



Virtual University of Pakistan
FEDERAL GOVERNMENT UNIVERSITY

COURSE HANDOUTS

Ethics (for Non-Muslims)

ETH202

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Lesson 1

Defining Ethics; and its relation to Philosophy:

Ethics is one of the major disciplines of Philosophy. Philosophy literally means love of wisdom, the Greek word *Philia* meaning love or friendship and *Sophia* meaning wisdom.

Philosophy is an enterprise that begins with wonder at the marvels and mysteries of the world, that pursues a rational investigation of those marvels and mysteries, seeking wisdom and truth, and that result in passionate moral and intellectual integrity.

Believing that “the unexamined life is not worth living,” philosophy leaves no facet of life untouched by its inquiry. It aims at clear, critical, comprehensive conception of reality.

Philosophy is the discipline concerned with the following questions:

1. What counts as genuine knowledge? (Epistemology)
2. What sorts of things and what are their essential natures? (Metaphysics)
3. How one should live? (Ethics)

So Philosophy is concerned with three areas of studies:

1. Epistemology-----the study of knowledge, belief, truth, falsity, certainty, and perception.
2. Metaphysics-----the study of what exists, the nature of what exists, the cause and effect, freedom, and determination.
3. Ethics-----the study of morality, good, bad, right, wrong, human conduct and behavior in a moral sense.

Ethics and Morality:

The word ‘ethics’ is derived from the Greek word ‘*ethos*’, that means character i.e., individual character of a person.

The word ‘morality’ is derived from the Latin word ‘*moralis*’ that means custom or manner, or relationship between human beings.

Although there is no difference in ordinary language between what is ethical and moral ----- unethical or immoral, in Philosophy, however, the term ‘ethics’ is also used to refer to specific area of study --- the area of morality, which concentrate on human conduct and human values.

Following are the characteristics of those human activities that are regarded as good/bad and right/wrong morally:

1. **Happiness or Pleasure:** It is an empirical fact that whatever human beings consider good involves happiness and pleasure in a way, and whatever they consider bad involves unhappiness and pain in some way.
2. **Excellence or Perfection:** Whatever is good will also involves some kind or degree of excellence/perfection. And some kind of defect or lack of excellence counts as bad.
3. **Harmony and Creativity:** If an action is creative or can aid human beings in becoming creative and, at the same time, helps to bring about harmonious integration of as many human beings as possible, then we can say it is a right action. If an action has the opposite effect, then we can say that it is wrong action.

Defining Ethics:

Ethics is the study of moral/ethical values and customs of a person or group. It covers the analysis and employment of concepts such as right and wrong, good and evil, and responsibility.

Three Primary Areas of Ethics:

If we look closely at the above definition it suggests that there are three areas of ethics and it will help us to make a distinction among them.

1. Normative Ethics: The study of how to determine ethical values.

(Prescribing how human beings should behave)

2. Meta-Ethics: The study of the concepts of ethics.

(Analysis of ethical language and analysis of the rational foundations for ethical systems)

3. Applied Ethics: The study of the use and application of ethical values.

(Dealing with moral problems, faced in a practical situation like business, environment, medicine, and communication etc.)

Note: “Theory without application is useless, but action without theoretical perspective is blind.”

Value in Morality:

It is important to understand the meaning of value in morality.

Ethics is concerned with how we should (ought to) live, how we should (ought to) act, and the kind of person we should (ought to) be. Defining the full scope of these Ought/Should is to give an account of all that has value or worth. There are two types of value:

1. Intrinsic Value: When something is valuable in itself and not for the sake of another thing it has an intrinsic value.

2. Instrumental Value: When something is valuable for the sake of another thing and not for itself it has an instrumental value.

Concluding Remarks:

Moral philosophy seeks to establish principles of right behavior that may serve as action- guides for individuals and groups. It investigates which value and virtues are paramount to worthwhile life or society. It builds and scrutinizes arguments in ethical theories and seeks to discover valid principles (e.g., “Never kill innocent human beings”) and the relationship between those principles (e.g., does saving a life in some situations constitute a valid reason for breaking promise?)

[Note: For further study see Thiroux, Jacques “*Ethics: Theory and Practice*”
Hall. p. 1-38]

Prentice

Lesson: 2**Morality as Compared with other Normative Subjects:**

Moral precepts are concerned with norms. They are concerned not with what is, but with what ought to be. Morality has a distinct action-guiding or normative aspect, an aspect it shares with other practical institutions like:

1. **Religion.**
2. **Law.**
3. **Etiquette.**

Morality and Religion:

Moral behavior is essential to the practice of religion. This aspect of morality has a commonality with religion. However we should keep in mind the difference between these two disciplines and neither the practices nor the precepts of morality should be identified with religion.

The practices of morality need not be motivated by religious consideration; morality has its own motivational strength. Moral precept need not be grounded in revelation or divine authority, as religious teachings invariably are.

The salient feature of ethics or moral philosophy is that it is grounded in reason and human experience.

We can explain it in a spatial metaphor; secular ethics [not being grounded in revelation and divine authority] is *horizontal*, omitting a vertical, or transcendental, dimension.

On the other hand religious ethics has a *vertical* dimension, being grounded in revelation and divine authority, though generally using reason to supplement or complement revelation.

Morality and Law:

Due to close relation between morality and law, some people equate the two practices.

The reason being that as law can promote well-being and social harmony and resolve the conflicts of interest, so is the case with morality, it does the same.

However there are crucial difference between morality and law.

For example ethics may judge some laws as immoral without denying that they are valid as laws. You may judge laws that permit slavery or irrelevant discrimination against people on the basis of race or sex to be legally valid but immoral.

Some aspects of morality are also not covered by law; lying is immoral but no general law against it (except under special condition)

While it is impractical to have laws against bad intentions, such intentions are still bad, morally wrong.

Law differs from morality in that there are physical and financial sanctions (e.g., imprisonment, fines) enforcing the law but only the sanctions of conscience and reputation enforcing morality.

Morality and Etiquette:

Morality differs from etiquette and the social custom. Etiquette and social custom concern form and style [the formal aspect] rather than essence of social existence.

Etiquette determines what polite behavior is rather than whether behavior is, in a deep sense is right.

Etiquette or custom represent society's decision as to how we are to dress, greet one another, eat, celebrate festivals, and carry out social transactions. None of these rituals has moral superiority.

However disregarding or paying no attention to etiquette can be immoral in some situation when one encounters with people of another culture having different behavioral patterns and here *insensitivity* is morally offensive.

Limitation of Law, Etiquette and Religion:

Law, Etiquette, and Religion are all important institutions, but each has its limitations. Here are some of them:

The limitation of the Law is that you can not have a law against every social malady, nor can you enforce every desirable rule.

The limitation of Etiquette is that it does not get to the heart of what is of vital importance for the personal and social existence. Etiquette is a cultural invention, but morality claims to be a discovery.

The limitation of Religious injunction is that it rests on authority, and we are not always in agreement about the credentials of the authority. Religion is founded on revelation rather than reason, so we can not use reason to convince someone who does not share our religious views.

