 is common with certain groups of people, but even people who think abortion is wrong should reject it.

“Murder” means “wrongful killing,” and so this definition implies that abortion is wrong *by definition*, which it isn't. This definition means that to know that abortion is wrong, we'd just need to reflect on the meaning of the word, and not give any reasons to think this. Murder *is* wrong by definition, but to know that any particular killing is murder, we need arguments. (Compare someone who calls the death penalty *murder*: we know it's killing, but is it *wrongful* killing? We can't just appeal to the definition of “murder”: we need arguments that this is wrongful killing). This definition also means that someone who claims that abortion is *not* wrong says that “Wrongful killing is *not* wrong,” which makes no sense. We can even call this a “question-begging” definition, since it *assumes* that abortion is wrong, which can't be *assumed*. So this definition is problematic, *even if* abortion is wrong.

Definition 1 also describes fetuses as “babies” or “children.” While people are usually free to use whatever words how they want, people *can* say things that are false: calling something something doesn't mean it's really that thing. And the beginnings of something are usually not that thing: a pile of lumber and supplies is not a house; fabric, buttons and thread are not a shirt, and an embryo or early fetus is not a baby or child. So it's false and misleading to call embryos and early fetuses “babies” or “children.”

Defining abortion in terms of “babies” seems to again result in a “question-begging” definition that *assumes* that abortion is wrong, since it is widely and correctly believed that it's wrong to kill babies. We understand, however, that it's wrong to kill babies because we think about *born* babies who are *conscious* and *feeling* and have other baby-like characteristics: *these* are the babies we have in mind when we think about the wrongness of killing babies, *not* early fetuses. Describing early fetuses as “babies” characterizes them either as something they are not or, at least, assumes things that need to be argued for, which is misleading, both factually (in terms of what fetuses are like) and morally (insofar as it's assumed that the rules about how babies should be treated *clearly* and *straightforwardly* apply to, say, embryos).

Part of the problem with this definition is that terms like “babies” and “children” encourage strong emotional responses. Babies and children are associated with value-laden terms such as *innocence*, *vulnerability*, *preciousness*, *cuteness*, and more. When we refer to unborn human beings as *fetuses*, some

Definition 1 is common with certain groups of people, but even people who think abortion is wrong should reject it.

“Murder” means “wrongful killing,” and so this definition implies that abortion is wrong *by definition*, which it isn't. This definition means that to know that abortion is wrong, we'd just need to reflect on the meaning of the word, and not give any reasons to think this. Murder *is* wrong by definition, but to know that any particular killing is murder, we need arguments. (Compare someone who calls the death penalty *murder*: we know it's killing, but is it *wrongful* killing? We can't just appeal to the definition of “murder”: we need arguments that this is wrongful killing). This definition also means that someone who claims that abortion is *not* wrong says that “Wrongful killing is *not* wrong,” which makes no sense. We can even call this a “question-begging” definition, since it *assumes* that abortion is wrong, which can't be *assumed*. So this definition is problematic, *even if* abortion is wrong.

Definition 1 also describes fetuses as “babies” or “children.” While people are usually free to use whatever words how they want, people *can* say things that are false: calling something something doesn't mean it's really that thing. And the beginnings of

something are usually not that thing: a pile of lumber and supplies is not a house; fabric, buttons and thread are not a shirt, and an embryo or early fetus is not a baby or child. So it's false and misleading to call embryos and early fetuses "babies" or "children."

Defining abortion in terms of "babies" seems to again result in a "question-begging" definition that *assumes* that abortion is wrong, since it is widely and correctly believed that it's wrong to kill babies. We understand, however, that it's wrong to kill babies because we think about *born* babies who are *conscious* and *feeling* and have other baby-like characteristics: *these* are the babies we have in mind when we think about the wrongness of killing babies, *not* early fetuses. Describing early fetuses as "babies" characterizes them either as something they are not or, at least, assumes things that need to be argued for, which is misleading, both factually (in terms of what fetuses are like) and morally (insofar as it's assumed that the rules about how babies should be treated *clearly* and *straightforwardly* apply to, say, embryos).

Part of the problem with this definition is that terms like "babies" and "children" encourage strong emotional responses. Babies and children are associated with value-laden terms such as *innocence*, *vulnerability*, *preciousness*, *cuteness*, and more. When we refer to unborn human beings as *fetuses*, some people become defensive because they see the word "fetus" as cold and sterile. But "fetus" is merely a helpful, and accurate, name for a stage of development, as is "baby," "child," "adolescent," and "adult." Distinguishing different stages of human development doesn't commit anyone to a position on abortion, but it does help us understand what an abortion *is*.

In sum, defining abortion in terms of "murdering babies" is a bad definition: it misleads and assumes things it shouldn't. Even those who think that abortion is wrong should not accept it.

"Termination"

The second definition describes abortion as an *intentional* action. This is good since a pregnant woman does not "have an abortion" if her pregnancy ends because of, say, a car accident. And "spontaneous abortions" or miscarriages are not intentional actions that can be judged morally: they just happen.

Definitions, however, are supposed to be informative, and the vague word "termination" doesn't inform. If someone had literally no idea what an abortion was, it would be fair for them to ask what's *exactly* involved in a "termination" of a pregnancy. A discussion between persons A and B – who knows nothing about abortion – might go like this:

"There is a pregnant woman (or girl) who does not want to have a baby, a *living* baby, obviously. And so we are going to do *something* to something inside her – that is developing into that living baby – so she does not have that baby. The action we are going to do is the 'termination.'"

"*That something inside her, developing into that living baby, it is living?*" "Yes. It started from a living egg and sperm cell."

"So you are making something living *not living*, right? That sounds like *killing* something, right?"

Person B's reasoning seems correct: abortions *do* involve killing. The word "termination" obscures that fact and so makes for an unclear definition. This doesn't make the definition *wrong*; to "terminate" something means *to end it in some way*, and abortion ends the development of a fetus. But it doesn't say *how* abortion ends that development and so is not ideal.

Why might someone accept this definition? Probably because they are reasoning this way:

Killing is wrong. So if abortion is killing, then it's wrong. But I don't believe that abortion is wrong, or I am unsure that abortion is wrong, so I don't want to call it a 'killing,' since that means it's wrong.

The problem here is the first step. *Not all killing is wrong*. Lots of killing is perfectly fine and raises no moral issues at all: killing mold, killing bacteria, killing plants, killing fleas, killing random cells and tissues (even ones that are human, say cheek cells or skin cells), and more. We don't even need to observe that it's *sometimes* not wrong to kill adult human beings to make the point that not all killing is wrong.

This means that it's *not* problematic to define abortion in terms of "killing." The important questions then are, "Is abortion *wrongful* killing, or killing that's not wrong?" and "When, if ever, might it be wrongful killing and when, if ever, might it be permissible killing? And *why*?"

“Killing”

A final definition understands abortion in terms of *an intentional killing of a fetus to end a pregnancy*. This definition is *accurate, informative* since it tells us *how* the fetus would be “terminated”, and *morally-neutral*: it doesn’t assume that the killing involved in abortions is not wrong *or* that it’s wrong. This is a good definition.

2.3.3: Why Most Abortions Occur

The Guttmacher “Fact Sheet” provides an overview of the research on why abortions occur and other relevant information:

- The reasons patients gave for having an abortion underscored their understanding of the responsibilities of parenthood and family life. The three most common reasons—each cited by three-fourths of patients—were concern for or responsibility to other individuals; the inability to afford raising a child; and the belief that having a baby would interfere with work, school or the ability to care for dependents. Half said they did not want to be a single parent or were having problems with their husband or partner.
- Fifty-one percent of abortion patients were using a contraceptive method in the month they became pregnant, most commonly condoms (24%) or a hormonal method (13%).
- Fifty-nine percent of abortions were obtained by patients who had had at least one birth.
- Some 75% of abortion patients in were poor or low-income. Twenty-six percent of patients had incomes of 100–199% of the federal poverty level, and 49% had incomes of less than 100% of the federal poverty level (\$15,730 for a family of two).

This information suggests, at least, that if women were economically better off, had better access to affordable child-care and other forms of support, and had ready access to more reliable forms of contraception, there would likely be fewer abortions.

2.3.4: Bad Arguments- “Question-Begging” Arguments and “Everyday” Arguments

We'll now discuss some commonly given arguments about abortion that, unfortunately, are rather poor.

2.3.5: “Question-begging” Arguments

Many common arguments about abortion are what’s called “question-begging,” which means the reason given for the conclusion *assumes* that conclusion. This means that you wouldn’t accept the reason as a good reason to believe the conclusion *unless* you already believed that conclusion! This is circular reasoning, and arguments like this are always bad.

“Against” Abortion

Many common arguments against abortion are question begging. Here are some: Abortion – *killing fetuses to end pregnancies* – is wrong because:

1. abortion is *murder*;
2. abortion is killing babies or children;
3. adoption is a *better* option than abortion;
4. pregnant women just *must* keep the pregnancy and give birth; (5) abortion should not be used as ‘birth control’;
5. women who have abortions are *irresponsible*;
6. a *good person* wouldn’t have an abortion;
7. women who have abortions feel guilty.

These premises all *assume* that abortion is wrong. To explain:

1. assumes that killing fetuses is wrong, since “murder” *means* wrongful killing;
2. assumes that fetuses are *like babies and children* and so are similarly wrong to kill; assumes that abortion is a worse or bad option, since it assumes it is wrong;
3. assumes that women *must not* have abortions since it assumes they are wrong;
4. assumes that abortion is wrong; but if it is *not wrong*, while it might not be an ideal form of “birth control” it could permissibly be used for that purpose;
5. assumes that women who have abortions are doing what they are not supposed to do, doing wrong, and so are “irresponsible”;
6. assumes that abortion is wrong and so good people, who avoid wrongdoing, wouldn’t have one;
7. assumes that abortion is wrong and so assumes that *some* women feel guilty *because* they have done something wrong: however, people can *feel* guilty even if they haven’t done anything wrong, so guilt feelings aren’t perfect evidence of wrongdoing (just as *not* feeling guilty doesn’t mean you did something that was OK).

People would believe these claims *only if* they already believed abortion is wrong, so these claims should not sway anyone who wants to think critically about the issues.

“For” Abortion

People who think abortion should be allowed also sometimes give question-begging arguments. Here are a few: Abortion is *not* wrong because:

1. abortion is a *personal choice*; couples *should be able to* make that choice;
2. women have a (*moral*) *right* to have abortions;
3. women have the right to do what they want with their bodies;
4. well, if you don’t *like* abortions, *then don’t have one!*
5. those who oppose abortions just want to control women. These premises likewise *assume* their conclusions.

To explain:

1. the idea of a “personal choice” seems to be a choice that’s *not wrong* to make: e.g., we wouldn’t call a choice to be an ax-murderer a “personal choice” because that’s wrong, whereas what color socks to wear is a “personal choice.” So claims like this *seem to just assume* that abortion is not wrong or that it should be legal;
2. *sometimes* when people say that they have a moral right to do something, they are merely saying that *it’s not wrong for them*

to do it. So this claim amounts to saying that abortion is not wrong because it's not wrong, which is question-begging. (If it's explained *why* women have this right, the argument might cease to be question-begging, however);

3. there are limits to rights, and *sometimes* we don't have the right to do what's wrong. If abortion were wrong, then *perhaps* women wouldn't have the right to have them, and this claim just *assumes* abortions are not wrong;
4. consider an analogous slogan, "Don't like arson? *Then don't burn down any buildings!*" This is absurd, because arson is wrong, and we don't offer slogans like this about actions that are wrong. "Don't like strawberries? *Then don't eat them!*" makes sense since not eating strawberries is not wrong. The slogan here assumes that abortion is not wrong;
5. since *some* wrongdoing *should* be "controlled," those who offer this reason *might* merely *assume* that abortion is *not* a type of wrongdoing that should be illegal. They are also focusing on other people's motives, which is often unwise: people who allegedly wish to "control" women *might* respond or suspect that abortion advocates are motivated by the desire to "engage in immorality without consequences!" (*Is that true?* No, pro-choice advocates argue.) Accusations about motives are fruitless: it's better to engage the basic questions of whether abortion is wrong or not and *why*, like we are doing here, instead of speculating about motives.

Question-begging arguments are common, on many issues – not just abortion, and they should be rejected, by everyone, always.

2.3.6: “Everyday” Arguments

Now we will discuss some other common arguments, that you might often hear or read about, that are also poor but often *not* because they are question-begging. We’ll begin with some arguments against abortion.

“Against” Abortion

“Abortion ends a life.”

People often ask, “When does *life* begin?” Some people wonder if fetuses are “alive,” or when they become “life.” Some argue abortion is wrong because “life begins at conception,” whereas those who support abortion sometimes respond that “fetuses aren’t even alive!” There are a lot of debates here, and to get past them, we need to ask what is meant by *alive*, *living* or *a life*.

This is often considered a “deep” question, but it’s not. Consider this: are eggs (in women) alive? Are sperm cells alive? Yes to both, and so when a sperm fertilizes an egg, what results is a *biologically living* thing. Above, we defined abortion as a type of killing and, of course, you can only kill living things. So, yes, fetuses are alive, *biologically alive*, from conception: they are engaged in the types of life processes reviewed on page 1 of any biology textbook.

Some people think that fetuses being alive *shows* that abortion is wrong, and so they enthusiastically argue that fetuses are biologically alive. Some who think that abortion is not wrong try to argue that fetuses are not even alive. These responses suggest concern with an argument like this:

1. Fetuses are biologically alive.
2. *All things that are biologically alive are wrong to kill.*
3. Therefore, fetuses are wrong to kill.

The second premise, however, is obviously false: uncontroversial examples show it. Mold, bacteria, mosquitos and plants are biologically alive, but they aren’t wrong to kill. So, just as acknowledging that abortion involves *killing* doesn’t mean that abortion is wrong, recognizing that *biological life* begins at conception doesn’t mean that abortion is wrong either.

Now, perhaps people *really* mean something like “morally significant life” or “life with rights,” but that’s not people what say: if that’s what they mean, they should say that.

“Abortion kills babies and children.”

Classifying fetuses as babies or children obscures any potentially relevant moral differences between, say, a 6-week old fetus and a 6-day old baby or 6-year old child. This claim *assumes* that fetuses – at any stage of development – and babies are the same sort of entity. This claim involves loaded emotional language, is inaccurate and is question-begging, as we discussed above in the section on definitions: this saying doesn’t contribute to a good argument.

“Abortion is murder.”

Murder is a term for a specific kind of killing. As a moral term, it refers to especially wrongful killing. As a legal term, it refers to intentional killing that is both unlawful and malicious. Since abortion is legal in the US, most abortions cannot be *legally* classified as murder because they are not illegal or unlawful. Moreover, abortions don’t seem to be done with malicious intent. When people claim that abortion is murder, what they seem to mean is either that abortion *should be re-classified as murder* or that *abortion is wrong*, or both. Either way, *arguments* are needed to support that, not question-begging slogans.

“Abortion kills innocent beings.”

Fetuses are often described as “innocent,” meaning that they have done nothing wrong to *deserve* being killed. Since killing anyone innocent is wrong, this suggests that abortion is wrong. “Innocence,” however, *seems* to be a concept that only applies to beings that *can* do wrong and choose not to. Since fetuses can’t *do* anything – they especially cannot *do* anything wrong that

would make them “guilty” – the concept of *innocence* does not seem to apply to them. So saying that banning abortion would “protect the innocent” is inaccurate since abortion doesn’t kill “innocent” beings: the concept of innocence just doesn’t apply.

“The Bible says abortion is wrong.”

People often appeal to religion to justify their moral views. Some say that God thinks abortion is wrong, but it’s a fair question how they might *know* this, especially since others claim to *know* that God doesn’t think that. In reply, it is sometimes said that the Bible says abortion is wrong (and that’s how we know what God thinks).

But the Bible doesn’t say that abortion is wrong: it doesn’t discuss abortion at all. There is a commandment against *killing*, but, as our discussion above makes clear, this requires interpretation about *what* and *who* is wrong to kill: presumably the Bible doesn’t mean that killing mold or bacteria or plants is wrong. And there are verses (Exodus 21:22-24) that, on some translations, suggest that fetuses lack the value of born persons, since penalties for damage to each differ. This coincides with common Jewish views on the issue, that the needs and rights of the mother outweigh any the fetus might have.

However any verses are best interpreted, they still don’t *show* that abortion is wrong. This is because the Bible is not *always* a reliable guide to morality, since there are troubling verses that seem to *require* killing people for trivial “crimes,” *allow* enslaving people (and beating them), *require* obeying *all* government officials and more. And Jesus commanded loving your neighbor as yourself, loving your enemies and taking care of orphans, immigrants and refugees, and offered many other moral guidelines that many people regard as false. Simple moral arguments from the Bible assume that that *if the Bible says an action is wrong, then it really is wrong* (and *if the Bible says something’s not wrong, it’s not wrong*), and both premises don’t seem to be literally true.

This all suggests that people sometimes appeal to the Bible in selective and self-serving ways: they come to the Bible with their previously-held moral assumptions and seek to find something in the Bible to justify them.

There is an interesting Biblical connection here worth mentioning though. Some argue that if women who want abortions are prevented from having them, that *forces* them to remain pregnant and give birth and that this is like *forcing* women to be like the “Good Samaritan” who went out of his way, at expense to himself, to help a stranger in great need (Luke 10:25-37). (The analogy is imperfect, as analogies always are).

The problem is in no other area of life is anyone *forced* to be a Good Samaritan like a pregnant woman would: e.g., you can’t be *forced* to donate an organ to anyone in need (even to your child or parent); you can’t even be forced to donate your organs after you are dead! Nobody other than pregnant women would be *forced* by the government – under threat of imprisonment or worse – to use their body to help sustain someone else’s life. It is unfair to require women to be Good Samaritans but allow the rest of us to be like the “priest” and “Levite” in the story who helped nobody.

Nevertheless, it’s important to remember that laws should not be based on any particular religions. If you are not, say, a Hindu, or a Buddhist, or a Rastafarian, you *probably* don’t want laws based solely on one of those religion’s values. Laws should be religiously-neutral; on that we all should agree.

“Abortion stops a beating heart.”

This claim, if given as an argument, assumes that *stopping a beating heart is wrong*. The assumption, however, is just obviously untrue: e.g., during open heart surgery, surgeons temporarily stop the patient’s heart so that repair can be made to the still heart: they would permanently stop that heart if they replace it with an artificial heart. If there were somehow an independently beating heart, attached to nobody, that heart wouldn’t be wrong to stop. Whether a heart is wrong to stop or not depends on who is around that heart and their value or rights, not anything about that heart by itself. Finally, embryos and early fetuses *do not even have hearts*, as critics of recent “heartbeat” bills have observed! (The heart fully develops much later in pregnancy.)

If, however, this widely expressed concern about a heartbeat isn’t meant to be taken literally, but is merely a metaphor or an emotional appeal, we submit that these are inappropriate for serious issues like this one.

“How would you like it if . . .?”

Some ask, “How would you like it if your mother had had an abortion?” Others tell stories of how their mother almost had an abortion and how they are grateful she didn’t. Questions and stories like these sometimes persuade, but they shouldn’t. Consider some other questions:

1. *How would you like it if your mother had been a nun, or celibate, all her life?*
2. *How would you like it if your mother had moved away from the city where she met your father, and they never met?*
3. *How would you like it if your father had decided early in life to have a vasectomy?*

All sorts of actions would have prevented each of our existences – if your parents had acted differently in many ways, *you* wouldn't be here to entertain the question: at best, *someone else* would be – but these actions aren't wrong.