The following chart characterizes the relationship between Ethics, Religion, Law and Etiquette:

● Subject	Normative Disjuncts	Sanctions
● Ethics	Right and Wrong , as defined by Conscience or Reason	Conscience---Praise and Blame Reputation
● Religion	Right and Wrong (Sin), Generally as defined by Religious Authority	Conscience--- eternal Reward and Punishment, due to a Supernatural
● Law	Legal and illegal, as defined by a Judicial body	Agent or Force Punishment determined by the Legislative body
● Etiquette	Proper and improper, as defined by the Culture	Social Disapprobation and Approbation

Concluding Remarks:

Morality distinguishes itself from law and etiquette by going deeper into the essence of our social existence. It distinguishes itself from religion in that it seeks reasons, rather than authority, to justify its principles.

The central purpose of moral philosophy is to secure valid principles of conduct and values that can be instrumental in guiding human actions and producing good character.

As such it is most important activity known to humans, for it has to do with how we are to live.

[Note: For further study see Pojman Louis P. *“Ethics: Discovering Right and Wrong”* Wadsworth. p. 1-7]

Lesson: 3

Characteristics of Moral Principle

A central feature of morality is the moral principle. Moral principles are practical action-guides containing prescriptive and commendatory elements in them. However moral principles differ from legal status, rules of etiquette and religious rules [having some sort of prescriptive elements].

Some General Features of Moral Principles:

Although there is no universal agreement on which traits a moral principle must have, there is however a widespread consensus on five features/traits of moral principle which are as follow:

- 1. Prescriptivity** (Relating to the imposition of rule or method).
- 2. Universalizability.**
- 3. Overridingness** (More important than any other consideration).
- 4. Publicity.**
- 5. Practicability.**

Let us explain these in detail.

1. Prescriptivity:

It refers to practical, or action-guiding, nature of morality. Moral principles are generally put forth as injunctions or imperatives (“Do not kill,” “Do not lie”). Moral Principles are intended to use to advise and influence action.

2. Universalizability:

Moral Principles must apply to all who are in the relatively similar situation. If an action X is right for a certain person P it is right for any one relatively similar to P. this trait is exemplified in the Golden Rule: “Do unto others what you would have them do unto you.” (If you were in their shoes)

This feature (Universalizability) is an extension of the principle of consistency. One ought to be consistent about one’s value judgments, including one’s moral judgments.

3. Overridingness:

Moral Principles has supreme [hegemonic] authority. They are not the only principles, but they take precedence over other considerations, including aesthetic, prudential, and legal ones. The Overridingness of moral principle implies that in certain cases it may be prudent to lie to save my reputation, but it is morally wrong. When law becomes outstandingly immoral it may be moral duty to exercise civil disobedience. When the injustice of a bad law becomes intolerable it may call for an illegal but moral defiance or resistance.

4. Publicity:

Moral Principles must be made public in order to play an action-guiding role in our life.

We use Moral Principles to prescribe behavior, to give advice, and to assign praise and blame, it would be self-defeating to keep them secret.

5. Practicability:

A Moral theory must be workable; its rules must not lay a heavy burden on agents.

Moral philosopher John Rawls warns us that excessively idealistic moral principles may cause “strain of commitment” in an average moral agent. Thus ethical systems must take human limitations into consideration. It might be desirable to have a morality enjoining more altruism [sacrifice], but the result of such principles could be moral despair, deep or undue moral guilt, and ineffective action.

Domains of Ethical Assessment:

Ethics concerns itself not only with rules of conduct based on an evaluation of acts, rather it also contains some other ethical analysis that falls into the following domains:

Domain	Evaluative Terms
1. Action (the act)	Right, Wrong, Obligatory, Optional
2. Consequences	Good, Bad, Indifferent
3. Character	Virtuous, Vicious, Neutral
4. Motive	Good will, Evil will, Neutral

Let us examine each of these domains.

Types of Action

Right (Permissible)

Wrong (Not Permissible)

The term ‘Right’ have two senses:

Right as obligatory (as in “the right act”)

Right as permissible (as in “a right act” or “It is right to do that”)

In moral philosophy right is defined as permissible, including under that category what is obligatory.

Right Act:

A *right act* is an act that is permissible for you to do. It may be either:

(a) Optional or (b) Obligatory

(a) An *Optional act* is an act that is neither obligatory nor wrong to do.

It is not your duty to do it, nor is it your duty to not to do it.

Neither doing it nor not doing it would be wrong.

(b) An *Obligatory act* is morally requires you to do.

It is not permissible for you to refrain from it.

Wrong Act:

A *wrong act* is an act you have an obligation, or duty, to refrain from doing.
It is an act you ought not to do; it is an act not permissible to do.

Optional act:

It may be either *neutral* or *supererogatory*.

Neutral: Neither obligatory nor wrong.

Supererogatory: exceeding what is morally required.

Theories that place emphasis on the nature of act are called *Deontological* [from the Greek word ‘*deon*’ for duty]. These theories hold that there are something inherently right or good about such acts as truth-telling and promise-keeping and something inherently wrong or bad about such acts as lying and promise breaking. The most famous of these systems is Kant’s moral theory.

Consequence:

Considering the consequences of action then prescribing to do something. It is the rule-oriented ethics that allow the foreseeable consequences to determine a course of action.

Theories that focus primarily on consequences in determining moral rightness or wrongness of an action are called *Teleological* [from Greek word ‘*teleos*’ meaning “goal-directed”]. The most famous of these theories is utilitarianism.

Character:

Focus on character instead of action or consequences. A good example of this is Aristotle’s ethics that emphasizes character or virtue. For him, it is most important to develop virtuous character; for if and only if we have good people can we ensure habitual right action.

Motive:

All ethical systems accept the relevance of motive (Especially Kant’s system). It is important to the assessment of any action; the intention of the agent must be taken into account. Two acts may be identical, but one be judged morally culpable and the other excusable. Though two acts may have opposite results, the action may be of equal good on the basis of intention.

[Note: For further study see Pojman Louis P. “*Ethics: Discovering Right and Wrong*” Wadsworth. p. 9-12]

Lesson: 4**The Purposes of Morality:**

What is the role of morality in human existence? To answer the question we must ask the question, “How one should live?”

Socrates says, “An unexamined life is not worth living.” So we must examine it to know the purpose of human life on this earth.

Biologically human being is superior to other creatures [Animals]. Men create environment, whereas animals adopt it. This superiority is due to some acquired features like speech, fire, agriculture, writing, discovery of instruments, and most importantly sentiments of mutual cooperation.

But sentiments of mutual cooperation still incomplete and they ought to be completed; otherwise the whole achievements are in danger.

Human being and animals both share physical desires and some sort of emotions. If these desires and emotions are being expressed in a balance way under the control of reason, human being may get real and right happiness.

The need of morality arises when there is a conflict between the demand of desire and reason. Human beings also have both types of sentiments that is of individualism and collectivism.

For example one may be sitting being silent in a bus unless some emergency happen. In that case one comes out of his solitude and tries to help others if he is capable.

However, in certain cases, one escapes from crowded area to get solitude.

It is a fact that individualism and collectivism are significant for a moral life. Because human beings are lagging behind in the sentiment of mutual cooperation and collectivism that is why to protect the benefits of collective living, morality is inevitable.

Academic and Practical Purposes:

Morality has both academic and practical purposes. These can be seen in the defining features of ethics:

- a) It establishes principle of right behavior for the guidance of individual and groups.
- b) It investigates values and virtues for worthwhile life and society.
- c) It discovers valid principles through scrutiny of ethical theories.

Definition:

It is important to mention here that when we define a concept/term, it implicitly contains its purpose in its definition. So let us see and analyze the components of a definition:

Definiendum: the word being defined, and;

Definiens: that does defining.

The definition implicitly contains the purpose of something being defined.

Definiens contains following:

Roots (Etymology),

Attributes (Features),

Application (Purpose)

Ethics aims at finding out the truth about something that is both interesting and important-----the rightness and wrongness of human conduct.

The student of ethics is more likely to be right in his application of moral rules to a particular case than the man who has equal knowledge of the circumstances of the case but no knowledge of ethics.

For example we can see the difference between a quack and an expert in handling a particular situation.

He is likely to be less biased and more comprehensive in his outlook. Because his comprehension is based on knowledge which is distinct from mere opinion about something.

The chief value of ethics is not in the guidance it gives in particular cases, but in the development of width of outlook and seriousness of purpose in dealing with moral matters generally.

The Practical role of morality in human existence:

Morality is the force that enables human being to maintain a modicum of order within their dwindling society, first compromising with each other and then keeping things in perspective. Morality has at least the following four important purposes:

1. Morality keeps society from falling apart, from sinking to a state of chaos where everyone is the enemy of everyone else, where insecurity dominates the mind and prevents peace and happiness.

Thomas Hobbes 17th century French political philosophy is relevant here to mention for his notion of “state of nature” in ‘*Leviathan*’, wherein a perpetual war of all against all and life is solitary, poor, nasty, brutish and short. The purpose of morality is to prevent this state of nature. As a means of preventing this condition, society must have rules of justice in order to resolve conflicts of interest that are mutually agreed upon and considered just.

2. The function of morality is to ameliorate or prevent unnecessary and unjust human suffering. It establishes social institution and conventions that aid victims of disease, hunger and violence.

3. Morality promotes human flourishing. It enables people to pursue their goals in peace and freedom, encouraging them to friendship and fidelity, challenging them to excellence and worthwhile life.

4. Morality resolves conflict of interest in just way. It provides society the rules of justice in order to resolve conflicts of interest keeping in view the scarcity of resources. It creates a worthwhile life for its participants and turns a potential hell into something that its highest point approximates a heaven on earth.

Concluding Remarks:

Even though these four purposes of morality are related they are not identical and different moral theories emphasize different purposes and in different ways.

Utilitarianism fastens on human flourishing and amelioration of suffering.

Contractual systems rooted in Hobbesian egoism accent to the role of resolving conflicts of interest.

Kant’s morality place the emphasis on orderly, universal rules of justice.

Virtue ethics emphasizes individual flourishing in the virtuous character.

[Note: For further study see Pojman Louis P. “*Ethics: Discovering Right and Wrong*” Wadsworth. p. 15-17]

Lesson: 5

Cultural Relativism

Herodotus, a Greek historian, illustrates a story of Darius, a king of ancient Persia, who encountered a variety of mysterious and fascinating things during his travels.

Callatians, a tribe of Indians eat the bodies of their dead fathers whereas the Greeks practiced cremation.

Darius thought that a sophisticated understanding of the world must include an appreciation of such differences between cultures. So he summoned both the parties and asked the following questions:

Question to Greeks: What they would take to eat their dead fathers?

Greeks were shocked and replied that no amount of money could persuade them to do such a thing.

Question to Callatians: What would they take to burn their dead fathers?

The Callatians were horrified and told Darius not even to mention such a dreadful thing.

Herodotus concluded that “Custom is the king over all.” In other words different cultures have different moral codes.

Let us see what does mean by culture and relativism in this context:

Culture means the customs, ideas and social behavior of a particular people or group.

Relativism means the doctrine that knowledge, truth, and morality exist in relation to culture, society, or historical context and are not absolute.

Our custom, ideas and social behavior is relative to the society we belong.

What is thought right with in one group may utterly abhorrent to the members of another group, and vice versa.

Our own way of living seems so natural and right that for many of us it is hard to conceive of other living so differently.

When we do hear of such things, we tend immediately to categorize those others people as ‘backward’ or ‘primitive’.

Since the time of Herodotus [‘Custom is the king over all’] enlightened observers have been accustomed to the idea that conception of right and wrong differ from culture to culture. If we assume that our ideas of Right/Wrong will be shared by all people at all time, we are merely naïve.

For relativists, different cultures have different moral codes, and this is a key to understand morality and the idea of universal truth in ethics is a *myth*.

There is no independent standard of right/wrong, so customs cannot be correct or incorrect----- Every standard is culture-bound.

Ethical Relativism:

The doctrine that the moral rightness and wrongness of actions varies from society to society and that there are no absolute universal binding on all men at all times. It also holds that whether or not it is right for an individual to act in certain way depends on or is relative to the society to which he belongs.

Ethical Relativism: John Ladd's Argument:

1. What is considered morally right and wrong varies from society to society, so that there are no universal moral standards held by all societies.
2. Whether or not it is right for an individual to act in a certain way depends on the society he or she belongs.
3. Therefore, there are no absolute or objective moral standards that apply to all people everywhere and at all times.

Two Thesis of Relativism:

The Diversity Thesis:

It is simply an anthropological thesis that acknowledges the fact that moral rules [morally right and wrong] varies from society to society, so that there are no universal moral standards held by all societies.

The Dependency Thesis:

Whether or not it is right for an individual to act in a certain way depends on or is relative to the society to which he or she belongs. It is of two types:

The Dependency, as a weak thesis, is acceptable for non-relativist. It means to apply the same principle differently. For example, Orientals show respect by covering the head and uncovering the feet, whereas Occidentals do the opposite. Though both adhere to a principle of respect for deserving people, they apply the principle differently.

The Dependency, as a strong thesis is accepted by ethical relativists who maintain that different cultures invent different moral principles and believe in fundamental disagreement among societies.

For example different persons have different perceptions. The same spatiotemporal field is actually being seen in a different perspective by the farmer, the real estate dealer and the artist.

Cultural relativists also believe in change in moral values over time and place (e.g. Slavery)

It is also worth mentioning here the contribution of William Graham Sumner (founder of modern sociology) in this regard who emphasizes the following points in support of cultural relativism:

- a) "The notion of right is in the Folkways" (Local made).
- b) There is no standard of right/wrong other than provided by the cultural standard----thus we can never say that any society's code is morally superior to any others.
- c) 'Folkways' is a helpful concept to understanding ethical relativism because it points out to us that the ways and customs are simply developed by average people (Folk) over long periods of time.
- d) Cultural Relativism challenges our ordinary belief in the objectivity and universality of moral truth. There is no such thing as universal truth in ethics.