Some might reply that if you had been murdered as a baby, you wouldn't be here to discuss it. True, but that baby was conscious, had feelings, and had a perspective on the world that ended in being murdered: an early fetus is not like that. We can empathetically imagine what it might have been like for that murdered child; we can't do that with a never-been-conscious fetus, since there's no perspective to imagine.

In sum, these are some common arguments given against abortion. They aren't good. Everyone can do better.

Common Arguments “For” Abortion

Many common arguments “for” abortion are also weak. This is often because they simply don't engage the concerns of people who oppose abortion. Consider these often-heard claims:

“Women have a right to do whatever they want with their bodies . . .”

Autonomy, your ability to make decisions about matters that profoundly affect your own life, is very important: it's a core concern in medical ethics. But autonomy has limits: your autonomy doesn't, say, justify *murdering an innocent person*, which is what some *claim* abortion is. The slogan that “women can do what they want . . .” does not engage that claim or any arguments given in its favor, so it's inadequate.

“People who oppose abortion are just trying to control women.”

They *might* be trying to do this. But they *might* be trying to ban abortion because they believe that *abortion is wrong and should be illegal*. Speculations about motives don't engage or critique any arguments they might give to think that. (If you doubt that thinking critically about arguments and evidence here would do any good, do they have any *better ideas* that might do *more* good?).

“Men shouldn't make decisions about matters affecting women.”

Insofar as women profoundly disagree on these issues, some women *must* be making bad decisions about matters affecting women: all women can't be correct on the issues. And *some* men can understand that some arguments (endorsed sometimes by both women and men) are bad arguments and give good arguments on the issues. Someone's sex or gender has little to no bearing on whether they can make good arguments about matters that affect them or anyone else. Furthermore, the existence of transgender men who have given birth further undermines the thought that one sex or gender is apt to have more correct views here.

“Women and girls will die if abortion isn't allowed.”

This is true. However, this fact is apt to not be persuasive to some people who think that abortion is wrong: they will respond, “If someone dies *because they are doing something wrong like having an abortion*, that's ‘on them,’ *not* those who are trying to prevent that wrong.” Observing that women will die if abortions are outlawed doesn't engage any arguments that abortion is wrong or give much a reason to think that abortion is *not* wrong. Again, this type of engagement is necessary for progress on these issues.

In sum, while we agree that people who think that abortion is generally not morally wrong and should be legal are *correct*, they sometimes don't offer very good reasons to think this, just like the opponents of abortion. An analysis of the more nuanced reasons in favor of abortion provided by philosophers will yield proper support for this viewpoint.

This page titled [2.3.6: “Everyday” Arguments](#) is shared under a license and was authored, remixed, and/or curated by LibreTexts.

2.3.7: For Review and Discussion

1. Do the reasons that people get abortions matter for its moral permissibility? Why or why not?
2. Describe the common arguments *against* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually provide evidence and reasons to oppose abortion?
3. Describe the common arguments *for* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually give evidence and reasons to support abortion?

2.4: Better (Philosophical) Arguments about Abortion (Nathan Nobis and Kristina Grob)

2.4.1: Introduction

We argue that abortion should not be illegal because *most* abortions are not morally wrong (and so they are not *seriously* or *extremely* wrong). So, states are making bad moral and legal moves, to say the least, in trying to criminalize abortions, at least when they are done early in pregnancy, as they usually are.

2.4.2: Arguments Against Abortion

We will begin with arguments for the conclusion that *abortion is generally wrong*, perhaps *nearly always wrong*. These can be seen as reasons to believe fetuses have the “right to life” or are otherwise seriously wrong to kill.

Fetuses are human

First, there is the claim that fetuses are “human” and so abortion is wrong. People sometimes debate whether fetuses are *human*, but fetuses found in (human) women clearly are *biologically human*: they aren’t cats or dogs! And so we have this argument, with a clearly true first premise:

1. Fetuses are biologically human.
2. *All things that are biologically human are wrong to kill.*
3. Therefore, fetuses are wrong to kill.

The second premise, however, is false, as easy *counterexamples* show. Consider a blob of random living *biologically human* cells or tissues in a petri dish. It wouldn’t be wrong at all to wash those cells or tissues down the drain, killing them; scratching yourself or shaving might kill some biologically human skin cells, but that’s not wrong; a tumor might be biologically human, but not wrong to kill. So *just because* something is biologically human, that doesn’t at all mean it’s wrong to kill that thing.

A different meaning of “human” will be discussed below: people who insist that (biologically human) fetuses aren’t “human” might mean “person” or *human person*.

Fetuses are “human beings”

Some respond to this argument by observing that fetuses aren’t just random biologically human cells, but are organized in ways that makes them *beings* or *organisms*. (A kidney is *part* of a “being,” but the “being” is the whole organism). That suggests this argument:

1. Fetuses are *human beings* or *organisms*.
2. *All human beings or organisms are wrong to kill.*
3. Therefore, fetuses are wrong to kill, so abortion is wrong.

The first premise is true. About the second premise, clearly *many* human beings or organisms are wrong to kill. Why is this though? What *makes* us wrong to kill?

It is generally argued that this is *because* we, these human beings, are conscious and feeling: we are aware of the world, have feelings and our perspectives can go better or worse *for us* – we can be *harmed* – and that’s what makes killing us wrong. (It may also be *not wrong* to let us die, and perhaps even kill, if we come to be completely and permanently lacking any consciousness, however, say from major brain damage or a coma, since we can’t be harmed by death anymore.) So, on this explanation, human beings are wrong to kill, *when* they are wrong to kill, not *because they are human beings* (a circular explanation), but *because* we have these psychological or mental (or emotional) characteristics: this explains why we have rights in a simple, common-sense way.

The challenge then is explaining why fetuses *that have never been conscious or had any feeling or awareness* would be wrong to kill. How can the second premise above, general to *all* human organisms, be supported, especially when applied to early fetuses?

One attempt is argue that early fetuses are wrong to kill because there is continuous development from fetuses to us, and since we are wrong to kill *now*, fetuses are also wrong to kill, since we’ve been the “same being” all along. But this can’t be good reasoning, since we have many physical, cognitive, emotional and moral characteristics now that we lacked as fetuses (and as children). So even if we are the “same being” over time, even if we were once early fetuses, that doesn’t show that fetuses have the moral rights that babies, children and adults have: we, our bodies and our rights sometimes change.

A second attempt proposes that rights are *essential* to human organisms: they have them whenever they exist. This perspective sees having rights, or the characteristic(s) that *makes* someone have rights, as *essential* to human bodies: “having rights” is an

essential property of human beings or organisms: so whenever there's a living human organism, there's someone with rights, even if that organism totally lacks consciousness, like an early fetus. (In contrast, our proposal about what *makes* us have rights understands rights as "accidental" to our bodies, since our bodies haven't always "contained" a conscious being.) Such a view supports the premise above; maybe it just *is* that premise above.

But why believe it? Why believe that rights are *essential* to human organisms? Some argue this because of what "kind" of beings we are, which is often presumed to be "rational beings." The reasoning is, first, that rights come from being a rational being. And, second, that all human organisms, including fetuses, are the "kind" of being that is a "rational being," so every being of the "kind" *rational being* has rights.

This explanation is, at least, abstract. It might seem to involve thinking that rights somehow "trickle down" from later rationality to our embryonic origins, and so what we have *later* we also have *earlier*, because we are the *same being* or same "kind" of being. But this idea is, in general, doubtful: we are now *responsible* beings, in part because we are rational beings, but fetuses aren't responsible for anything: we are now able to engage in moral reasoning since we are rational beings, but fetuses don't have the "rights" that uniquely depend on moral reasoning abilities. Even if fetuses and us are the same "kind" of beings, that often doesn't tell us much about what rights fetuses would have, if any. And we might even reasonably think that, despite our being the *same* kind of beings as fetuses, we are also importantly *different kinds* of beings.

In sum, the abstract view that all human organisms have rights *essentially* needs to be plausibly explained and defended. We need to understand how it really works. We need to be shown why it's a better explanation, all things considered, than a consciousness and feelings-based theory of rights that explains why we, and babies, have rights, why racism, sexism and other forms of wrongful discrimination are wrong, *and*, importantly, how we might *lose* rights in irreversible coma cases (if people always retained the right to life in these circumstances, presumably it would be wrong to let anyone die), and more.

Fetuses are persons

Finally, we get to what some see as the core issue here, namely whether fetuses are *persons*, and an argument like this:

1. Fetuses are persons, perhaps from conception.
2. Persons have the right to life and are wrong to kill.
3. Therefore, abortion is wrong, as it involves killing persons.

The second premise *seems* very plausible, but there are some important complications about it that will be discussed later. So let's focus on the idea of personhood and whether fetuses are persons. What is it to be a *person*? One answer that everyone can agree on is that *persons are beings with rights and value*. That's a fine answer, but it takes us back to the initial question: OK, who or what has the rights and value of persons? What *makes* someone or something a person?

Answers here are often merely asserted, but these answers need to be tested: definitions can be judged in terms of whether they fit how a word is used. We might begin by thinking about what *makes* us persons. Consider this:

We are persons now. Either we will always be persons or we will cease being persons. If we will cease to be persons, what can end our personhood? If we will *always* be persons, how could that be?

Both options yield insight into personhood. Many people think that their personhood ends at death or if they were to go into a permanent coma: their body is (biologically) alive but the *person* is gone: that is why other people are sad (we hope!). And if we continue to exist after the death of our bodies, as some religions maintain, what continues to exist? The *person*, perhaps even without a body! Both responses suggest that personhood is defined by a rough and vague set of psychological or mental, rational and emotional characteristics: consciousness, knowledge, memories, and ways of communicating, all psychologically unified by a unique personality.

A second activity supports this understanding:

Make a list of things that are definitely *not persons*. Make a list of individuals who definitely *are persons*. Make a list of imaginary or fictional *personified* beings which, if existed, would be persons: these beings that fit or display the concept of person, even if they don't exist. What explains the patterns of the lists?

Rocks, carrots, cups and dead gnats are clearly not persons. *We* are persons. Science fiction gives us ideas of *personified* beings: to give something the traits of a person is to indicate what the traits of persons are. Even though the non-human characters from

Star Wars don't exist, they fit the concept of person: we can befriend them, work with them, and so on, and we could only do that with persons. A common idea of God is that of an immaterial *person* who has exceptional power, knowledge, and goodness: you couldn't pray to a rock and hope that rock would respond: you could only pray to a person. Are conscious and feeling animals, like chimpanzees, dolphins, cats, dogs, chickens, pigs, and cows more relevantly like us, as persons, or are they more like rocks and cabbages, non-persons? Conscious and feeling animals seem to be closer to persons than not. So, this classificatory activity further supports a psychological understanding of personhood: persons are, at root, conscious, aware and feeling beings.

Concerning abortion, early fetuses would *not* be persons on this account: they are not yet conscious or aware since their brains and nervous systems are either non-existent or insufficiently developed. Consciousness emerges in fetuses much later in pregnancy, likely after the first trimester. This is after when most abortions occur. Most abortions, then, do not involve killing a *person*, since the fetus has not developed the characteristics for personhood. We will briefly discuss later abortions, that potentially affect fetuses who are persons, below.

It is perhaps worthwhile to notice though that *if* someone believed that fetuses are persons and thought this makes abortion wrong, it's unclear why a pregnancy resulting from rape or incest would be a morally justified abortion. Some people who oppose abortion argue that, since you are a person, it would be wrong to kill you now *even if* you were conceived because of a rape, and so it's wrong to kill any fetus who is a person, even if they exist because of a rape: whether someone is a person or not doesn't depend on their origins: it would make no sense to think that, for two otherwise identical fetuses, one is a person but the other isn't, because that one was conceived by rape. Therefore, those who accept a "personhood argument" against abortion, yet think that abortions in cases of rape are acceptable, seem to have an inconsistent view.

Fetuses are potential persons

If fetuses aren't persons, they are at least potential persons, meaning they could and would become persons. This is true. This, however, doesn't mean that they currently have the rights of persons because, in general, *potential things of a kind don't have the rights of actual things of that kind*: potential doctors, lawyers, judges, presidents, voters, veterans, adults, parents, spouses, graduates, moral reasoners and more don't have the rights of actual individuals of those kinds.

Some respond to that that potential gives the right to at least *try* to become something. But that trying sometimes involves the cooperation of others: if your friend is a potential medical student, but only if you tutor her for many hours a day, are you obligated to tutor her? If my child is a potential NASCAR champion, am I am obligated to buy her a racecar to practice? 'No' to both and so it is unclear that a pregnant woman would be obligated to provide what's necessary to bring about a fetus's potential.

Abortion prevents fetuses from experiencing their valuable futures

The argument against abortion that is likely most-discussed *by philosophers* comes from Don Marquis. He argues that it is wrong to kill "normal" adults and children because it deprives us from experiencing their (expected to be) valuable futures. He argues that since fetuses also have valuable futures also ("futures like ours" he calls them), they are also wrong to kill. His argument has much to recommend it, but there are reasons to doubt it as well.

First, fetuses don't seem to have futures *like our futures*, since – as they are pre-conscious – they are entirely psychologically disconnected from any future experiences: there is no (even broken) chain of experiences from the fetus to that future person's experiences. Babies are, at least, aware of the current moment, which leads to the next moment; children and adults think about and plan for their futures, but fetuses cannot do these things, being completely mindless and unconscious. This fact might even mean that the early fetus doesn't *literally* have a future: if *your* future couldn't include *you* being a merely physical, non-conscious object (e.g., you couldn't be a corpse: if there's a corpse, *you* are gone), then perhaps non-conscious physical objects, like a fetus, couldn't *be* a future person. If this is correct, early fetuses don't even have futures, much less futures like ours.

A third objection is more abstract. It begins with the observation that *there are single objects with parts with space between them*. Indeed almost *everything* is like that, if you could look close enough, not just *single* dinette sets: there is some space between the parts of normal physical objects. From this, it follows that there seem to be single objects such as *an-egg-and-the-sperm-that-would-fertilize-it*. And these would also seem to have a future of value, given how Marquis describes this concept. (It should be made clear that sperm and eggs *alone* do not have futures of value: this is not the objection). But contraception, even by *abstinence*, prevents that thing's future of value from materializing, and so seems to be wrong on Marquis's argument. Since contraception isn't wrong, it seems that preventing something from experiencing its valuable future isn't always wrong and so Marquis's argument appears to be unsound.

In sum, these are some of the most influential arguments against abortion. Our discussion was brief, but these arguments do not appear to be successful: they do not show that abortion is wrong, much less make it *clear and obvious* that abortion is wrong.

2.4.3: Arguments that abortion is often not wrong

Finally, we turn to arguments that abortion is generally not wrong.

No good arguments that it is wrong

A first argument depends on the discussion so far. If you are familiar with the most important arguments given to believe that abortion is wrong, and believe *with good reason* that they are unsound, then that gives a reason to think that abortion is not wrong. In general, *a good reason to think that an action is permissible is that there is no good reason to think it's wrong*. How this general strategy is applied to this issue depends on your evaluation of the arguments discussed above, and any other arguments against abortion that you think are worth critically evaluating.

Early fetuses aren't conscious & feeling: personhood and harm

The next positive argument in defense of abortion depends on the scientific facts about *early* fetuses that we have emphasized over and over: they are not conscious, are not aware of anything, cannot feel anything, and so on: they are and *have been* entirely mindless so far. The proposal is that beings like this are very different from beings like us and babies and children, who are conscious: despite being the same *kind* of beings, we are also different *kinds* of beings.

These observations motivate these principles:

If a being *is and has always been completely unconscious*, it's definitely not a *person*. And if something is definitely not a person, then it's not wrong to kill it.

This proposal is supported by, among other sources, the idea that if someone permanently ceases to be a person, it can be OK to bring about their death, perhaps even by killing their body, since their being alive is doing them no good. This is related to this proposal:

If a being *is and has always been completely unconscious*, it really cannot be *harmed*, which requires some "turn for the worse" *for that being*. There is no "for that being," yet, so things can't get worse for it. So killing doesn't harm it.

Given the fundamental moral significance of consciousness and all that results from that, that *early* fetuses lack it is highly relevant to how they can be treated.

The right to life & the right to someone else's body

Finally, suppose much of the above is mistaken and that fetuses indeed are persons with the right to life.

Some think that this clearly shows that abortion is wrong. Philosopher Judith Jarvis Thomson famously argued in 1971 that this isn't the case. She observes that people often have a naïve understanding of what the right to life is a right to. She makes her case with a number of clever examples. First, the violinist:

You wake up in a hospital, "plugged in" to a famous violinist, who needs to use *your* kidneys to stay alive. You were kidnapped for this purpose. If you unplug, he will die. But it's only for nine months.

Does the violinist have a *right* to your kidneys? Do you violate his *right to life* if you unplug, and he dies? Most would say 'no', which suggests that *the right to life is not a right to anyone else's body, even if that body is necessary for your life to continue*. This suggests that fetuses, even if they were persons with the right to life, would not have a right to the pregnant woman's body. So until there is a way to remove fetuses and place them in other wombs, women have a right to abortion. This even suggests another definition:

Abortion is the intentional withholding of what a fetus needs to live, to end a pregnancy.

Some respond the violinist case is somewhat like a pregnancy that results from rape, since there's no consent involved, but that

pregnancies that don't result from rape *do* give fetuses the right to the woman's body because, they argue, the woman has done something that she knows might result in someone existing who is dependent on her.

While Thompson had cases to address this type of concern – if someone falls in your house *because* you opened a window, they don't have the right to be there, even though you *did something* that contributed to their being there – we should notice that the response appears to be question-begging. Compare doing something that results in the existence of a new plant that is *dependent* on you: you wouldn't be obligated to provide for that plant. To assume that things are different with fetuses is, well, to assume what can't be merely assumed, especially if we don't already believe that early fetuses are persons with the right to life.

It should be made clear that even if the fetus doesn't have a *right* to the pregnant woman's body, there *could* be other rights or other obligations that could make abortion wrong nevertheless: e.g., if pregnancy were just 9 hours perhaps women would be *obligated* to be Good Samaritans towards them, even if fetuses didn't have a right to the woman's resources and assistance. What's important though is the right to life and personhood are not the “slam dunk” against abortion that people often think they are.

“What ifs”: Rape and later-term abortions

We are now in a good position to address some of the “what if” situations regarding abortions.

First, rape: if early abortions are generally not wrong, then abortions due to rape are *especially* not wrong. While people sometimes consider rape a special excuse that justifies abortion, if abortions generally aren't wrong, no special excuse is needed. (It is worthwhile to notice that those who think that all fetuses are persons and so argue that abortion is wrong *should* think abortion is wrong in cases of rape also, since a person is a person, irrespective of their origins).

Second, later-term abortions: these *might* affect conscious and feeling fetuses badly, but fortunately these abortions are rare and evidence suggest that they are done only for justifying medical reasons (Google for harrowing personal stories of women having later abortions, due to medical difficulties, including fetal abnormalities incompatible with life). But *if* any far later abortions are done for frivolous reasons, they *could* be morally wrong, since it's wrong to cause serious pain for no good reason.

Should laws be created to *ban* any potential later abortions done for trivial reasons? Again, not all wrongdoing should be illegal, but – most importantly – a ban on these *potential* abortions would surely have a negative impact on actual later abortions done for legitimate medical reasons. If the justifiability of any later abortions had to be proven in court, or people had to go through the criminal justice system to approve an emergency medical procedure, that would have very bad effects, given the speed, inefficiency and occasional incompetence of courts. Involving the police and the legal system in private medical decisions would also be very bad for all, especially vulnerable groups: people of color, immigrants, and poor people.