Here are six main claims of Cultural Relativism:

1. Different societies have different moral codes.

2. There is no objective standard that can be used to judge one societal code better than another.
3. The moral code of our own society has no special status; it is merely '*One*' among '*Many*'.
4. There is no "Universal Truth" in ethics; there are no moral values that hold for all people at all times.
5. The moral code of a society determines what is right within that society; that is, if the moral code of a society says that a certain action is right, then that action is right, at least within that society.
6. It is mere arrogance for us to try to judge the conduct of other peoples. We should adopt an attitude of tolerance toward the practices of other cultures.

Analysis of Cultural Difference Argument:

Cultural Relativism is a theory about the Nature of Morality. Like all such theories it must be evaluated by subjecting it to Logical and Rational Analysis.

Form of Argument:

The strategy used by cultural relativists is to argue from facts about the differences between cultural outlooks to a conclusion about the status of morality.

1. The Greeks believed it was wrong to eat the dead, whereas the Callatians believed it was right to eat the dead.
2. Therefore, eating the dead is neither objectively right nor objectively wrong. It is merely a matter of opinion, which varies from culture to culture.

Generalization of Argument:

1. Different cultures have different moral codes.
2. Therefore, there is no objective "Truth" in morality. Right and wrong are only matters of opinion, and opinions vary from culture to culture.

The above mentioned argument is called Cultural Difference Argument. To many thinkers, it is persuasive. But from a logical point of view, it is not sound. The trouble is that the conclusion does not follow from the premise—that is even if the premise is true.

The following points make it clear:

The premise concerns what people *Believe*.

The conclusion concerns '*What really is the Case*.'

For example in some societies, people believe that earth is flat. In other societies people believe that the earth spherical. Does it follow, *from the mere fact that people disagree*, that there is no "objective truth" in geography? Of course not; we would never draw such conclusion because we realize that, in their beliefs about the world, the members of some societies might be simply wrong.

There is no reason to think that if the earth is round everyone must know it. Similarly, there is no reason to think that if there is moral truth everyone must know it.

The fundamental mistake in the Cultural Difference Argument is that it attempts to derive a substantive conclusion about a subject from the mere fact that people disagree about it.

Concluding Remarks:

However it does not mean to say that the conclusion is true or false. It is a simple point of logic and it must not be misunderstood. It is still an open question whether the conclusion is true or false. The logical point is just that the conclusion does not *follow from* the premise this is

important, because in order to determine whether the conclusion is true, we need arguments in its support. Cultural Relativism proposes this argument, but unfortunately the argument turns out to be fallacious. So it proves wrong.

[Note: For further study see Rachels, James. *“The Elements of Moral Philosophy”* McGraw Hill. p. 20-25]

[Note: For further study see Pojman Louis P. *“Ethics: Discovering Right and Wrong”* Wadsworth. p. 24-29]

[Note: For further study see Rachels, James *“The Right Thing to Do”* Random House. p. 51-56]

Lesson: 6**Cultural Relativism as a theory of Morality:**

Recapturing:

1. Different cultures have different moral codes.
2. There is no objective “Truth” in morality.
3. Right and wrong are only matters of opinion, and opinions vary from culture to culture.

Sumner’s View:

- Folkways, one of the classic defenses of Cultural Relativism.
- There is no measure of Right/Wrong other than the standard of one’s society.
- Moral Codes grow out of “Folkways” of a culture.
- We can never say that any society’s code is morally superior to others.
- The tradition is its own warrant.
- It is not held subject to verification by experience.
- In the folkways, what is right is right.
- Folkways are traditional, and therefore contain in themselves the authority of the Ancestral Ghost.
- Right can never be ‘Natural’ or ‘God-given.’
- The Morality of a group at a time is the sum of the Taboos and Prescriptions in the folkways by which Right is defined.
- Morals can never be intuitive. They are historical, institutional and empirical.

Objections:

- Cultural Difference Argument mistakenly derives a Substantive Conclusion about Morality from mere fact that people disagree about it.
- We are not saying that the Conclusion is False---it is still an open question whether the conclusion is true or false.
- The Logical point is just that the Conclusion does not *follow from* the premise.

The Consequences of Taking Cultural Relativism Seriously:

In the passage [recapturing] quoted above, Sumner summarizes the essence of Cultural Relativism:

- There is no measure of Right/Wrong other than the standard of one’s society.
- “The notion of Right/Wrong is in Folkway. It is not outside them, of independent origin and brought to test them. In the folkways, whatever is, is right.”

If we take this seriously we would have some of the following consequences:

Consequence 1:

We could no longer say that the customs of other society is Morally Inferior to our own.

We would have to stop condemning other societies only because they are different----- this seems to be a Sophisticated Enlightened Attitude.

However we would also stop from criticizing other benign or less favorable practice in the name of Cultural Relativism.

For examples if a society waged war on its neighbor’s country for the purpose of taking slaves. Cultural Relativism would preclude us from saying that this practice is wrong.

Another example may be Child Labor as a Cultural Practice.

Consequence 2:

We could decide whether actions are Right or Wrong just by consulting the standards of our society. Cultural Relativism suggests a simple test for determining Right/Wrong, that is to ask the question whether the action is in accordance with the code of one's society.

But we face a problem here like:

Apartheid [Racial Discrimination an Official Policy of R.S.A.], was it morally correct?

Cultural Relativism not only forbids us from criticizing the code of other societies; it would stop us from criticizing our own.

Consequence 3:

The Idea of Moral Progress is in Doubt.

Thinking of some social changes as better can not be implemented. It would be Trans-cultural judgment. For example the place of women in some societies is narrowly restricted. They cannot own property; they cannot vote or hold political office; and generally they under almost absolute control of their husbands.

Thus if Cultural Relativism is correct we can not think of progress as legitimate.

Progress means *replacing* a way of doing things in better way. But by what standard do we judge the new ways as better? If the old ways were in accordance with the social standards of their time, the Cultural Relativism would say it is a mistake to judge them by the standards of a different time.

Critical Analysis of the Consequences:

These three consequences:

1. No longer saying other society's moral code is inferior.
2. Deciding action as Right/Wrong just consulting the standards of our own culture.
3. The idea of moral progress being in doubt; have lead many thinkers to reject it as implausible at its face. They say some practices, like Slavery, Apartheid, Limited role of women must be condemned, where ever they occur. It makes sense to think that our own society has made some progress.

Why there is less Disagreement than it seems:

The original impetus, the driving force for Cultural Relativism comes from the observation that culture dramatically differ in their views of Right/Wrong. But we may how much they do differ?

The fact is that sometimes we overestimate the extent of those differences.

For example in treating cow with reference to Muslim and Hindu cultures the difference is not of values but is of the belief systems.

The point is that many factors work together to produce the customs of society, and society's value are only one of them.

Others like, religious and factual beliefs, physical circumstances in living are all important that coin the social practices of a particular society. Thus there be less disagreement about values than there appears to be.