2.4.4: Conclusion

For important issues, we need well-developed reasons or arguments to decide what to believe and do about the issues. The purpose of this essay has been to provide some of that training so you can better develop an informed and well-reasoned moral perspective on abortion. Many people say they “feel” that abortion is wrong or they “feel” that it’s OK. But complex issues require fair and honest critical thinking, not just uniformed “feelings” or “opinions,” and we hope this paper has displayed this.

We have focused on disagreements about the issue, but we want to end on an agreement: everyone agrees there should be fewer abortions. Even people who think abortions are generally not wrong don’t think that having an abortion is just a great way to spend time and resources. So everyone *could* agree that we, as a society, should do more to reduce the “demand” for abortions. Some other countries don’t have as many abortions as the US does, and this is because of deliberate choices they have made to make their country more supportive of all of its citizens and make it easier for them to meet their economic, medical and familial needs. We too could be like Good Samaritans, which would be good not just for this issue, but many others, as well as who we are, as people, together.

2.4.5: For Review and Discussion

1. Do the reasons that people get abortions matter for its moral permissibility? Why or why not?
2. Describe the arguments *against* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually provide evidence and reasons to oppose abortion?
3. Describe the arguments *for* abortion and assess them. Are they good or bad arguments? Do they make assumptions or claims that are problematic? Do the reasons provided actually give evidence and reasons to support abortion?

2.5: Animal Rights (Eduardo Salazar)

2.5.1: Virtue and Difference in Animal Ethics

Philosophical questions concerning animals are so ubiquitous that they virtually go unnoticed. We take their presence and moral status for granted. However, our kinship with and bondage of animals situates us within a very peculiar and problematic relationship. Once recognized, moral questions concerning the treatment of animals present us with a deep dilemma: we view animals as extensions of our families and friends *because of how similar* they appear to us; and yet we also slaughter them for food, conduct painful experiments on them, and utilize them as simple material resources *because of how different* they appear. As a consequence, our thinking about animals results in contradictory views and practices. As we proceed in our discussion concerning animal ethics, it is important to keep in mind the following two questions: What is *animality* or animal nature? How should we understand and relate to animals? The significance of these questions is not to dictate answers, but to explore and reflect on the relation between humans, animals, and animality.

In general, philosophers tend to denigrate animality as inferior to human nature or disregard it altogether. However, some have reworked the notion of animality and posit that it plays a central role in defining human nature. For those rethinking animal nature, animality refers to dynamic characteristics that unite but also separate animal from human nature: the bodily, instinctual, biological, and determined, to name a few. To some degree, humans share these with animals, but humans express them in different ways. As such, the notion of animality makes us feel uncomfortable because it reveals how proximal humans teeter between natures. It makes us anxious because of the ambiguity, fluidity, and continuity that it presents in characterizing seemingly disparate life forms or species. Animality poses a challenge and threat to our traditional hardline distinctions between human versus animal. Considering the moral status of animals, then, forces us to address this contradiction, discomfort, anxiety, and threat. Philosophically, it forces us to clarify and justify the views we hold regarding animals. Ethically and pragmatically, it forces us to reconsider the nature of our relationship with them in terms of their moral value, status, and rights.

In what follows, I present a very brief historical account of animal ethics and argue why we should extend moral consideration to animals on the basis of re-envisioning the notion of *dominion* and developing an ethical sensibility to *difference* (of life forms). But we begin by first outlining some objections against extending moral consideration to animals. Responses to these objections will be interwoven throughout the discussion.

2.5.2: Objection to Extending Moral Consideration to Animals

We can begin with some common objections to extending moral consideration to animals:

- First, the “ontological chain of being” objection restricts moral consideration to animals because humans stand on top of the chain. Moreover, the superiority of human nature merits dominion and mastery of all things.
- Second, the “uniqueness” objection posits that only humans have reason, a soul, and live in a moral community. Animals lack the capacity to understand morality, and thus can never really express rights; they lack the capacity to ever reciprocate a moral duty or responsibility to others; and they anatomically and cognitively lack the means by which to voice their status or rights.
- Third, the “utilitarian” objection states that utilizing animals benefits the greatest amount of people and maximizes pleasure and happiness.

There are other objections, but these provide general grounding for our discussion. We will now look closer at some historical ideas and views that shaped contemporary animal ethics.

2.5.3: The Historical Non-Human Animal and Dominion

The Judeo-Christian religions, including Islam, offer us ambivalent positions towards animals. Certain passages suggest that humans have dominion over all creatures on the planet. Other passages suggest that we serve as stewards of the creatures on earth. The Buddhist and Indian traditions have a more liberal view on animals. Some practitioners of these eastern religions hold more straightforward welfare positions. For example, some Buddhist and Hindus abide by *ahimsa*, which translates from the Sanskrit as a principle of nonviolence. *Ahimsa* is extended to non-human animals as well. Although traditional religious views on animals play an important role in our modern disposition towards animals, a full discussion on religion and animal rights is beyond the scope of this project. Nevertheless, it will be acknowledged that the great traditions of the past leave the door open for animal advocacy, but for our purposes we will say that they hold a *welfarist* position. The welfarist view simply states we should consider animal welfare, but not to the detriment of human interests.

One significant element that develops from the discussion of animal ethics within the context of religion that is of philosophical interest is the notion of *dominion*. If god gave humans dominion over all the creatures on the planet and the planet itself, what does *dominion* exactly mean? We further ask, how can we best understand the notion of dominion that developed from religious texts, and situate it in our contemporary milieu? Can we simply assume that dominion categorically refers to human absolute power over all non-human species (to mistreat)? Why should we assume that dominion as *the power to rule over others* necessarily means domination and exploitation of the non-human? Can dominion, perhaps, reflect a more nuanced state of human agency and responsibility, at least in a modern context?

We can conjecture that dominion as *the power to rule over others* as a human endowment serves to ascribe moral consideration primarily or solely to humans. It also helps justify the severed relationship between humans and nature, including non-human animals. Our assumed dominion and ownership over all of nature directs us to delimit moral considerations. It helps formulate a fundamental disposition of the endowed species: humans matter because they have agency and interests as unique life forms, and thus possess dominion and rights over others. However, some contemporary research on ethics and dominion aims to reinterpret the human relationship with animals and nature and promotes the extension of moral consideration.

2.5.4: The Ontological Chain of Being

In the western tradition, views on animals can be traced back to the ancient Greeks. Notable ancient Greeks who extended moral consideration to animals include Pythagoras and Plutarch. However, it was Aristotle's ideas that dominated most of western civilizations views on animals. He argued that humans are most aptly defined by their rational social nature. Humans fulfill their natural and optimal function by reasoning and reflecting with other humans. Non-human animals, in contrast, lack the capacity to reason, and therefore are of lesser moral value. For Aristotle, the fact that animals lacked reason disqualified them as being the type of creatures who could possess moral virtues, and thus not apt to share equal moral considerations. However, being a proto-biologist, Aristotle viewed humans and non-human animals as sharing similar natural interests and dispositions, and thus different in degrees. Nevertheless, the power of reason for Aristotle proved to be a sufficient condition for humans to have dominion over animals, and thus, arguably, opened the door for the exploitation of animals for the next two centuries, especially as he influenced canonical philosophers in their views on animals.

The 18th century Enlightenment philosopher Immanuel Kant developed an ethical system using categorical imperatives, which remains influential in moral philosophy. Succinctly stated, the imperatives hold that humans ought to always be treated as ends in themselves and never as means to ends. Kant argued that only those beings who have the capacity to deliberate on their actions meet the minimum criteria for moral consideration. For Kant, non-human animals lack a *good will* to deliberate on right (and wrong) actions, and thus humans do not have direct moral duties towards them. However, he also thought that we ought to refrain from animal cruelty because those individuals perpetrating such cruel acts would harm their own moral sensibility. Ethical considerations towards animals are indirect considerations. Thus, Kant is typically interpreted as holding a welfarist position concerning animal ethics.

Aristotle used the “ontological chain of being” arguments to arrive at his position. He situated plants, animals, and humans in a hierarchy where humans sit on top as masters, and animals, plants, and inanimate objects linger on lower levels of being, each descending into lesser forms of being. Kant pushed the power of human reason to the level of a self-governing power, which can be interpreted as drawing a further hierarchical divide between humans and animals. We still live under the veil of the Aristotelian and Kantian view on animals. There are notable deserters of the tradition, however.

British 18th century philosopher Jeremy Bentham found the ontological chain of being argument odious because it presented irrelevant facts regarding the moral consideration and status of animals. He commented that, “... the question is not, Can they reason? nor, Can they talk? but, Can they suffer?” Bentham disavows the idea that an ontological hierarchy of being warrants justification to have absolute and unabashed power over animals. His critique represents an early version of utilitarianism utilized to argue for animal welfare. For Bentham, moral consideration is founded on the basis and capacity to have interests as sentient beings. Thus, Bentham argued that animal capacity to suffer meets the minimum criteria for moral consideration. His work paved the way for animal welfare rights and served as intellectual fodder for future animal rights arguments.

2.5.5: Modern Animal Rights- Singer and Regan

The event that publicly announced animal rights as a legitimate issue within contemporary philosophy was Peter Singer's *Animal Liberation* text in 1975. Singer viewed himself as a utilitarian, like Bentham. However, Singer presents a direct moral theory concerning animal rights, in contrast to indirect positions, such as welfarist views. He argued for extending moral consideration to animals because, similar to humans, animals have certain significant interests. As such, we ought to view their interests alongside and equal to human interests, which results in humans having direct moral duties towards animals

Singer constructs his arguments based on the “principle of equal consideration of interests” shared by both animals and humans. Singer attempts to demonstrate that a certain property-P endowed to certain beings justifies their right to moral consideration. However, unlike his predecessors, for Singer that certain property-P required to attribute moral consideration, which historically referred to reason, language, consciousness, or a soul, instead refers to *having an interest*. Animals, like humans, have an interest in fulfilling their basic needs, but also in avoiding suffering, and thus we ought to extend moral consideration because they have positive and negative interests.

For Singer, the interest and capacity for sentient beings to suffer warrants moral consideration. Moreover, *suffering is not arbitrary*. In fact, Singer tells us, “The capacity for suffering and enjoyment is a pre-requisite for having interests at all.” Thus, the capacity to suffer shared by both humans and animals are to be seen as equal interests (not to suffer) that bestows both equal moral consideration.

Singer further tells us that prejudice based primarily or solely on species type is a form of discrimination, *speciesism*. Speciesism is unacceptable for the same reasons that racism and sexism are morally unacceptable. They all violate the principle of equality. The principle of equality, Singer tells us, should not be based on factual equality, for example, whether men are factually more intelligent than women, or arbitrary properties, such as superiority of species. Rather, he tells us that, “Equality is a moral idea, not an assertion of fact” that ought to be grounded on having significant interests.

To further his case, Singer presents the “argument from marginal cases”: because certain humans (“marginal cases”) may lack reason or language, such as a comatose person or an infant, their lack of property-P in the form of reason would nullify moral consideration to such “marginal cases”. Most would find this immoral. If the argument from marginal cases is sound, then speciesism becomes even more tenuous. Speciesism, then, like racism and sexism, should be disavowed. In weighing equal significant interests that results in the greatest pleasure or happiness, Singer concludes, our moral thinking requires us to extend moral consideration to animals. Singer's defense of animal liberation paved the groundwork for subsequent pro-animal rights arguments.

Tom Regan's 1983 book *The Case for Animal Rights* offers a non-utilitarian argument for extending moral consideration to animals. Regan uses the “principle of inherent value”, the respect principle, and *the subject-of-a-life (SOAL)* criterion for his defense. A simplistic formulation of his argument is as follows:

1. The inherent value and respect principles ground criteria for moral consideration and rights
2. If a being possesses traits of the subject-of-a-life criteria, then we ought to adhere to the inherent value and respect principles regarding their treatment
3. Certain non-human animals satisfy the subject-of-a-life criteria
4. Therefore, we ought to extend moral consideration and rights to non-human animals

For Regan, the subject-of-a-life criterion can be defined by the following: having beliefs, perception, memory, a sense of the future, sense of one's own welfare, an emotional life, interests, desires, and goals. If a being satisfies these conditions, then they have *inherent value*. Unlike Singer, who uses the criteria of property-P as having cumulative interests to warrant moral consideration, Regan argues that each subject-of-a-life is *an end in itself*. The inherent value of the subject-of-a-life does not depend on utility. If this is the case, then no one particular interest can trump or override the inherent value of beings who are the subject-of-a-life. This focus on the inherent value of individual animals makes Regan an animal rights abolitionist because the conclusion of his arguments challenges the notion that utilizing animals for food, lab experiments, or entertainment for human ends is morally acceptable, even if such use would benefit and/or bring happiness to the majority of people. Regan presents one of the most philosophically deep and compelling cases for bearing moral consideration to animals.

This page titled [2.5.5: Modern Animal Rights- Singer and Regan](#) is shared under a license and was authored, remixed, and/or curated by LibreTexts.

2.5.6: Virtue Ethics, Difference, and Dominion

Both Singer and Regan present us with defenses based on shared similarities between animals and humans. Their defenses give credence to the *moral status* of beings (as related to having interests or inherent value). However, one problem with the status approach is that it can lead to disavowing subtle life forms, such as interwoven ecosystems. The status approach becomes problematic given the difficulty in deciding who/what deserves moral consideration. As such, the virtue ethics approach provides an alternative because it concerns itself with the question: “How shall I engage with ‘X’?”, without necessarily assigning moral status to ‘X’ beforehand.

Based on Aristotle’s writings, traditional virtue ethics is not so much concerned with universal and categorical rights or greatest beneficial consequences. Rather, it is concerned with acquiring virtuous traits that one develops and perfects with practice over time. This *habituation of virtue* is aimed at developing settled dispositions that allow one to arrive at a “golden mean” or appropriate actions between excess and deficiency. For example, suppose you find yourself in the midst of a bank robbery. What is the courageous thing to do? It would be foolhardy to view one’s duty to encounter the numerous gunmen while unarmed and possibly perish. But it would be cowardice to shield behind a child or elderly person. The courageous thing to do is *what is appropriate at the right time, place, situation, and with the right people*.

One of the merits of virtue ethics is that it aims to nurture a “virtuous mind” disposition. Such a mind highlights the complex and strenuous nature of deciding which course of action to take given a variety of options in a situation. To take a seemingly innocuous example, suppose we are walking along a river path that has heaps of ant hills. Somewhere along the path we decide to pollute the river and destroy the ants simply because we can. According to the status approach, the acts are permissible because the river and ant hills are devoid of moral status and, thus, moral consideration. But could we have related to them in other ways? This hypothetical case addresses the subtle nature of attuning and developing one’s moral sensibility to each new situation with which one is presented. It is posited here that each new situation carries the possibility for developing and nurturing a habituation of the virtues.

The virtue of *benevolence* or, in contemporary parlance, being *socially conscious*, seems most adequate to address the nature of moral consideration. Such a virtue is characterized by *promoting the good, becoming serviceable to others, or the concern for social justice*. In the context of animal ethics, we are interested in the virtue of benevolence based not only on similarity or status, but on the *difference* that each new encounter with life forms or species offers. We engage with non-human life forms in a very different manner than we engage with other humans, so the question arises of how to engage with such difference. The question pushes our moral horizon to reflect on the moral status of life forms or species who are different from what we know to be human, and who require a nuanced type of engagement with. It is in our daily engagement with such radical difference that we find a deeper meaning of morality. In fact, ecosystems, animals and vulnerable humans present us with a sense of difference that not only relates to moral consideration and benevolence, but to reconsidering our dominion over them. It is precisely because their difference offers us dominion over them that our moral consideration ought to be extended to them. Here we see moral consideration and benevolence conjoined by the notion of *difference*, as much as moral consideration and benevolence are united by the notion of *sameness*.

The virtue of benevolence, seen within contemporary social dynamics, helps us reinterpret the notion of dominion. Dominion, as human subjugation over others, undergoes a relational transformation. Dominion, no longer viewed as a despotic endowment, is now seen as an ethical call and question from the other, the animal, the different, the non-human. The process of moral transformation turns our early, narrow human-centered focus into a wider field of moral consideration open to diverse and different life forms. In this regard, humans could not only live with but flourish alongside non-human animals.

2.5.7: Conclusion

I have attempted to provide a very concise historical account of animal ethics, but in no way does this discussion account for the numerous positions or debates encompassing it. I started by surveying religious views and ancient and modern philosophical accounts on animal ethics. I then highlighted Singer's and Regan's contemporary sameness positions. Lastly, I presented a virtue ethics position based on the virtue of benevolence and the notion of difference. The historical moral sublimation of dominion was present throughout. The ultimate thrust of this discussion is for us to engage with (animal) radical difference and meet it with a virtuous mind that bestows our benevolence onto them. As such, our understanding of dominion over life transcends traditional limitations.

2.5.8: For Review and Discussion

1. What are the traditional reasons for and against extending rights to animals? Are these good reasons?
2. Why do you think we care for certain types of animals, but eat others?
3. Do you think *your* animals (animals you own or keep as pets) deserve moral consideration?

2.6: Environmental Ethics and Climate Change (Jonathan Spelman)

2.6.1: Introduction

I grew up out in the country, and sometimes my brother and I would spend the afternoon catching grasshoppers. It was a bit of a challenge, and it was fun. Once we'd catch one, we'd simply let it go. No one got hurt. When I was ten or so, my family moved to the suburbs, and my brother and I spent more time playing with the kids who lived nearby. One day, while walking down the sidewalk with the neighbor boy, we spotted a grasshopper just sitting on the sidewalk. The next thing I knew, the neighbor boy walked right up to it and ... *Crunch!* ... stepped on it.

I was appalled by what the neighbor boy had done, but had he done anything wrong? He certainly hadn't done anything *legally* wrong, but maybe his crushing the grasshopper was *morally* wrong. And what about my brother and me? Although our catching grasshoppers wasn't *illegal*, maybe it was *immoral*, nonetheless.

Going forward, I'm going to focus my attention on these moral questions. (Accordingly, when I ask whether an act is "wrong," I am asking whether it is *morally* wrong.) Answering these questions requires us to do ethics. The central question of ethics (or moral philosophy) is something like: "How should we act?" Historically, ethicists have focused their attention on questions of *interpersonal ethics*, that is, questions about what we owe other people. But over the last century, ethicists have become increasingly convinced that figuring out how we should act also requires us to answer questions of *environmental ethics*, that is, questions about what we owe our environment. This includes people, but it also includes animals, plants, and ecosystems.

In this piece, I'll introduce you to the field of environmental ethics. To begin, I argue that it was wrong for the neighbor boy to crush the grasshopper. In the process, I identify a moral principle that I then go on to apply to the most significant environmental problem of our time, the problem of climate change. After briefly sketching that problem, I'll argue that in light of it, you and I are morally obligated to (i) *reduce* our greenhouse gas emissions, (ii) *offset* our remaining emissions, and (iii) *advocate for* climate-friendly policies and politicians. Why? Because failing to do these things is irresponsible.

2.6.2: Is it wrong to harm grasshoppers for no good reason?

Humans deserve moral consideration, which is to say that their interests deserve to be taken into account when we're deciding what to do. This explains why we *can't* crush humans. Playdough, however, doesn't deserve moral consideration. This explains why we *can* crush it. But what about grasshoppers? Do they deserve moral consideration? Can we crush them?

You might think that humans are the only things that deserve moral consideration. This view is called *anthropocentrism*. If anthropocentrism is correct, then since grasshoppers aren't human, they don't deserve moral consideration, and therefore it is perfectly permissible to harm or even kill them for no good reason. While this view is coherent, it's rather implausible. My neighbor's dog isn't human, but surely it would be wrong for me to kick it, and thereby harm it, for no good reason.

In response to this objection, you might admit that it would be wrong for me to kick my neighbor's dog for no good reason, not because my doing so involves harming *a dog*, but because my doing so *harms someone's property* or *harms something that someone cares about*. On this view, it is perfectly permissible to harm grasshoppers provided that no one owns them or cares about them. Again, although this view is coherent, it's still rather implausible. After all, it seems like it would be wrong for me to

kick *any* dog for no good reason, even if that dog is unowned and unloved.

In response to this further objection, you might admit that it would be wrong for me to kick any

dog for no good reason, even if it were unowned and unloved, not because it is wrong for me to harm dogs, but because it is wrong for me to do anything that makes me more likely to harm humans. But even if it's true that my kicking dogs would make me more likely to harm humans, this seems like the wrong explanation for why it is wrong for me to kick dogs. It is wrong for me to kick dogs because of what it does to the dogs, not because of what it does to me.

In light of these arguments, we should reject anthropocentrism. We should admit that humans are not the only things that deserve moral consideration, that at least some nonhuman animals deserve moral consideration. But which ones? According to one relatively popular view, all sentient beings (i.e., beings that have subjective experiences or are capable of experiencing pleasure and pain) deserve moral consideration. This view is called *sentientism*. Whereas anthropocentrists cannot explain why it is wrong to harm dogs for no good reason, sentientists can.

Let's say that we accept sentientism. Does that mean that it is wrong to harm grasshoppers for no good reason? Not necessarily. According to sentientists, grasshoppers deserve moral consideration only if they are sentient. But it's not clear that grasshoppers are sentient. While it's relatively clear that they are conscious (i.e., that they have subjective experiences), it's less clear that they are capable of experiencing pleasure and pain. So, if what makes a being deserving of moral consideration is that it is capable of experiencing pleasure and pain, it's not clear that grasshoppers deserve moral consideration.

This might lead us to believe that we simply cannot know whether it is wrong to harm grasshoppers for no good reason. But I don't think that's correct. The reason for this is that some actions are wrong simply for being unnecessarily risky. Imagine that your friend works in demolition and her and her team have been tasked with demolishing an old warehouse. While you are visiting her over your lunch break, she asks you if you would like to use the wrecking ball to destroy it. You love destroying things, so you get behind the controls. Just as you're about to strike the first blow, you see a dog run behind the warehouse. Although you think you saw it run away, you realize that it may have run into the building. Your lunch break is almost over, so you don't have time to let her and her team search the warehouse for the dog. If you're going to use the wrecking ball, it's now or never.

In this case, is it permissible for you to destroy the old warehouse before your friend and her team search the warehouse for the dog? Of course not. Why not? Because doing so is unnecessarily risky; it is irresponsible. Even if you would enjoy using the wrecking ball, that fact doesn't justify your performing an action that may kill a sentient being. We can say the same thing about the neighbor boy who crushed the grasshopper. Was it permissible for him to step on the grasshopper? No. Why not? Because it was unnecessarily risky; it was irresponsible. Even if he enjoys stepping on grasshoppers, that fact doesn't justify his performing an action that may kill a sentient being.

In this section, I have argued that humans are not the only things that deserve moral consideration. Many nonhuman animals do as well. Some environmental ethicists have gone so far as to argue that plants and even ecosystems also deserve moral consideration. I have not discussed those arguments here simply because you do not need to accept them in order to accept the conclusions that I argue for in 2.6.4. (In fact, you may not even need to accept my argument for sentientism to do that.) What you do need you to accept, however, is that unnecessarily risky acts are wrong. We cannot endanger others for the sake of minor

benefits.

2.6.3: The problem of climate change

Climate change refers to any change in the normal weather conditions of a particular region of Earth or Earth as a whole. Although climate change is not necessarily a problem, *abrupt* climate change is a problem since we cannot adapt to it quickly enough.

While abrupt climate change is definitely a problem, it is not necessarily a *moral* problem. Abrupt, *anthropogenic* (i.e., human-caused) climate change, however, is a moral problem. To see this, consider the difference between a scenario in which a forest fire burns your neighbor's house down and a second scenario in which *you* burn your neighbor's house down. In the first scenario, when the forest fire burns your neighbor's house down, something bad has happened, but no one is morally responsible for that bad thing. No one has done anything morally wrong. In the second scenario, however, when you burn your neighbor's house down, not only has something bad happened, but someone is morally responsible for that bad thing, namely, you. You have done something morally wrong.

Is there abrupt, anthropogenic climate change? Yes, there is. When humans take fossil fuels (e.g., coal, oil, and natural gas) out of the ground and burn them to heat their homes, power their cars, and charge their electronics, they must emit greenhouse gases (GHGs), most notably carbon dioxide, into the atmosphere. These GHG particles absorb and emit radiant energy, which causes global warming (i.e., an increase in the Earth's average surface temperature) and other climate changes (e.g., altered precipitation patterns that increase the number of extreme weather events). Although some people deny this, it is relatively uncontroversial.

What is controversial, however, is the question of what you and I are morally required to do in response to about abrupt, anthropogenic climate change (hereafter, simply *climate change*). Environmental ethicists generally agree that you and I are morally obligated to do something in response to climate change, but they disagree about what that is. In the following section, I'll argue that you and I are morally obligated to do three things in response to climate change. First, we must *reduce* our GHG emissions. Second, we must *offset* our remaining GHG emissions (if we can afford to). And third, we must *advocate for* climate-friendly policies and politicians. Why? Because failing to do these things is irresponsible.

2.6.4: How should we respond to the problem of climate change?

Return to the scenario in which you burn your neighbor's house down. In that scenario, you clearly harm to your neighbor. Even if you don't physically harm her, you destroy her property. You force her to find a new place to live. Climate change has similar effects. Between increasing the severity of droughts and floods and by causing sea levels to rise, climate change is killing and will continue to kill humans and nonhuman animals. Others are being forced to abandon their homes and find new places to live. For many humans, this will be much more difficult than simply finding a new home to buy. It will require abandoning one's homeland and moving somewhere completely foreign. For nonhuman animals, it will be even more difficult. Some species, like polar bears, for example, may find it impossible to adapt and will go extinct.

Now, when you burn down your neighbor's house, you endanger your neighbor and force her to find a new place to live. This is clearly wrong. But when you contribute to climate change, do you endanger anyone? Do you force anyone to find a new place to live? It's not clear that you do. Notice that the harms of climate change are cumulative harms. Your contribution to the problem is relatively insignificant. This leads some to argue that when you contribute to climate change, you do not do anything morally wrong.

While it may be true that your contribution to climate change is relatively insignificant, it is worth noting that how much you contribute to climate change varies significantly depending on where and how you live. Those living in Australia, Canada, and the United States, for example, emit much more carbon dioxide per capita than those living in India, Indonesia, and Brazil. This, on its own, may be a reason to think that you are doing something morally wrong since you are contributing more than your fair share to climate change. Regardless, I want to argue that even if your contribution to the problem of climate change is relatively insignificant, it is still wrong.

To see this, let's return to the hypothetical scenario we've been discussing, the scenario in which you burn your neighbor's house down. This time, however, let's assume that you don't actually burn your neighbor's house down. Instead, you create a trail of dry brush from a nearby forest to your neighbor's house. This, on its own, doesn't harm your neighbor in the least. It does, however, make it more likely that your neighbor's house will burn down. This is especially bad if there are frequent forest fires. But even if there aren't frequent forest fires, it's still morally wrong for you to endanger your neighbor and her home for no good reason. It's irresponsible.

When we contribute to climate change, we do something analogous. We don't necessarily force anyone to find a new place to live, but we do increase the likelihood that people across the globe will have to find new places to live. This is morally wrong, especially when our reasons for contributing to climate change aren't good ones. If, for example, you start your car engine before getting into your car so that it has time to warm up, you're doing something morally wrong. Why? Because you're increasing the likelihood that human and nonhuman animals across the globe will have to find new places to live, and you're doing it for no good reason. Sure, it's nice to warm up your car before getting into it, but that isn't a sufficiently good reason to justify your endangering both human and nonhuman animals.

Some reasons, however, are sufficiently good to justify your endangering both human and nonhuman animals. When it is very cold outside, for example, it is morally permissible to heat your home so that your pipes don't freeze. Or when your salary does not permit you to live close to your workplace, and you can't carpool or use public transportation to get there, it is morally permissible for you to drive to work. It's true that in driving you'll emit some carbon dioxide into the atmosphere. It's also true that this makes it slightly more likely that sentient beings will have to find new places to live, but you're not acting irresponsibly. Similarly, when you light a candle in your home, it increases the likelihood that your neighbor's house will burn down, but it doesn't follow from this that it's always wrong to light a candle in your home.

Is this the full story? Not quite, and here's why. Imagine that you've got a sufficiently good reason to light a candle. You realize that this increases the likelihood not only that your house will burn down but also that your neighbor's house will burn down. Now, imagine that there is some small thing you could do to reduce the likelihood of your neighbor's house burning down. You could install a smoke alarm, for instance. It seems like you are morally obligated to do this.

Note that you are not morally obligated to do this for your own sake. There is nothing necessarily wrong with burning yourself or destroying your house. I certainly don't recommend doing either of those things, but they are not necessarily morally wrong. The reason, then, that you are morally obligated to install a smoke alarm is not to protect yourself but to protect your neighbor.

If your candle were to start a fire, your smoke alarm would alert you to the danger, and you could call on the fire department to put out the fire before it destroys your neighbor's house. Failing to install a smoke alarm would be irresponsible. This becomes increasingly true as the number of people living close to you increases. If you are surrounded by homes, or if you live in an apartment and are surrounded by neighboring families with children and pets, lighting a candle without having a smoke alarm is especially irresponsible.

When we contribute to climate change, we're doing something analogous. We're increasing the likelihood that humans and nonhuman animals will die or be forced to find new places to live. Fortunately, there's something we can do to reduce the likelihood of this. We can offset our GHG emissions (hereafter, simply *emissions*). When we purchase carbon offsets, we fund projects that reduce emissions by funding the development of wind farms, enabling landfills to capture emissions, and/or preventing deforestation. When we offset enough of our emissions, we go *carbon neutral*, which is to say that our net emissions (i.e., our emissions minus our offsets) equals zero. By offsetting our emissions, we make it the case that no human or nonhuman animal is more likely to die or lose her home on our account. When we offset our emissions, we act responsibly. This is what morality requires.

Finally, imagine that you're living in an apartment and are surrounded by neighboring families. You light candles from time to time, but you have installed a smoke alarm and a sprinkler system. You do not significantly increase the likelihood that others will lose their homes. The same, however, cannot be said of your neighbors. They light candles all the time but don't have smoke alarms or sprinkler systems. They are endangering all the people and nonhuman animals living in the apartment complex, but they don't see the problem. You would move to a new apartment complex, but let's assume that you're stuck in this one. It seems to me that, in a case like this, a responsible person would not simply cross his fingers and hope for the best. He would try to convince his neighbors to stop lighting candles all the time. He would encourage the manager of the apartment complex to add smoke alarms and sprinkler systems to every unit. He would petition the local government to require these things in apartment buildings and vote for candidates who support these policies. He would advocate for change.

We are in an analogous position. Those around us are continually contributing to climate change, and in doing so, they are increasing the likelihood that human and nonhuman animals around the world will die or lose their homes. But they do not see the problem. They do not see that their actions are unnecessarily risky. We might like to move to a new planet, but we are stuck on this one. We have nowhere else to go. It seems to me that, in a case like this, a responsible person would not simply cross his or her fingers and hope for the best. She would try to convince others to reduce their emissions and to offset whatever emissions remained. She would encourage her local and national representatives to pass legislation that would reduce emissions, and she would vote for candidates who support these laws. She would advocate for change.

2.6.5: For Review and Discussion

1. Most people kill flies, spiders, and any other insects that they find in their homes when, in many cases, they could capture those insects and release them outside. Spelman argues that it is morally wrong to kill grasshoppers for no good reason, but what about a grasshopper (or a spider) that has found its way into your home? Do we have a sufficiently good reason to kill it? Or should we capture it and release it outside?
2. Spelman contends that it is morally wrong to contribute to climate change unless one has a sufficiently good reason to do so. Identify at least three activities that contribute to climate change. When do we have sufficiently good reasons to perform those activities? When do we lack sufficiently good reasons to perform those activities?
3. Spelman argues that individuals are morally obligated not only to reduce their GHG emissions and offset any remaining emissions, but also to advocate for climate-friendly policies and politicians. What sorts of activities would count as advocating for climate-friendly policies? Which of those activities are morally obligatory, and which ones are not?

3: ANALYZE ARGUMENTS FROM PRIMARY SOURCES CONCERNING GOOD, EVIL, RIGHT, WRONG, AND OTHER IDEAS ADDRESSED IN THE COURSE.

3.1: Metaethical Theories

- 3.1.1: Introduction
- 3.1.2: The Value of Metaethics
- 3.1.3: Cognitivism versus Non-Cognitivism
- 3.1.4: Realism versus Anti-Realism
- 3.1.5: The Metaethical Map
- 3.1.6: Cognitivist and Realist Theory One (Naturalism)
- 3.1.7: Objections to Naturalism
- 3.1.8: Cognitivist and Realist Theory Two (Non-Naturalism)
- 3.1.9: Objections to Intuitionism
- 3.1.10: Cognitivist and Anti-Realist Theory One (Moral Error Theory)
- 3.1.11: Objections to Moral Error Theory
- 3.1.12: Non-Cognitivism
- 3.1.13: Non-Cognitivist and Anti-Realist Theory One (Emotivism)
- 3.1.14: Objections to Emotivism
- 3.1.15: Non-Cognitivist and Anti-Realist Theory Two (Prescriptivism)
- 3.1.16: Objections to Prescriptivism
- 3.1.17: Summary

3.1: Metaethical Theories

3.1.1: Introduction

The prefix “meta” is derived from the Greek for “beyond”. Metaethics is therefore a form of study that is beyond the topics considered in normative or applied ethics. Recall as we stated in the introduction, the differences between these forms of ethical study are helpfully captured in an analogy put forward by Fisher (2011) involving different participants in a game of football.

- *Applied Ethics* is the study of how we should act in specific areas of our lives; how we should deal with issues like meat-eating, euthanasia or stealing (to use examples familiar to this textbook). To use the football analogy, the applied ethicist kicks the philosophical football around just as a footballer kicks the ball on the field. A good applied ethicist might score goals and be successful by offering specific arguments that convince us to change our moral views in a particular corner of our lives.
- *Normative Ethics* is focussed on the creation of theories that provide general moral rules governing our behaviour, such as Utilitarianism or Kantian Ethics. The normative ethicist, rather than being a football player, is more like a referee who sets up the rules governing how the game is played. Peter Singer, for example, focuses on advancing applied ethical arguments within the normative framework of his Preference Utilitarianism (discussed in Chapter 1.1).
- *Metaethics* is the study of how we engage in ethics. Thus, the metaethicist has a role more similar to a football commentator rather than to a referee or player. The metaethicist judges and comments on how the ethical game is being played rather than advancing practical arguments, or kicking the football, themselves. For example, the metaethicist might comment on the meaning and appropriateness of ethical language, just as the football commentator might remark on the appropriateness of particular tactics or set-piece routines.

Nobody is perfect, and it is therefore possible that some of you are not avid football fans. To respect this possibility, here is a non-football based explanation of what Metaethics amounts to. Metaethical conclusions do not tell us how we should morally act or which type of decision is morally correct in any one particular circumstance. Instead, Metaethics is focussed on questions regarding how ethical study — at both normative and applied levels — works. Some typical metaethical questions are:

- When we say something is “morally good”, what do we *mean*?
- If the claim that “euthanasia is morally wrong” is true, what makes it *true*?
- If moral claims are sometimes true, what methods do we use to access these moral truths?

You should not expect a metaethical argument to provide specific guidance regarding how to act, but you should expect a metaethical argument to critique the foundations of normative or applied action-guiding moral theories.

3.1.2: The Value of Metaethics

A former colleague once suggested that Metaethics was entirely and frustratingly pointless — academia for academia's sake, she thought. There are, however, good reasons for thinking that metaethical arguments can be just as worthy and valuable as their normative and applied counterparts.

One such factor in favour of Metaethics is as follows. If ethics is fundamentally concerned with good behaviour or, as per Aristotle (his theory is detailed in Chapter 1.3), good characters, then it would seem to be desirable to properly understand what exactly “good” amounts to.

Analogously, we would not consider attempting applied mathematics without first understanding what was meant by fundamental concepts like addition or subtraction. Nor would we consider attempting surgery on a person without being sure of the meanings of terms like blood, heart or liver. Understanding goodness — what it is and how we might access it — seems like a fundamental presupposition of successful ethical study, rather than a merely abstract topic of philosophical debate.

3.1.3: Cognitivism versus Non-Cognitivism

Key to the successful study of Metaethics is understanding the various key terminological distinctions that make up the “metaethical map”. Metaethical theories can be categorised, at least for our purposes, in respect of where they fall in the debates between Cognitivism and Non-Cognitivism, and Realism and Anti-Realism. Thus, it is a prerequisite for understanding and evaluating metaethical theories that you understand these two debates. In this section, we deal with the debate between cognitivists and non-cognitivists.

If you are a Moral Cognitivist (the “moral” prefix is assumed from hereon) then you have a particular view about the *meaning* of moral terms and a particular view about the *psychology* behind moral utterances. The former version of Cognitivism, concerned with meaning, is captured in the discussion of *Semantic Cognitivism* while the latter version of Cognitivism, concerned with psychology, is captured in the discussion of *Psychological Cognitivism*. Cognitivism, as discussed in the remainder of this chapter, is a combination of these two positions.

Semantic Cognitivism

Semantic Cognitivism (*not to be confused with Realism*) suggests that when we make moral claims of the form “murder is wrong” or “helping others is right” our claims can be true or false (what philosophers call *truth-apt*). According to the semantic cognitivist, what makes our moral statements true or false is whether or not they accurately pick out, or refer to, specifically moral aspects of the world. Thus, the semantic cognitivist views our *moral language as essentially descriptive* in nature; we try to describe genuinely moral features of the world and our moral claims are true when our descriptions are accurate and false when they are inaccurate.

This position really is as simple as it sounds, even though it is by no means uncontroversial. Consider a semantic cognitivist about the meaning of statements in a news report. When the reporter says that “the defendant stepped into the courthouse and gave his name and his date of birth”, then this statement will be *truth-apt* — it will be the kind of statement that can be described as true or false. Whether it is true or false will be determined by the accuracy of this statement as a description of features of the world; if the statement correctly refers to the features of the world identified then it will be true, if it does not then it will be false. The situation is the same for the semantic moral cognitivist, if the utterance “murder is wrong” really does pick out a moral property of wrongness associated with murder then it will be true, and false otherwise.

Crucially, keep in mind that Semantic Cognitivism only goes as far as suggesting that moral claims are truth-apt — capable of being true or false. Semantic Cognitivism, by itself, does not suggest anything about moral claims ever actually being true. To put it in another way *Cognitivism has nothing to do with what actually exists in the world* (that is Realism versus Anti-Realism — see below). Instead, it is purely a theory explaining the meaning of moral statements.

Psychological Cognitivism

Psychological Cognitivism (not to be confused with Realism) is the view that when we utter a moral statement we give voice to a belief, rather than any other type of non-belief attitude. So, when I utter the statement “Leicester City won the Premier League in 2015–2016”, I express my belief that this happened. According to the psychological cognitivist, I also express a belief when I make claims such as “murder is wrong” or “helping others is right”.