How all Cultures have some Values in Common:

It is commonly held that there are some values that are more or less universal and every society strives to uphold them. These are as follow:

Truthfulness:

Imagine what it would be like for a society to place no value at all on Truth-telling.

When one person spoke to another, there would be no presumption at all that he was telling the truth. There would be no reason to pay attention to what anyone says. Communication becomes very difficult, even impossible. Society cannot live without communication among their members. It means there must be a presumption in favor of Truthfulness.

However there are certain exceptions to this Rule (Truth-telling) ____ a situation may be in which telling lie is permissible.

Doctor's Case is an obvious example in this regard when he tells lie to his patient for the sake of his recovery or to minimize miseries.

Protection of Life:

Prohibition on murder; if killing is permitted no one feel secure, everyone would be on guard. People who want to survive would have to avoid other people as much as possible. There would be no association. Society at large scale would collapse. Thus people would be forming smaller societies where rules against murder be acknowledged.

The prohibition of murder thus is a necessary feature of all societies.

There is general theoretical point here, namely "*There are some moral rules that all societies will have in common, because those rules are necessary for society to exist*". The rules against Lying and Murder are two obvious examples.

[Note: For further study see Rachels, James. "*The Elements of Moral Philosophy*" McGraw Hill. p. 25-29]

Lesson: 7**Judging a Cultural Practice to be Undesirable:**

Suppose we are inclined to say that a practice 'X' of another culture is bad.

Other observers of our society are reluctant to be so judgmental (Due to believing in Cultural Relativism). Would we be only applying the standards of our own culture?

If Cultural Relativism is true then there is no Cultural-neutral standard to which we may appeal.

Question: Is there a Cultural –neutral Standard of Right/Wrong?

Whether the 'X' practice promotes or hinders the welfare of the people whose lives are affected by it? If the answer is 'Yes' it means that it promotes the welfare of the people related to this practice. And if the answer is 'No' it means that it hinders the welfare of the people related to this practice.

Is there an alternative set of social arrangements that would do a better job of promoting their welfare?

If so, we may conclude that the existing practice is deficient. It is a single standard that may be brought to bear in judging the practices of any culture at any time. People don't think it as standard "Brought in From Outside" to judge them like the rules against lying and homicide. The welfare of its members is a value internal to all available cultures.

Question: Why Thoughtful People May Nevertheless Be Reluctant to Criticize Other Culture?

People who are reluctant have the following reasons to be so:

1. Nervousness about "Interfering in Social Customs of other people".

Interference Means:

a) Judging a cultural practice to be morally deficient, it is just a matter of trying to see the world clearly, from a moral point of view.

b) Thinking that we should announce the fact, conduct a campaign, apply diplomatic pressure or send in army to do something.

2. People also think that they should be tolerant of other culture.

Tolerance is no doubt, a Virtue---a tolerant person is willing to live in peaceful cooperation with those who see things differently. But there is nothing in the nature of tolerance that requires you to say that all beliefs, all religions and all social practices are equally admirable. On the contrary, if you did not think that some were better than others, there would be nothing for you to tolerate.

3. People may be reluctant to judge because they do not want to express contempt for the society being criticized. But this is again misguided. To condemn a particular practice is not to say that the culture is on the whole contemptible or that it is generally inferior to other culture. It could have many admirable features.

What can be Learned from Cultural Relativism:

Let us identify both what is right and what is wrong in Cultural Relativism:

Although we have already mentioned some mistakes of Cultural Relativism which are as follow:

1. Rest on Logically Invalid Argument.

2. It has consequences that make it implausible on its face.

3. The extent of moral disagreement is far less than it seems.

Nevertheless it is still very appealing idea, otherwise why it has been so influential.

There are two lessons we should learn from the theory:

1. It warns us of the danger to presume that all our preferences are based on some Absolute Rational Standard. They are not. Many of our practices are only peculiar to our society. Funerary practices

2. Do keep an open mind. We can come to understand that our feelings are not necessarily perceptions of truth----they may be nothing more than the result of Cultural Conditionings.

Cultural Relativism is an attractive theory because it is based on a genuine insight that many of the practices and attitudes we think so *natural* are really only 'Cultural Products.'

Keeping this insight firmly in view is important if we want to avoid arrogance and have open mind. We can accept these points without going to accept the whole theory.

[Note: For further study see Rachels, James. *"The Elements of Moral Philosophy"* McGraw Hill. p. 31-36]

Lesson: 8**Ethical Subjectivism:**

Before we examine the theory of ethical subjectivism the following point are very important to keep in mind:

- It is a theory about the Nature of Moral Judgment.
- It is a more Radical form of Relativism that is moral values are relative to individual.
- It has its roots in the thought of Protagoras, (the Sophist 480 BC) who said “Man is the measure of all things.”
- It identifies moral truth with subjective sensation and impression.
- David Hume (18th century Scottish philosopher) is regarded as the most influential advocate of Ethical Subjectivism. His ‘*A Treatise on Human Nature*’ presents a theory about the Nature of Morality.
- It asserts that moral judgments are expression of one’s feeling.
- It signifies the role of reason and sentiment in Ethics [Facts vs. Value judgment]
- Morality is determined by sentiment. It defines Virtue to be ‘Whatever mental action or quality gives to a spectator the pleasing sentiment of approbation, the vice contrary.

The Basic Idea of ethical Subjectivism:

It is commonly held that “Morality is in the Eye of the Beholder.” Same is case with ethical subjectivism. Ethical Subjectivism is an idea that our moral opinions are based on our feelings and nothing more. There is no such thing as objective Right/Wrong

If so, then according to Ethical Subjectivism, we are immediately faced with a problem that what about the extermination of millions of innocent people by Hitler? Is not a fact that he did evil? However when we say that this action was evil, we are not stating a fact about those actions; rather, we are saying we have negative feelings towards him.

Ethical Subjectivism is not a theory about what things are good and what things are bad.

It does not tell us how we should live? [No Norms; No Ought-ness.]

It is a theory about the Nature of Moral Judgments. Ethical Subjectivism says that no matter what moral judgments we make, we are only expressing our personal feelings and nothing more.

The Evolution of the Theory: (How theories develop)

Often the development of a philosophical idea will proceed through several stages. At first the idea will be put forward in a crude form, and many people find it attractive for one reason or another. Criticisms are made or objections are seen to arise. Theory may be abandoned (if impressed by objection) or may be continued (if have confidence in the basic ideas). Sometimes however the theory gets modification to try to meet these difficulties and will be presented in the formulation of ‘improved’ version.

The First Stage: Simple Subjectivism:

When a person says that something is morally good or bad, this means that h/she approves that thing, or disapproves that thing, and do nothing more.

- “X is good [or right]” mean “I (the speaker) approve of X
- “X is bad [or wrong]” mean “I (the speaker) disapprove of X

In Ernest Hemingway’s words in “*Death in the Afternoon*”, “Moral is what you feel good after and immoral what you feel bad after.”

Objection:

This form of ethical subjectivism has the sorry consequence that it makes morality a useless concept, for, on its premises, little or no interpersonal criticism or judgment is logically possible. For example Bull-fighting for Hemingway is good and for Schweitzer and Mother Teresa it is bad.

Here are two most prominent objections raised against this view:

First Objection: *a reduction ad absurdum.*

If Simple Subjectivism were correct none of us could be wrong in our moral judgments:

We are sometimes wrong in our evaluation, and when we discover that we are mistaken, we may want to change our judgments. But if Simple Subjectivism were correct, this would be impossible, because Simple Subjectivism implies that each of us is infallible (incapable of making mistake).

We may put this in the form of argument:

- (1) If Simple Subjectivism is correct, then each of us is infallible in our moral judgments, at least so long as we are speaking sincerely.
- (2) However, we are not infallible. We may be mistaken, even we are speaking sincerely.
- (3) Therefore, Simple Subjectivism cannot be correct.

Second Objection:

If Simple Subjectivism is true then there could be no Moral Disagreement.

There is no disagreement between opposing parties---each should acknowledge the truth of what the other is saying.

We may put this in the form of argument:

- (1) When one person says "X is morally acceptable" and someone else says "X is morally unacceptable", "they are disagreeing".
- (2) However, if Simple Subjectivism were correct, there would be no disagreement between them.
- (3) Therefore, Simple Subjectivism cannot be correct.

Concluding Remarks:

As it has already been said that this form of Ethical Subjectivism has sorry consequences that it makes morality a useless concept, for, on its premises, little or no interpersonal criticism or judgment is logically possible so it a flawed theory.

According to this theory the notions of moral Right/Wrong cease to have interpersonal evaluative meaning. Morality reduces to Aesthetic Tastes.

There seems to be a contradiction between Subjectivism and the very concept of Morality. Because the essential aim of morality is the amelioration of human predicament which becomes quite impossible to fulfill while following this theory.

Moreover, Simple Subjectivism does not rest on Social Agreement of principle or Objectively Independent Set of Norms that bind people for Common Good.

John Donn rightly said that "No man is an island, entire of itself; every man is a piece of the Continent".

[Note: For further study see Rachels, James. *“The Elements of Moral Philosophy”* McGraw Hill. p. 37-41]

[Note: For further study see Pojman Louis P. *“Ethics: Discovering Right and Wrong”* Wadsworth. p. 29-30]

Lesson: 9

The First Stage: Emotivism: (the most Influential theories of the 20th century)

What does it mean to say, “X is good.” This is a question that belongs to the realm of meta-ethics. So let us examine what is meta-ethics and its different theories.

Meta-ethics:

Meta ethics is the study of the concepts of ethics. It includes the analysis of ethical language and analysis of the rational foundations for ethical systems.

Here are different Meta-ethical theories:

- **Naturalism:** It holds that good is a natural property.
- Ethical Statements are meaningful; they are also deducible, definable, and reducible into natural statements/properties.
- (For example: Hedonism, good=pleasure, bad=pain) *Bentham*.
- **Non-naturalism:** It holds that good is a simple, indefinable, non-natural property.
- Ethical Statements are meaningful; they are not deducible, or irreducible into natural statements/properties.
- (For example: Intuitionism; moral truth are discovered by intuition; they are self-evident upon reflection) *Moore*.
- **Non-cognitivism:** Ethical Statements are meaningless, neither true nor false, good not a property at all, irreducible, indefinable,
- (For example: Emotivism; Moral Judgments are only expression of feelings) *Ayer. Stevenson*.

Four Theses about the Status of Moral Values:

The following theses may be helpful for the understanding of present discussion:

1. **The Humean Thesis:** *Ought* statements cannot be derived from *is* statements.
2. **The Platonic Thesis:** Basic value terms, including moral statement, refer to non-natural properties.
3. **The Cognitive Thesis:** Moral statements are either true or false; that is they are objective, putative claims about reality, which can be known.
4. **The Intuition Thesis:** Moral truths are discovered by intuition; they are self-evident upon reflection.

It important to mention here that the first (Humean Thesis) is acceptable for emotivists.

A. J. Ayer [1910-1979], a British philosopher, is an example of purist ethical emotivist. His version of emotive ethical theory is known as ‘Boo-Hurrah theory.’

- ‘Murder is morally wrong’ (Murder –Boo!)
- ‘Helping people is morally good’ (Helping people--- Hurrah)

His famous writing, “*Language, Logic and Truth*” provides the basic idea of his notion of morality.

His Verifiability Principle, [‘The meaning of a sentence lies in its method of verification’] makes a distinction between meaningful and meaningless discourse. He asserts that there are only two types of meaningful sentences: Tautologies and empirically verifiable one. Value statements are neither tautologies nor empirically verifiable statements; hence meaningless.

The following argument explains Ayer’s position on ethical statements:

- 1. A sentence is cognitively meaningful if and only if it can be verified.

- 2. Moral sentences cannot be verified.
- 3. Therefore moral sentences are not meaningful.

Thus for Ayer, ethical statements are only utterances feelings and devoid of any cognitive significance.

However, Stevenson's Version of Emotivism is more sophisticated that he presented in his work '*Ethics and Language*.' He makes distinction between two purposes.

Following are the two purposes of the use of language:

1. Descriptive: (Informative)
2. Dynamic: (Influential)

Relating to these two purposes of language there are type two types of meaning:

1. Descriptive
2. Emotive

To point out the difference between Ayer and Stevenson we must look into the two forms of the function of ethical statement:

1. "Good" = df expressive of positive emotion (Ayer's version)
2. "X is good" = df I approve of X; do so as well (Stevenson's version)

Ayer restricts meaning to descriptive use of language only and there is no place for emotive meaning in his system.

Stevenson, however, is flexible to include emotive meaning. His emotivism begins with the observation that language is used in a variety of ways. For example:

- **1. Stating Facts:** (True or False, Informative)
 - a) Abraham Lincoln was the president of America.
 - b) I have an appointment at four o' clock.
 - c) The temperature is 40 C'.
 - d) Shakespeare is the author of Hamlet.
- **2. To Command:** (Neither True nor False, To get you to do something)
 - a) "Close the door"
- **3. To Express Attitude:** (Neither True nor False)
 - a) Hurrah for Abraham Lincoln!
 - b) Alas!
 - c) Damn Hamlet!

There is a difference between reporting an attitude and expressing an attitude:

When someone says, 'I like Abraham Lincoln', he is reporting an attitude that may be true false.

When someone utters, 'Hurrah for Lincoln', he is expressing an attitude, that is neither true nor false.

For Stevenson Moral language is not a Fact-stating language.

It is significant to mention here that moral language can be used two ways:

- **1.** As a means to influence people's behavior.
 - Example: "You ought not to do that." means "To stop you from doing that."
- **2.** As a means to express [not to report] one's attitude.
 - Example. "Lincoln was a good man" means "Hurrah for Lincoln."

The difference between Simple Subjectivism and Emotivism:

Simple Subjectivism interprets ethical sentence as statement of facts, [reports of the speaker's attitude]. For example:

- “Infanticide is immoral” means the same “ I disapprove infanticide”

Emotivism interprets its utterance as:

- “Yecch infanticide.”, “Do not engage in infanticide.”, “ Would there be no infanticide.”