From here, Semantic and Psychological Cognitivism will be assumed to go together to form the cognitivist position. This is reasonable because it is most natural to think of a truth-apt utterance as being the expression of a belief, for we assume that a belief is the kind of thing that can be true or false and refers to the world. In ethics then, cognitivists claim that moral statements express truth-apt beliefs that are made true or false according to how accurately they describe the world. Moral language and moral psychology, according to the cognitivist, are not especially different to the language and psychology common to many other disciplines such as science, news journalism or non-fiction history books.

You might be wondering what all the fuss is about so far; it is probably fair to say that Cognitivism is the common sense position when it comes to moral language and our associated psychology. Of course, you might think, ethical claims are truth-apt and that we express ethical beliefs, for what else could we be doing when we engage in normative or applied ethics? **Richard Joyce** (1966–) is of this view when it comes to Cognitivism and our moral utterances, suggesting that “...if something walks and

talks like a bunch of [truth-apt, belief-state] assertions it's highly likely that it is a bunch of [truth-apt, belief-state] assertions".

Semantic Non-Cognitivism

Semantic Non-Cognitivism might, given the plausibility of its cognitivist rival, seem to be an undesirable position. According to the semantic non-cognitivist when we utter sentences such as "murder is wrong" we are not attempting to describe any moral features of the world but we are simply expressing an attitude or feeling — perhaps disgust, or anger, in this case. Attitudes are not the types of things that can be true or false because they are not truth-apt; they do not aim at truth and do not attempt to describe or refer to any feature of the world. Consider what happens when you get frustrated with your work, for example, and exclaim "Ahhhhh!" This is an expression of an attitude, it is not something which describes the world and it is not truth apt. The semantic non-cognitivist thus argues that our moral utterances are more like "Ahhhhh!" than they are like "the defendant entered the courthouse"; they are non-descriptive, non-truth-apt expressions.

Psychological Non-Cognitivism

Psychological Non-Cognitivism is a view that is described by (though not defended by) **Ralph Wedgwood** (1964–). According to Wedgwood, psychological non-cognitivists hold that the psychology behind our non-truth-apt moral expressions is not to be understood as based on "belief", but rather based on "...desires, preferences, emotions, intentions or the like".

Your cry of "Ahhhhh!" in frustration does not express a belief that your work is annoying — even though people might take you to be annoyed — but, most likely, a desire or preference for your work to be over. Such mental states are fairly common and unremarkable; it is just that they are different to belief states.

When discussing Non-Cognitivism from this point, it should be understood as a position combining both the semantic and psychological elements. According to the non-cognitivist our moral utterances are not capable of being true or false and are expressions of attitudes/preferences/desires/emotions etc. rather than expressions of belief. Responding to a moral utterance by saying "true" or "false" would be to fail to properly comprehend the meaning of that moral statement just as it would be a mistake to respond to a cry of "Ahhhhh!" by saying "false". The non-cognitivist thus suggests a fairly radical understanding of our common views regarding what moral utterances mean and how moral discourse works. Later, specific non-cognitivist views will be explained and evaluated and you can judge the desirability of this revision of our normal understanding for yourself.

3.1.4: Realism versus Anti-Realism

The second key fork in the road that separates metaethical theories is the choice between Moral Realism and Moral Anti-Realism (as with Cognitivism, the “Moral” prefix is assumed from hereon). As before, understanding these broad positions is crucial to understanding and critiquing the specific metaethical theories outlined later in this chapter.

Realism

Realism is a view about what *exists*. It is the view that moral properties exist independently of human beings and can be located in the world. Just as an action can possess properties such as being “Salika’s action”, “a violent action”, or a “depressing action” so too it might possess the property of being a “morally wrong action”. **Peter Railton** (1950–) describes himself as in favour of a position that might be called “stark, raving Moral Realism” in virtue of believing that mind-independent moral truth exists in the world.

Realism in ethics is somewhat controversial, but Realism in geography is far less controversial and might be a helpful guide to the realist view in ethics. When a geographer speaks of the water in Lake Ontario, the “Geography realist” believes that such water exists and has various properties and qualities (temperature, depth etc.) that exist independently and objectively; the water would have a particular temperature irrespective of any human belief about that temperature. Analogously, *in ethics, realists hold that certain moral properties or facts exist and that they exist objectively and independently of the minds or beliefs of individual people* (or at least, realists relevant for our discussion, such as Railton, believe this). Importantly, realists thus believe in the possibility of error — believing that “murder is wrong” does not *make* murder wrong. What would make murder wrong would be the presence of an actual moral property of wrongness (objective and mind-independent) associated with the act of murder.

Anti-Realism

Anti-Realism is simply the denial of Realism. Anti-realists deny the existence of any mind-independent, objective, moral properties. The moral anti-realist is thus akin to the anti-realist about dragons or leprechauns in that they simply deny their existence.

Anti-realists tend to be (though need not be) non-cognitivists, a fact that should not be surprising given that non-cognitivists do not believe that our moral utterances aim of truth. However, the next section paints the metaethical map more specifically in respect of how Cognitivism, Non-Cognitivism, Realism and Anti-Realism might be combined to form specific metaethical theories.

3.1.5: The Metaethical Map

The broad explanations of Cognitivism, Non-Cognitivism, Realism and Anti-Realism have been crucial because they allow the following categorisation of specific metaethical views to make sense. You really need to learn what these terms mean if any of the following is going to make sense. Drawing out the metaethical map might be very helpful, to this end.

Example theories which are both cognitivist and realist

Moral Naturalism

Moral Non-Naturalism (e.g. intuitionist realist accounts)

Theories both cognitivist and anti-realist

Moral Error Theory

Theories both non-cognitivist and realist

We only know of one person holding this view: Kahane.

Theories both non-cognitivist and anti-realist

Emotivism

Prescriptivism

The natural bedfellows between the broad positions outlined are thus Cognitivism and Realism, and Non-Cognitivism and Anti-Realism. If we aim for truth in our moral utterances, it makes sense to think that there are properties existing that we are trying to refer to and accurately describe.

However, if our moral utterances do not aim for truth then this may neatly sit with the view that no such moral properties exist (otherwise, why would we not try to describe them?).

The outlying theory is Moral Error Theory, which combines the cognitivist view that our moral utterances are expressions of truth-aptness with the view that there are *no* realist objective moral properties in the world. Thus, moral error theorists believe that our moral utterances are always, in every circumstance, false. This is a controversial view and is explored in more depth in sections ten and eleven.

3.1.6: Cognitivist and Realist Theory One (Naturalism)

Naturalists hold that there are moral properties in the world that make true at least some of our ordinary moral beliefs. Unsurprisingly, naturalists also hold that these moral properties are perfectly natural properties rather than being non-natural. To understand this claim, we need a better grip of what the philosophical and ethical naturalist actually means by the term “natural”.

Naturalists in ethics hold that moral properties are as natural as those properties discussed and examined in the sciences, for example. So, the property of being “wet” is a perfectly natural property as is the more complex property of “being magnetic”. These properties can be investigated by scientists and are not supernatural or beyond the study of natural sciences.

Gilbert Harman (1938–) suggests that “...we must concentrate on finding the place of value and obligation [morality] in the world of facts as revealed by science”. If murder has the property of being morally wrong, then this property is natural if it fits into the world of facts as revealed by science.

Simon Blackburn (1944–) (though not a realist himself) outlines the desirability and purpose of this commitment to Naturalism when he says that: “The problem is one of finding room for ethics, or placing ethics within the *disenchanted*, non-ethical order which we inhabit, and of which we are a part”.

Moral Naturalism thus speaks to those who wish to defend Realism and truth in ethics, without resorting to non-natural justifications based on Gods, Platonic Forms and the like. The naturalist seeks to fit moral properties into the non-mystical world of ordinary science.

Utilitarianism is a normative ethical theory that is underpinned by a metaethical Naturalism. Jeremy Bentham and John Stuart Mill, if you recall from Chapter 1.1, defined moral goodness in terms of the act (or set of rules) that promoted the greatest amount of pleasure/happiness for the greatest number of people. Utilitarians thus view good as an entirely natural properties for there is nothing mystical, enchanted or supernatural about pleasure; scientists can perfectly well understand pleasure in terms of neural firings or psychological explanations.

In addition, both Philippa Foot and Rosalind Hursthouse have sought to place Virtue Ethics (as discussed in its Aristotelian form in Chapter 1.3) within a naturalist metaethical framework.

According to Hursthouse, human beings function well if they meet four particular ends — survival, reproduction, enjoyment/freedom from pain, and possession of an appropriate functional role within a group. As rational beings, we can determine the character traits and dispositions that can help us to meet these aims and such character traits and dispositions will then be virtuous. Virtue Ethics, thus defined, would therefore be a normative theory based on Naturalism because what makes something good or virtuous is entirely determined by natural factors to do with our psychology, behaviour, biology and social dynamics. As with Utilitarianism, no mystical or supernatural stuff is required to explain the virtues and associated moral goodness.

Does Naturalism lead to Relativism? Harman claimed that, if correct, Naturalism *would* naturally lead us to Moral Relativism and away from Moral Absolutism (these theories are more specifically discussed in Chapter 1.1). Harman suggests that if ethical guidelines and rules were absolute in nature then they would need to apply irrespective of contingent situations or contingent lifestyles; murder, for example, would be wrong irrespective of any specific situational factors if the claim that “murder is wrong” were *absolutely* true. However, if moral properties are natural properties, then Relativism may make more sense in virtue of the fact that natural properties can vary in presence from case to case.

For example, it is not *absolutely* true that “London is north of Paris” because at some point continental plates will shift and these cities could move in relative location to each other. Nor is it absolutely true that “sections of the Australian coast have coral reefs”, since human activity and climate change might change this natural fact. Equally then, if a natural property is what makes true the claim that “murder is wrong” then this natural property might seem to depend upon the amount of pleasure produced, or else on some other *changeable* natural factor. If moral properties are natural properties, then actions might not be absolutely wrong but might instead be wrong relative to the changeable presence of those natural properties.

Michael Smith (1954–) rejects Harman’s claim and suggests that Naturalism is, in and of itself, irrelevant to the debate between moral relativists and moral absolutists. Smith argues that absolutists and relativists will differ on questions regarding the rationality or reasonableness of human behaviour and that these questions cannot be settled by taking a stance on Naturalism or Non-Naturalism in ethics.

For Smith, important questions relevant to the absolutist and relativist debate are *a priori* rather than *a posteriori* — meaning that these debates must be analysed and investigated by methods that do not involve testing the world. Thus, testing the world in order to determine the natural or non-natural status of moral properties cannot settle the *a priori* differences between relativists and absolutists.

3.1.7: Objections to Naturalism

G. E. Moore was a supporter of Cognitivism and Realism. However, Moore was not a naturalist — he was a non-naturalist — and objected to the idea that moral properties were natural properties. Moore's objection to identifying moral properties as natural properties was two-fold. Firstly, he thought that moral properties were fundamentally simple and secondly he thought the identification of the moral with the natural failed what he termed the *Open Question Argument*.

Moore's first objection to Naturalism, *from simplicity*, is based on an analogy between moral properties and colour properties. According to Moore, the concept of the colour yellow is a fundamentally simple concept in so far as it cannot be explained in terms of any other concept or property. Consider, as an example of a complex property, the idea of a horse. A horse can be explained to someone who has never come into contact with the animal because the concept of a horse can be reduced to simpler part. As a mammal of a typically brown colour, with certain organs and certain dimensions. In an obvious way, the concept of a horse can be broken down to simpler components.

Moore denies that the same is true for the concept of yellow. Yellow cannot be explained to someone who has not come into visual contact with it, because yellow is a simple concept that cannot be broken down into simpler component parts. Yellow is just yellow, and we can say nothing else about it that will explain it in simpler terms. The same, says Moore, is true for moral properties. According to Moore:

*If I am asked, 'What is good?' my answer is that **good is good, and that is the end of the matter**. Or if I am asked 'How is good to be defined?' my answer is that it cannot be defined, and that is all I have to say about it.*

On this basis, Moore cannot accept that moral properties can be reduced to natural properties as this would imply that moral properties are not fundamentally simple. The utilitarian, for example, defines goodness in terms of pleasure and so reduces goodness to pleasure. Moore suggests that moral naturalists make a mistake in trying to ground simple moral properties in terms of other natural properties.

As it stands, Moore's analogy between goodness and yellow has some argumentative pull but lacks sufficient robustness. However, Moore's Open Question Argument more formally drives home his point.

Moore suggests that we take some putative moral claim such as "giving to charity is good". For goodness, Moore suggests we follow the naturalist's lead and insert some natural property such as "pleasure". Now, we have the claim that "giving to charity is pleasurable". This identification between goodness and pleasure is the type of identification a naturalist about goodness might have in mind.

However, according to Moore it remains an *open question* as to whether or not something creating pleasure is actually good. The question remains meaningful in a way that it should not remain meaningful if goodness is actually reducible to pleasure. After all, it is not possible to meaningfully ask whether or not a bachelor is an unmarried man as the concept of a bachelor can be reduced to the concept of an unmarried man. Thus, if this utilitarian-style naturalist is correct about the identification of goodness and pleasure, it should not be a meaningful question — an open question — to ask whether a pleasurable act is a morally good act. Yet, it seems to remain open as to whether Action A is good, even if I am told that Action A is pleasurable.

Moore suggests that any attempted reduction of a moral property to a natural property will leave a meaningful open question of the form "this act possesses the natural property suggested" but "is it a good act"? **Julia Tanner** provides a modern example of the Open Question Argument in action:

Some people talk as if they think that that which has evolved is the same thing as being good. Thus, for instance, capitalism may be justified on the basis that it is merely an expression of 'the survival of the fittest' and 'the survival of the [fittest]' is good. To make such an argument is, according to Moore, to commit the naturalistic fallacy because good has been defined as something other than itself, as 'the survival of the fittest'.

Tanner refers to the *Naturalistic Fallacy*, which is Moore's own terminology for the mistake of attempting to reduce the moral property to the natural property. All such attempted reductions will fail because it will always be possible to meaningfully ask whether the suggested natural property is actually good; if this question is open then goodness does not equal the suggested natural property. Think of the Open Question Argument as the searchlight seeking out those who commit the naturalistic fallacy.

It is worth noting that Moore's arguments, although directed against naturalistic reductions of goodness, are just as powerful

against *non-natural* reductions of goodness. Any attempt to reduce the concept of goodness to, for example, “what God wills” will also fail because the question of “this is what God wills, but is it good?” appears to remain open. Self-evidently, this non-natural reduction is not an example of a naturalistic fallacy, but it can be no more acceptable if, like Moore, you believe that good is a fundamentally simple concept.

3.1.8: Cognitivist and Realist Theory Two (Non-Naturalism)

Moore's critique of Naturalism sets the scene for his own metaethical view. According to Moore, moral properties do exist but they are fundamentally simple *non-natural* properties. The best way to understand what non-natural means is as follows. If Goodness is non-natural then it is not the kind of property that is discoverable through the kind of *empirical* means that help us to identify natural properties, such as in the sciences. How we might come to know non-natural properties depend on the particular theory under consideration. However, typically non-naturalists think that we *intuit* the presence of these simple non-natural properties via a *moral sense*. So although intuitions are about *how* we discover moral properties rather than what moral properties are like, typically non-naturalists are also intuitionists.

Richard Price (1723–1791) suggested that truths are intuited when they are acquired “without making any use of any process of reasoning”. More contemporarily, **W. D. Ross** (1877–1971) suggested that we intuit self-evident moral truths “without any need of proof, or of evidence beyond itself”. An example should make this method of intuiting non-natural moral properties much clearer.

Becky is watching a BBC news report on a woman who has been helped to hear for the first time in her life via the use of new medical technology. Having been so helped, the news report points out that this person has made a documentary which involves her passing on this technology to poor children who are living with deafness in Bangladesh. While watching the report and the associated interview, Becky intuites the fact that the doctors have acted in a morally good way in researching and implementing the cure for this woman's deafness and that she too is acting morally well in helping others to hear. The moral goodness is self-evident in the situation and does not require Becky to use her faculties of reason to identify it; the property of goodness is picked up via her moral sense.

W. D. Ross specifically suggests that there are various self-evident *prima facie* duties that we can intuit (*prima facie* meaning, in this sense, apparent on first glance); duties that should guide our behaviour but that sometimes can be overridden by other competing duties. Ross outlines duties such as not harming others, not lying, and keeping promises. Ross suggests that no formal empirical or logical defence of these duties is appropriate because they are self-evident. We cannot argue *to* the claim we should not lie, only *from* it in terms of how to act in specific situations.

If you are an intuitionist and a realist this might offer a route to surviving both the Open Question Argument and the Naturalistic Fallacy. Intuitionists claim that moral properties are fundamentally simple and non-natural, open to apprehension via our moral sense. When we utter moral sentences we seek to describe the presence of such properties accurately and, sometimes, we will correctly and appropriately refer to the presence of these non-natural properties in the world. When we so appropriately refer, we make true moral statements.

3.1.9: Objections to Intuitionism

Intuitionism offers a way around the Open Question Argument and the Naturalistic Fallacy, consequently it has a number of modern proponents (e.g. Ralph Wedgwood). However, objections to a basic Intuitionism are not particularly difficult to conceive of.

Firstly, Intuitionism might be thought to struggle when explaining moral *disagreement*. If moral truths are self-evident and can be intuited, then why do even self-professed intuitionists such as Moore and Ross have radically different ethical views (Moore is a teleologist, whereas Ross intuits proto-Kantian moral truths).

In response, Ross has suggested that we need a certain moral maturity to our intuitive sense, just as our other faculties require maturity and tuning to properly pick up on features of the world. Indeed, **Samuel Clarke** (1675–1729) suggested that, amongst other things, stupidity may lead to our intuitions going astray and this may explain continuing moral disagreement. If only we were less daft, our intuitive moral sense might be more reliable!

In addition, on a related note, we may wonder how such intuitive moral judgments might be properly verified. If you support the *Verification Principle* — which you may be lucky enough to come across in a unit on Religious Language — then you believe that statements that cannot be empirically verified (tested against the world to determine their truth or falsity) or are true by definition are meaningless.

If moral judgments are intuitively supported judgments about non-natural properties, then it is not clear *how* we could verify whether it is Moore or Ross, to use two examples, who intuits goodness correctly. Certainly, we could not use empirical means to test for the presence of non-natural properties in the world. Thus, verificationists may suggest that moral statements — if Intuitionism is correct — would be meaningless in virtue of our inability to verify such statements.

Finally, returning to the theme of disagreement, we might posit evidence that our intuitions are so unreliable that they are better understood as irrational moral judgments expressing our own feelings or personal beliefs, rather than judgments giving voice to the existence of mind-independent, objective, non-natural moral properties.

Consider responses to the standard ethical dilemma of a trolley case. In one version, you can redirect a train to save five people tied to the track, but doing so will kill one person tied in the path of the redirected train. In a second case, you can save five people tied to the track by pushing one rather portly gentleman to his death in front of the train to stop its progress. Most responders favour saving five over one in the first case, but favour saving one over five in the second case. If our intuitions point so divergently when we make moral judgments, might we be better to assume our pre-rational intuitive responses are expressions of feelings or initial beliefs, rather than a reflection of objective truths?

Perhaps responses based on moral maturity or stupidity will apply here also, but this may be harder to hold when explaining one person's own personal divergent intuitions about such cases rather than disagreement across a group of different people.

J. L. Mackie (1917–1981) also offers criticisms of Intuitionism, but these are explored in the next section as they feed into explanation of Mackie's own Moral Error Theory. It is, as ever, for you to judge whether the intuitionist has any plausible defence of their theory against the criticisms suggested thus far.