The objections that are embarrassing to Simple Subjectivism do not harm Emotivism.

In Simple Subjectivism people are infallible (unable to make mistake) so long as the speaker is speaking sincerely.

In Simple Subjectivism moral judgments are true that is moral judgments are meaningful.

In Emotivism moral judgments are neither true nor false that is commands or attitudes are neither true nor false. Thus people cannot be infallible.

In Simple Subjectivism there is no moral disagreement because each one is making a statement about his own attitude.

In Emotivism people may disagree in two ways:

- 1. Disagreement about Attitude: (Simple Subjectivism; factual disagreement , Example: JFK murder, Lee Harvey alone or conspiracy)
- 2. Disagreement in Attitude: (Emotivism; disagreement in desires, Example: Gun control legislation)

Moral disagreements are disagreement in attitude. (Stevenson)

[Note: For further study see Rachels, James. “*The Elements of Moral Philosophy*” McGraw Hill. p. 41-45]

[Note: For further study see Pojman Louis P. “*Ethics: Discovering Right and Wrong*” Wadsworth. p.194-199]

Lesson: 10**Emotivism, Reason and Moral Facts**

Question: 'X is morally wrong?' WHY!

It is required that a Moral judgment or any kind of Value judgment must be supported by good reason. If someone tells you that a certain action would be wrong, you may ask why it would be wrong, and if there is no satisfactory answer, you may reject that advice as unfounded.

There is always a difference between Moral judgment and mere expression of Personal Preference. For example in saying that "I like coffee", one needs not to have reason. (it's a matter of Personal Taste and nothing else)

But Morality is not like that. Moral judgment requires backing of reason, and in the absence of such reasons, they are merely arbitrary.

For Emotivists, on the other hand, a Moral judgment is like a command---- it is primarily a verbal means of trying to influence people's attitude and conduct.

In this case naturally reasons are any consideration that will have the desired affects that will influence attitude and conduct.

Example: Try to convince someone that Smith is bad man, being Communist and the person is a Liberal.

It means for emotivists the fact that Smith is a Communist is in some context a reason in support of the judgment that he is bad.

Stevenson takes exactly this view. For him "Any statement about *any* fact which *any* speaker considers likely to alter the attitude may be adduced as a reason for or against an ethical judgment."

But something is wrong here because:

- Not just any fact can count as a reason in support of just any judgment-----fact must be relevant to the judgment.
- Being Communist is irrelevant to viciousness/being bad.

Two Lessons from the above Discussion:

- 1. Small Lesson: Emotivism is Flawed/Imperfect
- 2. Larger Lesson: Importance of Reason in Ethics.

James Rachel's Proposal:

There are moral facts; but it's a false Dichotomy to think:

- 1. Either there are Moral Facts in the same way that there are facts about Stars and Planets.
- 2. Or else, "Values" are nothing more than the expression of Subjective Feelings.

This Dichotomy is a mistake; people have not only feelings but reason, and that makes a big difference.

The Third Possibility:

Moral truths are truths of reason, that is, moral judgment is true if backed by better reasons than the alternatives. This is a Kantian desire of trusting reason as an arbiter of moral truth.

Thus, if we want to understand the nature of ethics we must focus on reasons. A truth of ethics is conclusion backed by reasons. The 'correct' answer to a moral question is the answer that has a weight of reason on its side; such truths are objective in the sense that they are true independently of what we might think or want. We cannot make something good or bad just by wishing it to be so. Reason says what is says, regardless of our opinion or desires.

Are There Proofs in Ethics?

Question: If Ethical Subjectivism is not true, why so many people are attracted to it?

Answer/Reason: People do compare the objectivity of science with the objectivity of ethics. Ethics seems to lack the features that make science so compelling.

Problems for Ethics: “No-Proof Argument”

- 1. If there were any such thing as objective in ethics, we should be able to prove that some moral opinions are true and others are false.
- 2. But in fact we cannot prove which opinions are true and which are false.
- 3. Therefore, there are no such things as objective truth in ethics.

This claim seems to be sound; but in close inspection it has doubt.

Example: “Smith is a bad man.” Smith is habitual liar; he manipulates people; he cheats when he thinks he can get away with it; is cruel to other people and so on.

The process of giving reason might even be taken a step further:

Why lying is bad:

First, because it harms people, in relying on false information things may go wrong.

Second it is violation of trust.

Finally, the rule requiring truthfulness is necessary for society to exist---communication without it would be impossible----- consequently the society would be impossible.

So we can support our judgments with good reasons, and we can provide explanations of why those reasons matter.

But still!

The impression that moral judgments are “unprovable” is remarkably persistent. What accounts for this persistence? Why the No-Proof Argument is so persuasive?

The following three considerations are very important in this regard:

1. What type of Proof in Ethics is demanded?

When proof is demanded people may have an inappropriate standard in mind---A standard of observation and experiments in science for ethics---that might conclude, there is no proof in ethics.

However one must keep in mind that ethical reasoning differs from reasoning in science does not make it deficient.

2. Most Difficult issues under discussion:

When we think of “proving ethical opinions to be correct,” we tend to think automatically of the most difficult issue. (Example: question of abortion)

However we must not be worried----- same can happen in science. There are complicated matters that Physicists cannot agree. (All reasonable people do agree about simpler matters be it in ethics or science.)

3. It is easy to conflate (combine in one) two matters that are really different:

- i) Proving an opinion to be correct.
- ii) Persuading someone to accept your proof.

It is a common, if frustrating, experience to have an impeccable (of highest standard) argument that someone refuses to accept. Here, nothing is wrong with argument---but with the refuter, who is being unreasonable.

In ethics we should often expect people not to listen to reason: After all, ethics requires us to do things we don't want to do, so it is only to be expected that sometimes we will try to avoid hearing its demands.

Conclusion:

In considering any particular judgment right or wrong, we must ask why that judgment should, or should not, be accepted. We might have strong feelings, of course, and we might choose to ignore reason and go with our feelings, but in doing so, we would be opting out of moral thinking.

Moral thinking and moral conduct are a matter of weigh reasons and being guided by them.

That is why, in focusing on attitude and feelings, Ethical Subjectivism seems to be going in the wrong direction.

[Note: For further study see Rachels, James. *“The Elements of Moral Philosophy”* McGraw Hill. p. 47-50]

Lesson: 11**The Presumed Connection between Morality and Religion:**

Most hospitals in the developed countries [especially in United States] have ‘Ethics Committees’ and these committees include three types of members:

- **1. Health Care Professional**---To Advise about Technical Matters.
- **2. Lawyers**---To Handle Legal Issues.
- **3. Religious Representatives**---To address the Moral Issues.

One may ask the question: Why Clergymen/Religious people are included in the Committee?

The answer is that because they are assumed to be Wise Counselors, who can be relied upon upholding ‘Values’ and give sound moral advice when needed.

It’s Ok; but there is another question: Why Clergymen are regarded Wise to give advise?

And here the answer is: Historically, there is popular thinking that Religion and Morality are inseparable. Morality can only be understood in the Context of Religion.