3.1.10: Cognitivist and Anti-Realist Theory One (Moral Error Theory)

Thus far, we have seen that Cognitivism tends to be associated with Realism. Mackie breaks with this trend with his Moral Error Theory. Mackie accepts that our moral utterances are expressions of truth-apt beliefs, but denies Realism. In so doing, Mackie denies that possibility that our truth-apt beliefs are ever true, because a moral description of the world can never accurately describe a world without any moral properties in it.

In Mackie's own words, "Although most people in making moral judgments implicitly claim, among other things, to be pointing to something objectively prescriptive, these claims are all false". By prescriptive, Mackie means action-guiding and Mackie denies that any objective guides to action (moral properties, in our terms) actually exist.

Mackie's view is startling and raises loads of questions about how we should live if morality is entirely false. Although interesting, these discussions are not for this chapter. Instead, we must explain and evaluate Mackie's theory as it stands rather than consider its implications if true. A theory having depressing or liberating implications does not make that theory any more or less likely to be accurate (though it is surprising how often even the best philosophers are prone to such mistaken thinking).

Mackie's Anti-Realism is supported by the following two arguments. It should be made clear that Mackie's arguments are directed against *both Naturalistic and Non-Naturalistic Realism*.

Argument from Relativity

Mackie's first objection to Realism is built out of his appreciation of the depth of moral disagreement, and so shares something with one of the objections to Intuitionism offered in the previous section. Mackie suggests that in other plausible realist disciplines, such as the sciences or history views begin to coalesce around the truth over time and disagreement is, at least in part, conquered.

Disagreement occurs in these disciplines because there is a barrier to true knowledge and scientists and historians will sometimes, through no fault of their own, be blind to the facts. However, sometimes the facts become clear and disagreement thereby reduces.

Yet, in ethics, philosophers still disagree over the same issues that they were arguing over 2000+ years ago, questions such as "when is war acceptable" and "when can promises be broken". If moral truths really did exist and Realism was correct, should we not have expected to find some of these truths by now? Thus, Mackie views disagreement in ethics — deep disagreement that seems impervious to solution through rational means — as evidence that Realism is incorrect; there are no moral facts to settle the debates or at least some of those debates would have been settled by now! Of course, if you think that some moral debates have been settled, then you could use this to criticise this Mackian argument.

Argument Queerness

Mackie's second anti-realist argument is his most famous. Moral properties — be they natural or non-natural — are supposed to be *action-guiding*. If it is true that murder is wrong, then we should not murder, *even if we might want to*. Equally, if it is true that giving to charity is right, then we should give to charity, *even if we might not want to*. At its core, morality is supposed to offer reasons for action that we cannot simply ignore even if we like murdering or hate charitable giving. This aspect of morality, however, raises issues at the metaethical level.

David Hume (1711–1776) recognised the potential problem with the action-guiding quality of morality when he spoke of the "is-ought" gap. According to Hume:

In every system of morality, which I have hitherto met, I have always [remarked], that the author proceeds for some time in the ordinary ways of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when all of a sudden I am [surprised] to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought, or an ought not. This change is imperceptible, but is however, of the last consequence.

Hume wonders why and how we move from statements about what *is* the case, to statements about how we *ought* to act. We do not make such a link between “is” and “ought” in areas other than morality — the fact that a horse is running at Goodwood does not, of itself, give you an “ought” regarding how to act in response. The fact that a moral property *is*, on the other hand, does seem to give rise to such an “ought” regarding behaviour. How can this be explained?

Hume has his own suggestion for explanation, and this is outlined in section twelve. Mackie, however, takes this Humean worry in his own direction. Mackie suggests that *properties themselves* that carry such an action-guiding quality, that offer an “ought” just because they are, would be extremely *queer* properties. He says that “[if] there were objective values [moral properties], then they would be entities or qualities or relations of a very strange sort, utterly different from anything else in the universe”.

Mackie suggests that if we can explain moral thinking without resorting to positing the existence of such queer and utterly unique entities then we would be better off. The simpler explanation is not to grant existence to weird properties, but just to suggest that there are no properties and that our moral beliefs reflect cultural and personal beliefs. Just as we do not tend to suggest that aliens or ghosts exist on the basis of first-hand testimony (competing explanations based on drunkenness or tiredness, for example, seem more plausible) so we perhaps ought not to grant that moral properties exist just because we happen to talk about them.

Indeed, support for Anti-Realism through a complaint about the queerness of moral properties is further supported via consideration of *Hume’s fork*.

Hume divided knowledge into two camps — knowledge gained from *relations of ideas* and knowledge gained from *matters of fact*. Knowledge claims like “ $2+2=4$ ”, or various geometric claims like “triangles have three sides”, are established in the former way whereas knowledge claims like “Alastair is wearing a blue shirt today” are established in the latter way.

This split of types of knowledge is referred to as Hume’s fork, yet claims to moral knowledge do not seem to fit either side of the fork. Moral knowledge is not derivable simply from relations of ideas (it is not supposed to be like geometric or mathematical truth and cannot be deduced *a priori* without any testing the world through our senses).

Nor, however, is it derivable simply from matters of fact, given the “is-ought” gap referred to above (*a posteriori*, sense-based, worldly and scientific empirical observations reveal what is, not what ought to be). If moral knowledge does not fit into either side of Hume’s fork, then it will be the case that either moral knowledge is a completely unique type of knowledge accessed in a completely unique way or, more plausibly perhaps, moral knowledge does not actually exist. But if we cannot know that moral properties exist then we should not be realists.

Hume, certainly, would have rejected the idea that moral properties existed based on the application of his famous fork. Remember, however, that Hume favoured *Non-Cognitivism* and Anti-Realism rather than (like Mackie) Cognitivism and Anti-Realism.

On a similar theme, Mackie strengthens the argument from queerness by referring to the queer method of understanding that we would need in order to come into contact with queer moral properties. Mackie suggests that we would need a special moral faculty in order to access queer moral properties. Although Mackie admires the honesty of the intuitionist in admitting the existence of such a queer moral sense, he does not think that it is credible to believe in the existence of such a radically different faculty for accessing realist moral properties in the world.

As before, if we can explain our moral beliefs without needing to admit the existence of queer properties, then why admit to the existence of a queer method for grasping queer properties? Moral Realism, according to Mackie, thus requires an unnecessarily queer metaphysics (what exists) and an unnecessarily queer epistemology (how we know what exists). For these reasons, Mackie is an anti-realist.

3.1.11: Objections to Moral Error Theory

3.1.12: Non-Cognitivism

Prior to an explanation and evaluation of the specific theoretical options for the non-cognitivist, it is worthwhile just providing a few words in favour of Non-Cognitivism more generally.

If you are impressed by anti-realist arguments but do not wish to end up an error theorist, then it may be worth denying Cognitivism rather than following Mackie. Indeed, this is what the majority of anti-realists tend to do. Thus, non-cognitivists will be unconcerned by the lack of moral properties in the world because they deny that our moral utterances are attempts to pick such properties out.

As well as supporting Anti-Realism, Hume's identification of the "is-ought" gap might be taken as helpful evidence for Non-Cognitivism. If moral utterances carry with them an action-guiding force, this may be because moral utterances are not descriptive beliefs but are instead expressions of attitudes, feelings or emotions. This picture is certainly what Hume had in mind given his *Humean Theory of Motivation*. Hume claimed that beliefs alone cannot motivate behaviour because beliefs are motivationally inert. The function of a belief as a psychological state is to offer a motivationally neutral description of the world; beliefs say what we believe "is" and do not *by themselves* lead to us to action. To be motivated to actually act, according to Hume, a belief must be *coupled with a desire* in our heads. The following case should make Hume's claim clearer.

Liz *believes* that her friends will soon be arriving for a barbecue. However, Liz lacks any desire to cater for her friends and so does not act. Liz's belief, by itself, does not and cannot motivate action on her part. Now, if we change the situation and add to Liz's psychology a *desire* to feed and cater for her friends, then Liz would come to be motivated to act and prepare a delightfully sumptuous feast. Thus, Hume argues, desires are required in the explanation of our actions.

So why is this relevant to a defence of Non-Cognitivism? Well, when a person utters a moral phrase, if the phrase is sincerely uttered, then they'll be motivated. For example, if I utter the words "giving to charity, for those who can afford to do so, is morally required", then you would expect me to be motivated to give charity if I were able to do so; if I chose not to give to charity in that circumstance you might question the sincerity of my moral utterance.

Moral utterances, and relevant moral motivations, seem to be remarkably well tied to each other. Now, if moral utterances were expressions of moral *beliefs* we would need to, in addition to the moral belief, grant the existence of a continuous desire to do what we believe is moral. However, if moral utterances were themselves moral desires then we need not add the extra belief into our psychology. If the phrase "giving to charity is morally right" is simply an expression of my desire that everyone should give to charity, then it is exceedingly simple to explain why our moral utterances and our motivations tend to track each other so well — our moral utterances are just expressions of our moral desires! But the claim that our moral judgements are simply an expression of our desires just is Non-Cognitivism.

3.1.13: Non-Cognitivist and Anti-Realist Theory One (Emotivism)

A. J. Ayer and **C. L. Stevenson** (1908–1979) were defenders of Emotivism, a metaethical view that held considerable sway for a time in the early parts of the twentieth century. According to Emotivism, the moral statement that murder is wrong is simply an expression of emotion against the act of murdering. It gives formal linguistic voice to what is essentially a negative “boo” to murder. Indeed, Emotivism is referred to as the “boo/hurrah” metaethical theory; when we claim that something is morally wrong we boo that action and when we claim that something is morally right we hurrah that action. This explains the connection between morality and motivation; we express motivationally-relevant emotional distaste or emotional approval when we use moral words rather than expressing motivationally inert moral beliefs.

Although a verificationist about language himself, Ayer *did not* wish to deny that moral utterances had a meaning even though, as a non-cognitivist and anti-realist, he plainly could not suggest that moral utterances were empirically verifiable or open to real-world testing in order to determine their truth value (moral utterances, on this view, are not truth-apt beliefs attempting to describe the world). Thus, Ayer suggested that moral utterances had an *emotive meaning*. Ayer, speaking of the claim that “stealing money is wrong” says this is simply an act of “...evincing my moral disapproval of it. It is as if I had said, ‘You stole that money’ in a peculiar tone of horror, or written it with the addition of some special exclamation marks”. Thus, the moral judgment meaningfully reveals an emotion, even if not a description of the world. Emotivism does *not*, therefore, straightforwardly lead to *nihilism* as some meaning for moral values and moral judgments is preserved. On this basis, there is no pull to the idea that we should stop using moral language.

Stevenson, in addition, suggested of moral terms like “right”, “wrong”, “good” and “bad” that they have only emotive meanings in the sense of approval and disapproval. Therefore, just as we cannot say that a “boo” is false, for it is not truth-apt so too we cannot say that a linguistic boo of the form “stealing is wrong” is either true or false. Stevenson thus argued that Emotivism captured the “magnetism” of morality — our moral utterances track our motivations because our moral utterances are expressions of the emotions that underpin our motivations.

3.1.14: Objections to Emotivism

Despite early popularity, Emotivism is not a popular position today and it is widely considered to be an unduly and unhelpfully simplistic form of Non-Cognitivism. We consider three objections here.

Firstly, on a psychological level, Emotivism is unlikely to feel correct. When I suggest that a certain action is right or wrong, I take myself to be making a claim that is true and making a claim that reflects how I take the world to be (reflecting a moral belief in my head). I do not consider myself to be booing an action in a rather academic and indirect way. We might question whether abstract philosophising about the meaning of words should ever trump our own psychological reflections when it comes to what we mean when we utter moral sentences. Can it be the case that Ayer or Stevenson knew better than I what I meant when I said that “terrorism is morally wrong”? Can they know better than you, if you take yourself to be making truth-apt and descriptive moral judgments?

Secondly, some of our moral utterances do not seem to be in the least part emotional. For example, Charlotte may feel that “it is wrong to avoid paying tax” but be quite depressed about this judgment. If we were cognitivists, this emotional divorce could be easily explained; Charlotte believes there to be a moral fact that is independent of her mind and her desires and this fact depresses her. However, it is not immediately obvious how Emotivism might explain Charlotte’s “boo to avoiding tax” when she harbours a desire to avoid tax herself. Perhaps we can have second-order emotions *about our emotions* (Charlotte is sad that she feels negatively towards tax avoiding), or perhaps Charlotte feels that others should not avoid tax — boo them — while she is happy act in this way — hurrah for her own tax avoidance. However, both of these responses require careful statement and defence if you seek to pursue them.

Finally, we can return to moral disagreement. Consider a sincere moral disagreement between William and Wendy over the issue of euthanasia. Wendy says that euthanasia is morally right in at least some cases, whilst William says that euthanasia is morally wrong in all circumstances. William and Wendy may seem to be disagreeing via utilising logic and reason just as scientists, or economists, or computer technicians, disagree over a substantively correct answer that is independent of their own minds.

However, once the facts of matter are agreed upon the emotivist must reduce this disagreement to a series of emotional boo’s and hurrah’s regarding euthanasia, where truth is never the aim of the moral utterances. Suggesting that moral debates are always emotive rather than factual, and so are swayed only by emotional rather than rational means, is a controversial claim given that moral reasons seem to be deployed very carefully in just such debates. Indeed, the emotivist explanation of moral debate seems to suggest moral arguments have more in common with arguments over which ice-cream flavour is best (boo for chocolate, hurrah for vanilla) than with truth-based disagreements in other academic disciplines. If this is not how we believe moral debates should be described, then Emotivism has a problem. As Richard Brandt suggests “Ethical statements do not look like the kind of thing the emotive theory says they are”. Brandt, as per the above discussion, feels that moral utterances are things we take to be truth-apt, contra the emotivist interpretation of those moral utterances.

The previous objection to Emotivism may seem to highlight possible links between Emotivism and moral relativism. But do not be deceived. Recall from Chapter 1.1 that relativists, as opposed to absolutists, hold that no moral claim is ever absolutely true in all circumstances. As a specific type of relativist, the cultural relativist may suggest that the claim “murder is wrong” can be true in some cultural settings and false in others depending on the different cultural standards for behaviour. Thus, there may be some suggestion that Cultural Relativism and Emotivism have the same set of grounding beliefs — no absolute moral truths exist and moral expressions reflect the culturally backed emotions of particular speakers, rather than anything more absolutely and mind-independently true.

However, this is a mistake. Contra Emotivism, cultural relativists do tend to believe in a form of realist moral truth, even if such relativists do not hold that absolute moral truths exist. Whilst the cultural relativist may admit that ethical judgments often reflect personal and culturally supported emotions, they define goodness as a genuine property that is determined or fixed in nature by the cultural standards of a given society.

Thus, if “murder is wrong” is a true relative to my culture, *then it is still true*. I am, therefore, mistaken if I claim that “murder is acceptable”, at least within the boundaries of my society even if not in the societies of others. This truth is non-absolute and relative to culture, but the cultural relativist accepts that it exists and that our moral statements attempt to describe such truths. On the other hand, the emotivist, obviously, does not accept that our moral statements are such attempted descriptions of realist, albeit relativistic, moral truths.

3.1.15: Non-Cognitivist and Anti-Realist Theory Two (Prescriptivism)

R. M. Hare was a committed non-cognitivist and anti-realist but he was not a defender of a simple emotivist position. Instead, Hare was a metaethical *prescriptivist*.

As a prescriptivist, Hare felt that our moral utterances express more than just emotional approval and disapproval. Instead, our moral utterances express a subjective prescription for others to act in accordance with our moral judgments. So, for example, if William claimed that “euthanasia is morally wrong” then this utterance means that William wants others to cease supporting or deciding in favour of euthanasia. Prescriptivism thus attempts to capture the action-guiding nature of moral utterances without resorting to claims of moral truth.

Prescriptivism also seems to better account for moral disagreement than does Emotivism, because Prescriptivism suggests that the action-guiding normative edge of moral utterances is fundamentally built into the meaning of a moral statement. In addition, perhaps crucially, Prescriptivism also allows us to legitimately criticise another person for their moral views without needing to invoke claims of realist moral truth or realist moral falsehood. Consider the following example.

Cristina claims that “murder is universally and absolutely morally wrong”. According to the prescriptivist, this is not a descriptive belief but is a reflection of Cristina’s non-cognitive attitude that no one should ever murder. However, if Cristina later utters the words “murdering this terrible dictator is morally acceptable”, then we can criticise Cristina’s inconsistency. On the one hand, she wants no one to ever murder whilst on the other hand also wanting the murder of a terrible dictator. It is not that Cristina had made a false moral claim that justifies criticism of her, according to the prescriptivist, but it is her *inconsistency* in the actions she prescribes for others that justifies criticism. Thus, we cannot cry “false!” against Cristina, but we can cry “inconsistent”. This, at least, may give some genuine meaning back to moral disagreement and provide a method for legitimately and rationally criticising the moral claims of others. Prescriptivism is, on this basis, often viewed as a step-up on Emotivism when it comes to non-cognitivist and anti-realist metaethical theories.

3.1.16: Objections to Prescriptivism

Many of the challenges to Prescriptivism carry over from the challenges suggested regarding Emotivism. The prescriptivist must also explain why they know better the meaning of our moral statements than we do, at least if we take ourselves to be making truth-apt and descriptive claims about moral properties in the world.

In addition, we might accept that Prescriptivism captures the qualities of moral disagreement better than Emotivism, but deny that the picture of moral disagreement offered by the prescriptivist is good enough. After all, is inconsistency the most serious objection we can make to someone with whom we disagree morally? Prescriptivism does not allow us to suggest that a racist who believes “it is morally acceptable to kill those of a different racial background” utters something false. Indeed, so long as the racist holds morally consistent views then we have no grounds to criticise his position at all. If we feel that retaining the ability to cry “false!” — with proper, rational and realist justification — is important when confronting the moral views of racists, sexists and other morally deplorable individuals, then Prescriptivism does not offer the tools that we need. Of course, the prescriptivist may reply that we cannot claim that Realism is correct just because we wish it to be so and that Prescriptivism, like it or not, is actually the proper understanding of the meaning of our moral judgments. Again, this is a judgment you should make for yourself.

3.1.17: Summary

There is much more that could be said in this chapter. Metaethical theories are as varied and nuanced as their normative rivals, and it is impossible to give a fair hearing to all of them in a single chapter. Catherine Wilson has authored an enquiry into Metaethics that reflects the challenge of coming to your own, first-person, view on these issues. However, we have tried as far as possible on this whistle-stop tour to outline these theories clearly and to give them such a fair hearing. It is for you to decide where you sit in the debate between Cognitivism and Non-Cognitivism, Realism and Anti-Realism, and, more generally, to decide how much importance Metaethics has relative to the normative and applied camps of ethical study.

COMMON STUDENT MISTAKES

- Not breaking down the chapter so as to be firmly in grasp of the meanings of key terms, and then the nature of the theories, before trying to engage in evaluation.
- Confusing Cognitivism, Non-Cognitivism, Realism and Anti-Realism.
- Misunderstanding the queerness complaint.
- Forgetting the importance of asking a meaningful question when explaining the mechanism of the Open Question Argument.
- Not using analogies appropriately — think of other realist/naturalist/cognitivist/non-cognitivist disciplines and examples, then compare these to ethics.
- Ignoring the explanations of disagreement offered by intuitionists.
- Not linking criticisms of one position to support for another position; e.g. Moore's attack on Naturalism explains his intuitionist views and Mackie's attack on Realism justifies his anti-realist position.
- Not using examples to aid explanation because not directly dealing with obviously normative or applied issues.

ISSUES TO CONSIDER

1. Can you create your own Metaethical Map? Try drawing out a flow-chart style diagram that separates Cognitivism and Non-Cognitivism, followed by the associated theories. If feeling confident, then try to add weaknesses and strengths to your map. *We recommend this as an excellent study aide!*¹⁸
2. Does Emotivism lend support to Relativism?
3. Does Naturalism lend support to Absolutism?
4. Does something being queer (in Mackie's sense of the term) make it less likely that it exists?
5. Does moral disagreement lend support to Anti-Realism?
6. Can a philosopher ever know what you mean better than you know?
7. Is Metaethics as important as normative or applied ethics?
8. Are moral judgments meaningless if they are about non-natural properties? If they are non-cognitive?
9. Do we just know what is right or wrong based on common sense? Does this support Intuitionism?
10. Can you give another example of an Open Question Argument, with a different candidate natural moral property?
11. Is there such a thing as moral progress? What does this suggest in terms of Metaethics?
12. Can a non-cognitivist properly explain moral disagreement?
13. What is the Humean account of motivation? Why does it support Non-Cognitivism?

KEY TERMINOLOGY

A priori

A posteriori

Anti-Realism

Cognitivism

Empirical

Naturalistic Fallacy

Non-Cognitivism

Normative

Prescriptivism

Prima facie

Queer

Realism

Relativism

Semantic

Truth-apt

Verificationism

References

Ayer, A. J., 'A Critique of Ethics', in *Ethical Theory*, ed. by Russ Shafer-Landau (Oxford: Blackwell, 2007).

—, 'The Emotive Theory of Ethics', in *Ethics: Essential Readings in Moral Theory*, ed. by George Sher (London: Routledge, 2012), pp. 103–10.

Blackburn, Simon, *Ruling Passions* (Oxford: Oxford University Press, 1998).

Brandt, Richard, *Ethical Theory: The Problems of Normative and Critical Ethics* (Englewood Cliffs: Prentice Hall, 1959).

Fisher, Andrew, *Metaethics: An Introduction* (Oxford: Routledge, 2011), <https://doi.org/10.1017/upo9781844652594>

Harman, Gilbert, *Explaining Value and Other Essays in Moral Philosophy* (Oxford: Clarendon Press, 2000).

Hume, David, *A Treatise on Human Nature* (London: John Noon, 1739), freely available at <http://www.davidhume.org/texts/thn.html>

Joyce, Richard, *The Myth of Morality* (Cambridge: Cambridge University Press, 2001), <https://doi.org/10.1017/cbo9780511487101>

Kahane, G., 'Must Metaethical Realism Make a Semantic Claim?', *Journal of Moral Philosophy*, 10.2 (2013): 148–78, <https://doi.org/10.1163/174552412x628869>

Mackie, J. L., *Ethics: Inventing Right and Wrong* (New York: Penguin, 1977).

Miller, A., *An Introduction to Contemporary Metaethics* (Cambridge: Polity, 2003).

Moore, G. E., 'The Open-Question Argument: The Subject Matter of Ethics', in *Arguing About Metaethics*, ed. by Andrew Fisher and Simon Kirchin (London: Routledge, 2006), pp. 31–47.

Price, Richard, 'A Review of the Principle Questions in Morals', in *The British Moralists 1650–1800*, ed. by D. D. Raphael (Oxford: Clarendon Press, 1969), pp. 131–98.

Railton, Peter, 'Moral Realism', *The Philosophical Review*, 95.2 (1986): 163–207, <https://doi.org/10.2307/2185589>

Ross, W. D., *The Right and the Good* (Oxford: Oxford University Press, 1930), <https://doi.org/10.1093/0199252653.001.0001>

Tanner, Julia, 'The Naturalistic Fallacy', *The Richmond Journal of Philosophy*, 13 (2006), freely available at http://www.richmond-philosophy.net/rjp/rjp13_tanner.php

Wedgwood, Ralph, *The Nature of Normativity* (Oxford: Oxford University Press, 2007), <https://doi.org/10.1093/acprof:oso/>

9780199251315.001.0001

Wilson, Catherine, *Metaethics from a First Person Standpoint* (Cambridge: Open Book Publishers, 2016), <https://doi.org/10.11647/OBP.0087>; freely available at <https://www.openbookpublishers.com/reader/417>

4: ASSESS PRESUPPOSITIONS UNDERLYING VARIOUS MORAL PERSPECTIVES.

4.1: Utilitarianism- Pros and Cons (B.M. Wooldridge)

4.1.1: For Review and Discussion

4.2: The Categorical Imperative (Immanuel Kant)

4.2.1: For Review and Discussion

4.3: The Virtues (Aristotle)

4.3.1: Book I

4.3.2: Book II

4.3.3: For Review and Discussion

4.1: Utilitarianism- Pros and Cons (B.M. Wooldridge)

Consequentialism is a general moral theory that tells us that, in any given situation, we should perform those actions that lead to better overall consequences. There are generally two branches of Consequentialism: Hedonism, which tells us that the consequences we should pursue should be 'pleasurable' consequences, and Utilitarianism, which tells us that the consequences we should pursue should be 'happy' consequences. The focus of this paper will be on Utilitarianism, as this is undoubtedly the most popular form of consequentialist theories. John Stuart Mill, one of the foremost Utilitarian moral theorists, sums up Utilitarianism as follows: "actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness."

Any account of Utilitarianism will have two central tenets. First, Utilitarians are focused on states of affairs, which means that Utilitarianism is concerned with the result, or consequences, of one's actions, and disregards other features like one's motives or reasons for acting. One might have good motives or reasons for performing a certain action, but an action is only considered morally good for a Utilitarian if it maximizes the consequences, or happiness, of a given situation. Secondly, Utilitarians emphasize that agents are to be neutral in making their decisions. What this means is that under Utilitarianism, everyone counts for the same, and nobody counts for more than anybody else. Friends, family members, significant others, and anyone else important to you counts just the same as a complete stranger when making a moral decision.

On the face of it, this seems like a sensible moral theory. Like any other theory, Utilitarianism has its advantages and disadvantages. In this paper, I will argue that the disadvantages of Utilitarianism far outweigh the advantages. More specifically, I will argue that, despite its initial appeal, there are serious problems with Utilitarianism that render it a problematic moral theory. In what follows, I will consider a thought experiment from Bernard Williams to highlight the advantages and disadvantages of Utilitarianism, followed by a discussion of why Utilitarianism is a problematic moral theory.

To begin, consider the case of George. George has recently completed his PhD in Chemistry, and, like any other PhD candidate, finds it extremely difficult to land a job after completing his degree. George has a family, and his wife works hard to support them. While she is supportive of George, his difficulty finding a job puts a serious strain on their relationship. An older chemist who knows George tells George that he can get him a job in a laboratory. The laboratory pursues research into chemical and biological warfare. George, however, is opposed to chemical and biological warfare, and he therefore cannot accept the job. However, if George refuses the job, it will go to a colleague of George's who does not have any reservations about chemical and biological warfare. Indeed, if this colleague takes the job, he will pursue the research with great zeal. For what it's worth, George's wife is not against chemical and biological warfare. Should George take the job?

It seems that a Utilitarian would inform us that George should take the job, for doing so will lead to better overall consequences than turning down the job. In taking the job, George will not perform the research with great enthusiasm. Williams is not clear on whether George will actively sabotage the research, but it can be reasonably assumed that if George takes the job, he will perform his duties in such a way that will minimize the impact that chemical and biological research will have on developing weapons for war. While George will not directly be saving anyone, his work will indirectly lead to the saving of thousands of lives. Indeed, simply taking the job will ensure that someone who has great enthusiasm for chemical and biological warfare does not get the job. So even if George does not directly or indirectly save anyone while performing his duties, he will already have maximized the consequences by preventing someone who would do great harm from getting the job.

This thought experiment is useful in considering the strengths and weaknesses of Utilitarianism. Let us first begin with the strengths of the theory. Perhaps the biggest strength of Utilitarianism is that it is, at least *prima facie*, easier to reach a conclusion under this theory than other theories. That is, Utilitarianism provides us with a clear path for determining which action in a given situation will be the correct one: it is that action that will increase utility. This is in contrast to other moral theories, such as Deontology, which do not always provide a clear answer. Deontology, for example, focuses on the motives or reasons one has for acting, and it can be difficult sometimes to ascertain what one's motives and/or reasons are. Even if one explicitly outlines their motives or reasons, it is not always the case that this is truthful. The consequences of an action, however, do provide us with a clear criterion for what counts as a morally good action. If one's action leads to good, or happy, consequences, then that action is morally permissible. Thus, Utilitarianism is a theory that can easily help us reach decisions.

Relating this to the case of George, George's actions can be judged on whether they will lead to better consequences. In this case, his action will lead to good consequences, albeit indirectly. In accepting the job, George prevents someone else who might indirectly harm others by promoting chemical and biological warfare from getting the job. Consider, for a moment, if we judged this action not on the consequences, but rather on the reasons or motives for acting. Suppose George accepts the job because he

is motivated to end chemical and biological warfare, or that his reason for taking the job is to help support his family. While these reasons might be noble ones, we cannot be clear on whether these are actually the motives/reasons that George has. Motives and reasons, in other words, are not as clearly accessible as the consequences of an action.

Another strength of Utilitarianism is its emphasis on neutrality. When making a decision, one is to take a 'God's eye' view of things, and consider everyone equally. This emphasis on neutrality makes Utilitarianism an impartial moral theory, meaning it considers everyone's status and interests as equal. Relating this to the case of George, we see that George needs to assess the situation from a neutral perspective. He should not favour his or his family's interests as opposed to the interests of others who might be impacted by chemical and biological warfare. Even if his wife and family were against chemical and biological warfare, and even considering that George himself is against chemical and biological warfare, he needs to put these interests and considerations aside and make the decision that is best for everyone involved.

While Utilitarianism does have its strengths as a theory, it also has some very serious weaknesses, and in the remainder of this paper I will outline of these weaknesses and argue why I think they make Utilitarianism a problematic moral theory.

We can begin by considering the point about neutrality. While Utilitarians will count this as a strength of their theory, it can also be considered a weakness of the theory. In considering everyone equally, Utilitarianism devalues the importance of personal relationships. In some cases, following Utilitarianism will force us to disregard those who are close to us. Suppose, for instance, that George's wife and children, like George, were also against chemical and biological warfare. Utilitarianism will tell us that George should disregard their interests and feelings and perform that action that will increase the consequences. But this seems to be impersonal. The interests, feelings, and desires of George's family should matter more than the interests, feelings, and desires of complete strangers, simply because these people are closer to George. Each of us has special relations to individuals that we work hard to develop, and that, in many cases, help us become better people. To disregard the interests, feelings, and desires of these individuals seems to be wrong.

I should also point out here that while Utilitarians will *consider* everyone equally, this does not mean that they will *treat* everyone equally. Consider another example from Williams. Suppose that there is a racial minority in a society. This minority does not harm anyone else in the society, nor does it do anything particularly good either. However, the other citizens, who make up the majority, have prejudices against this minority, and consider its presence very disagreeable, and proposals are put forward to remove this minority. Williams is not clear on what would be involved in 'removing' the minority. The removal of the minority need not involve murder, although it could. It might involve, for example, removing them from society by forcing them to leave the society.

It seems that a Utilitarian would be forced to accept that eliminating this minority would increase the happiness for the majority of people, and would therefore be a moral action. But this seems wrong, mainly because removing the minority from society would involve what many people take to be morally evil actions, which is another problem with Utilitarianism. In some cases, Utilitarianism might sanction morally evil actions in order to achieve morally desirable consequences. Removing the minority might involve genocide or mass deportations, both of which seem morally problematic. Killing people simply because they are of a certain race or ethnicity, and/or removing them from a society without just cause, are severe moral violations that any reasonable person could not sanction. The idea here is this: sometimes, in working to achieve the greatest overall consequences, individuals will be forced to do bad things, and these bad things, even if they increase happiness, are still bad. And it is a failing of Utilitarianism that it does not recognize the moral value of labeling these as morally bad actions.

At this point a Utilitarian will surely have something to say. A Utilitarian might respond to the above points as follows. All of the critiques I have offered are focused only on the short-term consequences, and not the long-term consequences. When we focus on the long-term consequences of the above cases, the Utilitarian answer will change. For example, if George takes the job, this might lead to good consequences in the immediate future. But in the long run, it might lead to bad consequences. It might, for example, cause a serious strain on his marriage, and make George unhappy, which will in turn affect his relationships with others. In the racial minority case, while removing the minority might lead to better consequences in the short term, it will lead to worse consequences in the long term. It will, for example, weaken the trust among members of a community, and destabilize the social relations of individuals within that community. In response to this, a Utilitarian might adopt a rule, the general following of which will lead to better long-term consequences. In so doing, a Utilitarian switches the focus from a version of Utilitarianism that is focused on acts, to one that is focused on rules.

This response from a Utilitarian fails, in that it invites more questions than what it does answers. Mainly, just how far into the future should we look when considering the consequences of our actions? Utilitarians do not provide a clear answer to this question. Saying that we should focus on the long-term consequences of an action when the implications of the short-term consequences are troubling seems to be problematic. And, moreover, should we really follow a rule when, in the moment, we can perform an act that will increase the happiness of others? Adopting rule-utilitarianism as a way to respond to these objections seems not only ad-hoc, but also inconsistent with the Utilitarian maxim of increasing the consequences.

Overall, the theory of Utilitarianism, while perhaps initially appealing, seems to have some serious flaws. While the theory of Utilitarianism might help us more easily reach moral conclusions than what other theories do, and while it emphasizes the neutrality of moral agents, it does nonetheless have a tendency to alienate us from those we are closest to, and might require us to perform actions that, under other moral theories, are considered morally problematic. It is for these reasons that Utilitarianism is a problematic moral theory.

4.1.1: For Review and Discussion

1. What are the benefits of Utilitarianism? Are these benefits enough to convince you that it is the correct moral theory we should follow?
2. What are the drawbacks of Utilitarianism? Are these benefits enough to convince you that it is an incorrect moral theory we should follow?
3. If more happiness is produced by *not* following Utilitarianism, is that what we should do? What does this say about the theory?

4.2: The Categorical Imperative (Immanuel Kant)

...Now all imperatives command either hypothetically or categorically. The former represent the practical necessity of a possible action as means to something else that is willed (or at least which one might possibly will). The categorical imperative would be that which represented an action as necessary of itself without reference to another end, i. e., as objectively necessary...

Finally, there is an imperative which commands a certain conduct immediately, without having as its condition any other purpose to be attained by it. This imperative is categorical. It concerns not the matter of the action, or its intended result, but its form and the principle of which it is itself a result; and what is essentially good in it consists in the mental disposition, let the consequence be what it may. This imperative may be called that of morality. There is a marked distinction also between the volitions on these three sorts of principles in the dissimilarity of the obligation of the will. In order to mark this difference more clearly, I think they would be most suitably named in their order if we said they are either rules of skill, or counsels of prudence, or commands (laws) of morality. For it is law only that involves the conception of an unconditional and objective necessity, which is consequently universally valid; and commands are laws which must be obeyed, that is, must be followed, even in opposition to inclination...

There is therefore but one categorical imperative, namely, this: Act only on that maxim whereby thou canst at the same time will that it should become a universal law. Now if all imperatives of duty can be deduced from this one imperative as from their principle, then, although it should remain undecided what is called duty is not merely a vain notion, yet at least we shall be able to show what we understand by it and what this notion means. Since the universality of the law according to which effects are produced constitutes what is properly called nature in the most general sense (as to form), that is the existence of things so far as it is determined by general laws, the imperative of duty may be expressed thus: Act as if the maxim of thy action were to become by thy will a universal law of nature. We will now enumerate a few duties, adopting the usual division of them into duties to ourselves and ourselves and to others, and into perfect and imperfect duties...

1. A man reduced to despair by a series of misfortunes feels wearied of life, but is still so far in possession of his reason that he can ask himself whether it would not be contrary to his duty to himself to take his own life. Now he inquires whether the maxim of his action could become a universal law of nature. His maxim is: "From self-love I adopt it as a principle to shorten my life when its longer duration is likely to bring more evil than satisfaction." It is asked then simply whether this principle founded on self-love can become a universal law of nature. Now we see at once that a system of nature of which it should be a law to destroy life by means of the very feeling whose special nature it is to impel to the improvement of life would contradict itself and, therefore, could not exist as a system of nature; hence that maxim cannot possibly exist as a universal law of nature and, consequently, would be wholly inconsistent with the supreme principle of all duty.
2. Another finds himself forced by necessity to borrow money. He knows that he will not be able to repay it, but sees also that nothing will be lent to him unless he promises stoutly to repay it in a definite time. He desires to make this promise, but he has still so much conscience as to ask himself: "Is it not unlawful and inconsistent with duty to get out of a difficulty in this way?" Suppose however that he resolves to do so: then the maxim of his action would be expressed thus: "When I think myself in want of money, I will borrow money and promise to repay it, although I know that I never can do so." Now this principle of self-love or of one's own advantage may perhaps be consistent with my whole future welfare; but the question now is, "Is it right?" I change then the suggestion of self-love into a universal law, and state the question thus: "How would it be if my maxim were a universal law?" Then I see at once that it could never hold as a universal law of nature, but would necessarily contradict itself. For supposing it to be a universal law that everyone when he thinks himself in a difficulty should be able to promise whatever he pleases, with the purpose of not keeping his promise, the promise itself would become impossible, as well as the end that one might have in view in it, since no one would consider that anything was promised to him, but would ridicule all such statements as vain pretences.
3. A third finds in himself a talent which with the help of some culture might make him a useful man in many respects. But he finds himself in comfortable circumstances and prefers to indulge in pleasure rather than to take pains in enlarging and improving his happy natural capacities. He asks, however, whether his maxim of neglect of his natural gifts, besides agreeing with his inclination to indulgence, agrees also with what is called duty. He sees then that a system of nature could indeed subsist with such a universal law although men (like the South Sea islanders) should let their talents rest and resolve to devote their lives merely to idleness, amusement, and propagation of their species- in a word, to enjoyment; but he cannot possibly will that this should be a universal law of nature, or be implanted in us as such by a natural instinct. For, as a rational being, he necessarily wills that his faculties be developed, since they serve him and have been given him, for all sorts of possible purposes.
4. A fourth, who is in prosperity, while he sees that others have to contend with great wretchedness and that he could help them, thinks: "What concern is it of mine? Let everyone be as happy as Heaven pleases, or as he can make himself; I will take nothing from him nor even envy him, only I do not wish to contribute anything to his welfare or to his assistance in

distress!" Now no doubt if such a mode of thinking were a universal law, the human race might very well subsist and doubtless even better than in a state in which everyone talks of sympathy and good-will, or even takes care occasionally to put it into practice, but, on the other side, also cheats when he can, betrays the rights of men, or otherwise violates them. But although it is possible that a universal law of nature might exist in accordance with that maxim, it is impossible to will that such a principle should have the universal validity of a law of nature. For a will which resolved this would contradict itself, inasmuch as many cases might occur in which one would have need of the love and sympathy of others, and in which, by such a law of nature, sprung from his own will, he would deprive himself of all hope of the aid he desires. These are a few of the many actual duties, or at least what we regard as such, which obviously fall into two classes on the one principle that we have laid down.

We must be able to will that a maxim of our action should be a universal law. This is the canon of the moral appreciation of the action generally. Some actions are of such a character that their maxim cannot without contradiction be even conceived as a universal law of nature, far from it being possible that we should will that it should be so. In others this intrinsic impossibility is not found, but still it is impossible to will that their maxim should be raised to the universality of a law of nature, since such a will would contradict itself. It is easily seen that the former violate strict or rigorous (inflexible) duty; the latter only laxer (meritorious) duty. Thus it has been completely shown how all duties depend as regards the nature of the obligation (not the object of the action) on the same principle. If now we attend to ourselves on occasion of any transgression of duty, we shall find that we in fact do not will that our maxim should be a universal law, for that is impossible for us; on the contrary, we will that the opposite should remain a universal law, only we assume the liberty of making an exception in our own favour or (just for this time only) in favour of our inclination.

Consequently if we considered all cases from one and the same point of view, namely, that of reason, we should find a contradiction in our own will, namely, that a certain principle should be objectively necessary as a universal law, and yet subjectively should not be universal, but admit of exceptions. As however we at one moment regard our action from the point of view of a will wholly conformed to reason, and then again look at the same action from the point of view of a will affected by inclination, there is not really any contradiction, but an antagonism of inclination to the precept of reason, whereby the universality of the principle is changed into a mere generality, so that the practical principle of reason shall meet the maxim half way. Now, although this cannot be justified in our own impartial judgement, yet it proves that we do really recognise the validity of the categorical imperative and (with all respect for it) only allow ourselves a few exceptions, which we think unimportant and forced from us. We have thus established at least this much, that if duty is a conception which is to have any import and real legislative authority for our actions, it can only be expressed in categorical and not at all in hypothetical imperatives. We have also, which is of great importance, exhibited clearly and definitely for every practical application the content of the categorical imperative, which must contain the principle of all duty if there is such a thing at all.

4.2.1: For Review and Discussion

1. Do you think Kant is right that we should ignore the consequences of our actions when determining what the right thing to do is? Why or why not?
2. Would you lie to the ax murderer? Why or why not?
3. Do you agree with Kant that there are never exceptions to moral rules?

4.3: The Virtues (Aristotle)

4.3.1: Book I

vii

Presumably, however, to say that happiness is the chief good seems a platitude, and a clearer account of what it is still desired. This might perhaps be given, if we could first ascertain the function of man. For just as for a flute-player, a sculptor, or an artist, and, in general, for all things that have a function or activity, the good and the 'well' is thought to reside in the function, so would it seem to be for man, if he has a function. Have the carpenter, then, and the tanner certain functions or activities, and has man none? Is he born without a function? Or as eye, hand, foot, and in general each of the parts evidently has a function, may one lay it down that man similarly has a function apart from all these? What then can this be? Life seems to be common even to plants, but we are seeking what is peculiar to man. Let us exclude, therefore, the life of nutrition and growth. Next there would be a life of perception, but it also seems to be common even to the horse, the ox, and every animal. There remains, then, an active life of the element that has a rational principle; of this, one part has such a principle in the sense of being obedient to one, the other in the sense of possessing one and exercising thought. And, as 'life of the rational element' also has two meanings, we must state that life in the sense of activity is what we mean; for this seems to be the more proper sense of the term. Now if the function of man is an activity of soul which follows or implies a rational principle, and if we say 'so-and-so-and' a good so-and-so' have a function which is the same in kind, e.g. a lyre, and a good lyre-player, and so without qualification in all cases, eminence in respect of goodness being added to the name of the function (for the function of a lyre-player is to play the lyre, and that of a good lyre-player is to do so well); if this is the case, and we state the function of man to be a certain kind of life, and this to be an activity or actions of the soul implying a rational principle, and the function of a good man to be the good and noble performance of these, and if any action is well performed when it is performed in accordance with the appropriate excellence: if this is the case, human good turns out to be activity of soul in accordance with virtue, and if there are more than one virtue, in accordance with the best and most complete.

But we must add 'in a complete life.' For one swallow does not make a summer, nor does one day; and so too one day, or a short time, does not make a man blessed and happy...

viii

We must consider it, however, in the light not only of our conclusion and our premisses, but also of what is commonly said about it; for with a true view all the data harmonize, but with a false one the facts soon clash. Now goods have been divided into three classes, and some are described as external, others as relating to soul or to body; we call those that relate to soul most properly and truly goods, and psychical actions and activities we class as relating to soul. Therefore our account must be sound, at least according to this view, which is an old one and agreed on by philosophers. It is correct also in that we identify the end with certain actions and activities; for thus it falls among goods of the soul and not among external goods. Another belief which harmonizes with our account is that the happy man lives well and does well; for we have practically defined happiness as a sort of good life and good action. The characteristics that are looked for in happiness seem also, all of them, to belong to what we have defined happiness as being. For some identify happiness with virtue, some with practical wisdom, others with a kind of philosophic wisdom, others with these, or one of these, accompanied by pleasure or not without pleasure; while others include also external prosperity. Now some of these views have been held by many men and men of old, others by a few eminent persons; and it is not probable that either of these should be entirely mistaken, but rather that they should be right in at least some one respect or even in most respects.

With those who identify happiness with virtue or some one virtue our account is in harmony; for to virtue belongs virtuous activity. But it makes, perhaps, no small difference whether we place the chief good in possession or in use, in state of mind or in activity. For the state of mind may exist without producing any good result, as in a man who is asleep or in some other way quite inactive, but the activity cannot; for one who has the activity will of necessity be acting, and acting well. And as in the Olympic Games it is not the most beautiful and the strongest that are crowned but those who compete (for it is some of these that are victorious), so those who act win, and rightly win, the noble and good things in life.

Their life is also in itself pleasant. For pleasure is a state of soul, and to each man that which he is said to be a lover of is pleasant; e.g. not only is a horse pleasant to the lover of horses, and a spectacle to the lover of sights, but also in the same way just acts are pleasant to the lover of justice and in general virtuous acts to the lover of virtue. Now for most men their pleasures are in conflict with one another because these are not by nature pleasant, but the lovers of what is noble find pleasant the things that are by nature pleasant; and virtuous actions are such, so that these are pleasant for such men as well as in their own nature. Their life, therefore, has no further need of pleasure as a sort of adventitious charm, but has its pleasure in itself. For, besides what we have said, the man who does not rejoice in noble actions is not even good; since no one would call a man just who did not enjoy acting justly, nor any man liberal who did not enjoy liberal actions; and similarly in all other cases. If this is so, virtuous actions must

be in themselves pleasant. But they are also good and noble, and have each of these attributes in the highest degree, since the good man judges well about these attributes; his judgement is such as we have described. Happiness then is the best, noblest, and most pleasant thing in the world, and these attributes are not severed as in the inscription at Delos-

Most noble is that which is justest, and best is health; But pleasantest is it to win what we love.

For all these properties belong to the best activities; and these, or one- the best- of these, we identify with happiness.

Yet evidently, as we said, it needs the external goods as well; for it is impossible, or not easy, to do noble acts without the proper equipment. In many actions we use friends and riches and political power as instruments; and there are some things the lack of which takes the lustre from happiness, as good birth, goodly children, beauty; for the man who is very ugly in appearance or ill-born or solitary and childless is not very likely to be happy, and perhaps a man would be still less likely if he had thoroughly bad children or friends or had lost good children or friends by death. As we said, then, happiness seems to need this sort of prosperity in addition; for which reason some identify happiness with good fortune, though others identify it with virtue...

x

...When then should we not say that he is happy who is active in accordance with complete virtue and is sufficiently equipped with external goods, not for some chance period but throughout a complete life? Or must we add 'and who is destined to live thus and die as befits his life'? Certainly the future is obscure to us, while happiness, we claim, is an end and something in every way final. If so, we shall call happy those among living men in whom these conditions are, and are to be, fulfilled- but happy men. So much for these questions....

4.3.2: Book II

i

Virtue, then, being of two kinds, intellectual and moral, intellectual virtue in the main owes both its birth and its growth to teaching (for which reason it requires experience and time), while moral virtue comes about as a result of habit, whence also its name (ethike) is one that is formed by a slight variation from the word ethos (habit). From this it is also plain that none of the moral virtues arises in us by nature; for nothing that exists by nature can form a habit contrary to its nature. For instance the stone which by nature moves downwards cannot be habituated to move upwards, not even if one tries to train it by throwing it up ten thousand times; nor can fire be habituated to move downwards, nor can anything else that by nature behaves in one way be trained to behave in another. Neither by nature, then, nor contrary to nature do the virtues arise in us; rather we are adapted by nature to receive them, and are made perfect by habit.

Again, of all the things that come to us by nature we first acquire the potentiality and later exhibit the activity (this is plain in the case of the senses; for it was not by often seeing or often hearing that we got these senses, but on the contrary we had them before we used them, and did not come to have them by using them); but the virtues we get by first exercising them, as also happens in the case of the arts as well. For the things we have to learn before we can do them, we learn by doing them, e.g. men become builders by building and lyreplayers by playing the lyre; so too we become just by doing just acts, temperate by doing temperate acts, brave by doing brave acts.

This is confirmed by what happens in states; for legislators make the citizens good by forming habits in them, and this is the wish of every legislator, and those who do not effect it miss their mark, and it is in this that a good constitution differs from a bad one.

Again, it is from the same causes and by the same means that every virtue is both produced and destroyed, and similarly every art; for it is from playing the lyre that both good and bad lyre-players are produced. And the corresponding statement is true of builders and of all the rest; men will be good or bad builders as a result of building well or badly. For if this were not so, there would have been no need of a teacher, but all men would have been born good or bad at their craft. This, then, is the case with the virtues also; by doing the acts that we do in our transactions with other men we become just or unjust, and by doing the acts that we do in the presence of danger, and being habituated to feel fear or confidence, we become brave or cowardly. The same is true of appetites and feelings of anger; some men become temperate and good-tempered, others self-indulgent and irascible, by behaving in one way or the other in the appropriate circumstances. Thus, in one word, states of character arise out of like activities. This is why the activities we exhibit must be of a certain kind; it is because the states of character correspond to the differences between these. It makes no small difference, then, whether we form habits of one kind or of another from our very youth; it makes a very great difference, or rather all the difference...

ii

...First, then, let us consider this, that it is the nature of such things to be destroyed by defect and excess, as we see in the case of strength and of health (for to gain light on things imperceptible we must use the evidence of sensible things); both excessive and defective exercise destroys the strength, and similarly drink or food which is above or below a certain amount destroys the health, while that which is proportionate both produces and increases and preserves it. So too is it, then, in the case of temperance and courage and the other virtues. For the man who flies from and fears everything and does not stand his ground against anything becomes a coward, and the man who fears nothing at all but goes to meet every danger becomes rash; and similarly the man who indulges in every pleasure and abstains from none becomes self-indulgent, while the man who shuns every pleasure, as boors do, becomes in a way insensible; temperance and courage, then, are destroyed by excess and defect, and preserved by the mean...

vi

...If it is thus, then, that every art does its work well- by looking to the intermediate and judging its works by this standard (so that we often say of good works of art that it is not possible either to take away or to add anything, implying that excess and defect destroy the goodness of works of art, while the mean preserves it; and good artists, as we say, look to this in their work), and if, further, virtue is more exact and better than any art, as nature also is, then virtue must have the quality of aiming at the intermediate. I mean moral virtue; for it is this that is concerned with passions and actions, and in these there is excess, defect, and the intermediate. For instance, both fear and confidence and appetite and anger and pity and in general pleasure and pain may be felt both too much and too little, and in both cases not well; but to feel them at the right times, with reference to the right objects, towards the right people, with the right motive, and in the right way, is what is both intermediate and best, and this is characteristic of virtue. Similarly with regard to actions also there is excess, defect, and the intermediate. Now virtue is concerned with passions and actions, in which excess is a form of failure, and so is defect, while the intermediate is praised and is a form of success; and being praised and being successful are both characteristics of virtue. Therefore virtue is a kind of mean, since, as

we have seen, it aims at what is intermediate.

Again, it is possible to fail in many ways (for evil belongs to the class of the unlimited, as the Pythagoreans conjectured, and good to that of the limited), while to succeed is possible only in one way (for which reason also one is easy and the other difficult- to miss the mark easy, to hit it difficult); for these reasons also, then, excess and defect are characteristic of vice, and the mean of virtue;

For men are good in but one way, but bad in many.

Virtue, then, is a state of character concerned with choice, lying in a mean, i.e. the mean relative to us, this being determined by a rational principle, and by that principle by which the man of practical wisdom would determine it. Now it is a mean between two vices, that which depends on excess and that which depends on defect; and again it is a mean because the vices respectively fall short of or exceed what is right in both passions and actions, while virtue both finds and chooses that which is intermediate. Hence in respect of its substance and the definition which states its essence virtue is a mean, with regard to what is best and right an extreme.

But not every action nor every passion admits of a mean; for some have names that already imply badness, e.g. spite, shamelessness, envy, and in the case of actions adultery, theft, murder; for all of these and suchlike things imply by their names that they are themselves bad, and not the excesses or deficiencies of them. It is not possible, then, ever to be right with regard to them; one must always be wrong. Nor does goodness or badness with regard to such things depend on committing adultery with the right woman, at the right time, and in the right way, but simply to do any of them is to go wrong. It would be equally absurd, then, to expect that in unjust, cowardly, and voluptuous action there should be a mean, an excess, and a deficiency; for at that rate there would be a mean of excess and of deficiency, an excess of excess, and a deficiency of deficiency. But as there is no excess and deficiency of temperance and courage because what is intermediate is in a sense an extreme, so too of the actions we have mentioned there is no mean nor any excess and deficiency, but however they are done they are wrong; for in general there is neither a mean of excess and deficiency, nor excess and deficiency of a mean.

4.3.3: For Review and Discussion

1. What is the “golden mean” and why is it important for Aristotle’s ethics?
2. What are some virtues that you think are important and why?
3. Can someone ever be *too* rational? Why or why not? What would Aristotle say?

INDEX

1: Evaluate a variety of concepts

1.1: Utilitarianism

1.1.1: An Introduction to Utilitarianism

1.1.10: Mill's Rule Utilitarianism versus Bentham's Act Utilitarianism

1.1.11: Strong versus Weak Rule Utilitarianism

1.1.12: Comparing the Classical Utilitarians

1.1.13: Non-Hedonistic Contemporary Utilitarianism- Peter Singer and Preference Utilitarianism

1.1.14: Summary

1.1.2: Hedonism

1.1.3: Nozick's Experience Machine

1.1.4: The Foundations of Bentham's Utilitarianism

1.1.5: The Structure of Bentham's Utilitarianism

1.1.6: Hedonic Calculus

1.1.7: Problems with Bentham's Utilitarianism

1.1.8: Mill's Utilitarian Proof

1.1.9: Mill's Qualitative Utilitarianism

1.2: Kantian Ethics

1.2.1: An Introduction to Kantian Ethics

1.2.10: Problems and Responses- Conflicting Duties

1.2.11: Problems and Responses- The Role of Intuitions

1.2.12: Problem and Responses- Categorical Imperatives and Etiquette

1.2.13: Problems and Responses- The Domain of Morality

1.2.14: Summary

1.2.2: Some Key Ideas

1.2.3: Acting for the Sake of Duty and Acting in Accordance with Duty

1.2.4: Categorical and Hypothetical Imperatives

1.2.5: The First Formulation of the Categorical Imperative

1.2.6: Perfect and Imperfect Duties

1.2.7: Second Formulation of the Categorical Imperative

1.2.8: The Third Formulation of the Categorical Imperative and Summary

1.2.9: Kant on Suicide

1.3: Aristotelian Virtue Ethics

1.3.1: Aristotelian Virtue Ethics Introduction

1.3.10: Objection- Circularity

1.3.11: Objection- Contribution to Eudaimonia

1.3.12: Moral Good and Individual Good

1.3.13: Summary

1.3.2: The Function Argument

1.3.3: Aristotelian Goodness

1.3.4: Eudaimonia and Virtue

1.3.5: Developing the Virtues

1.3.6: Practical Wisdom (Phronesis)

1.3.7: Voluntary Actions, Involuntary Actions and Moral Responsibility

1.3.8: Objection- Unclear Guidance

1.3.9: Objection- Clashing Virtues

1.4: Aquinas's Natural Law Theory

1.4.1: Introduction to Aquinas

1.4.2: Motivating Natural Law Theory- The Euthyphro Dilemma and Divine Command Theory

1.4.3: Natural Law Theory

1.4.4: Summary of Aquinas's Natural Law Theory

1.4.5: Putting this into Practice- The Doctrine of Double Effect (DDE)

1.4.6: Some Thoughts about Natural Law Theory

1.4.7: Summary

1.5: Fletcher's Situation Ethics

1.5.1: Situation Ethics Introduction

1.5.2: Fletcher's Overall Framework

1.5.3: The Four Working Principles of Situationism

1.5.4: How to Work out What to Do- Conscience as a Verb not a Noun

1.5.5: The Six Propositions of Situation Ethics

1.5.6: Problems with Fletcher's Situationism

1.5.7: Summary

2: Compare and contrast a variety of ethical theories with respect to specific ethical issues

2.1: The Ethics of Torture (Martine Berenpas)

2.1.1: What is torture?

2.1.2: The philosophy of torture

2.1.3: The "ticking time bomb" thought experiment

2.1.4: For Review and Discussion

2.2: An Argument Against Capital Punishment (Noah Levin)

2.2.1: Main Argument

2.2.2: For Review and Discussion

2.3: Common Arguments about Abortion (Nathan Nobis and Kristina Grob)

2.3.1: Introduction

2.3.2: Defining "Abortion"

2.3.3: Why Most Abortions Occur

2.3.4: Bad Arguments- "Question-Begging" Arguments and "Everyday" Arguments

2.3.5: "Question-begging" Arguments

2.3.6: "Everyday" Arguments

2.3.7: For Review and Discussion

2.4: Better (Philosophical) Arguments about Abortion (Nathan Nobis and Kristina Grob)

2.4.1: Introduction

2.4.2: Arguments Against Abortion

2.4.3: Arguments that abortion is often not wrong

2.4.4: Conclusion

2.4.5: For Review and Discussion

2.5: Animal Rights (Eduardo Salazar)

2.5.1: Virtue and Difference in Animal Ethics

2.5.2: Objection to Extending Moral Consideration to Animals

2.5.3: The Historical Non-Human Animal and Dominion

2.5.4: The Ontological Chain of Being

2.5.5: Modern Animal Rights- Singer and Regan

2.5.6: Virtue Ethics, Difference, and Dominion

2.5.7: Conclusion

2.5.8: For Review and Discussion

2.6: Environmental Ethics and Climate Change (Jonathan Spelman)

2.6.1: Introduction

2.6.2: Is it wrong to harm grasshoppers for no good reason?

2.6.3: The problem of climate change

2.6.4: How should we respond to the problem of climate change?

2.6.5: For Review and Discussion

3: Analyze arguments from primary sources concerning good, evil, right, wrong, and other ideas addressed in the course.

3.1: Metaethical Theories

3.1.1: Introduction

3.1.10: Cognitivist and Anti-Realist Theory One (Moral Error Theory)

3.1.11: Objections to Moral Error Theory

3.1.12: Non-Cognitivism

3.1.13: Non-Cognitivist and Anti-Realist Theory One (Emotivism)

3.1.14: Objections to Emotivism

3.1.15: Non-Cognitivist and Anti-Realist Theory Two (Prescriptivism)

3.1.16: Objections to Prescriptivism

3.1.17: Summary

3.1.2: The Value of Metaethics

3.1.3: Cognitivism versus Non-Cognitivism

3.1.4: Realism versus Anti-Realism

3.1.5: The Metaethical Map

3.1.6: Cognitivist and Realist Theory One (Naturalism)

3.1.7: Objections to Naturalism

3.1.8: Cognitivist and Realist Theory Two (Non-Naturalism)

3.1.9: Objections to Intuitionism

4: Assess presuppositions underlying various moral perspectives.

GLOSSARY

S

Sample Word 1 | Sample Definition 1

DETAILED LICENSING

Detailed licensing information for this resource is not available at this time.