Thus, because Clergymen are Spokesmen for Religion that is why they must know Morality, Values.

Another way to see the connection between Religion and Morality is to View the Universe from Non-Religious (Pure Scientific or Secular) and Religious Perspectives:

From the Non-Religious Perspective the Universe seems to be a Cold, Meaningless place devoid of Value and Purpose.

For example Bertrand Russell’s “A Free Man’s Worship”, expressed the scientific view of the world. “Man is the product of causes which had no prevision of the end they were achieving.....man’s achievement must inevitably be buried beneath the debris of a universe in ruin.”

But Religious Perspective looks thing differently. Judaism and Christianity teach that World was created by a Loving God, to provide a home for us. Men were created in his image; with the intention that we would be his children. World is not devoid of Meaning and Purpose.

So what wrong to think that Morality is a part of the Religious view of the World, whereas the Atheist’s view of the World has no place for Value?

The Divine Command Theory: (DCT)

In religious tradition God is conceived as Law-giver, who has created us for a purpose. His message is revealed to through prophets and Holy Scriptures to guide us in the Righteous Living, God has promulgated rules that that we are to obey. He does not compel us to obey them; we are free to choose as free agents. But if we are to live as we should live, we must follow God’s Laws. This is the Essence of Morality; it has been elaborated by Divine Command Theory.

Simple Thesis of DCT: Morally Right means ‘Commanded by’ God, Morally Wrong means ‘Forbidden’ by God.

Advantages of DCT:

Following are the pleasing features of DCT:

1. It provides an Objective Metaphysical Foundation for Morality.

If the origin of the universe is non-moral, then it is unclear how moral properties can come into existence via non-moral origins.

So, it immediately solves the old problem about the Objectivity of Ethics.

According to this theory Ethics is not merely a matter of Personal Feelings, (Subjective) or Social Customs, (Cultural Relativism).

2. It also provides a good answer to the perennial question of why anyone should bother with morality; 'Why be moral?', 'Why not just look out for one's own interest?'

Problems of DCT:

There are, however, serious problems for theory.

It will not be acceptable for the Atheists. However we may say thatNo problem, they don't believe in God.

The main problem related to this theory was noted by Plato; in his dialogue '*Euthyphro*'.

In this dialogue the discussion is concerned:

Whether "right" can be defined as "that which the gods command."

Socrates [as representative of Plato] asks two different questions:

- 1. Is conduct Right because gods command it? Or
- 2. Do the gods command it because it is Right?

It is one of the most famous questions in the history of philosophy. The British philosopher Antony Flew suggests that "one good test of a person's aptitude for philosophy is to discover whether he can grasp its force and point."

If we accept DCT, we are caught in dilemma:

First: We might mean "Conduct is Right because God Command it."

It means apart from God's command Truthfulness is neither good nor bad.

It represents God's command as arbitrary. (If God could have commanded us to be liars.....then what? Remember that Honesty was not Right before God commanded it)

It is important to religious believer that God is not only Omnipotent and Omniscience but He is also good. If we accept the idea that good and bad are defined by reference to God's will, this notion is also deprived of any meaning, it becomes nonsense.

What could it mean to say that God's commands are good?

If "X is good" means "X is commanded by God" then "God's commands are good" would mean only "God's commands are commanded by God," and it is simply an Empty Truism.

Second: Socrates suggests that the troublesome consequences of the First can be avoided if we say "God commands Right Conduct because it is Right."

Being infinitely Wise, God realizes that truthfulness is far better than deceitfulness, so he commands us to be truthful.

Though in this option God's commands turn out to be not at all arbitrary, but we face different problems:

Problems:

- Admitting that there are some standard of Right/Wrong independent of God's will.
- God *sees* or *recognizes* that truthfulness is right he is not *making* it right.

Summary in Argument:

(1) Suppose God commands us to do what is right. Then either:

- (a) the right actions are right because He commands them or
- (b) He commands them because they are right.

(2) If we take option (a), then God's commands are, from a moral point of view, arbitrary; moreover, the doctrine of goodness of God is rendered meaningless.

- (3) If we take option (b), then we have admitted that there is standard of right and wrong that is independent of God's will.
- (4) Therefore, we must either regard God's command as arbitrary, and give up the doctrine of the goodness of God, or admit that there is a standard of right or wrong that is independent of his will, and give up the theological definitions of right or wrong.
- (5) From a religious point of view, it is undesirable to regard God's commands as arbitrary or to give up the doctrine of goodness of God.
- (6) Therefore, even from a religious point of view, a standard of right or wrong that is independent of God's will must be accepted.

Conclusion:

Many religious people believe that they must accept theological concept of Right/Wrong as in DCT that is God as *Maker* of Right/Wrong, because it would be impious not to do so. They feel, somehow, that if they believe in God, they should think that right and wrong are to be defined ultimately in terms of his will.

But this argument suggests otherwise: It suggest that, on the contrary, the DCT of Right/Wrong itself leads to impious results, so that a pious person should not accept it.

St. Thomas Aquinas rejected this theory for just this reason.

[Note: For further study see Rachels, James. "*The Elements of Moral Philosophy*" McGraw Hill. p. 53-59]

Lesson: 12**The Natural Law Theory: (NLT)**

Recapping DCT: After critical analysis of DCT, we come to the conclusion that Right/Wrong cannot be defined in terms of God's will.

This may seem to be an antireligious conclusion, however great theologians of Church like St Thomas Aquinas agrees with it.

In the history of Christian thought, popular view is not DCT rather Theory of Natural Law. The idea of Natural Law first appears among Stoics (1 B.C.)

Stoics believed that human beings have in them a Divine Spark (*Logos Spermatikos*---‘the rational seed or sperm’). It enables them to discover the essential eternal laws, necessary for Individual Happiness and Social Harmony. The whole universe is governed by laws that exhibit rationality. Stoics as Cosmopolitans (people of cosmos), impose a universal standard of righteousness on all societies evaluating various positive laws by this high bar of reason.

First Part of NLT: World View.

According the NLT the world is a rational order with values and purposes built into its nature. The central feature of this conception is that everything in nature has a purpose.

Aristotle incorporated this idea into his system of thought when he said that, in order to understand anything, four questions must be asked:

1. What is it?
2. What is it made of?
3. How did it come into being?
4. And what is it for?

[The answers might be, this is a knife, it is made of metal, it was made by a craftsman, and it is used for cutting]

Similarly natural objects have purposes too, although not man made.

Example: Human body parts that have specific purposes.

The essence or proper function of humanity is to live the life of reason. The function of humanity is to exhibit rationality in all its forms that is in contemplation, deliberation, and action.

Christian thinkers like St. Thomas Aquinas combined Cosmic Natural Law of Stoics (Divine Spark) with the Aristotle's view. (Aristotle had denied that God was the necessary part of the picture)

Values and purposes were conceived to be a fundamental part of the nature of things, because the world was believed to have been created according to a Divine Plan.

[*That is what the Creator intended. That is what God made them for.*]

Second: What Ought to Be.

The laws of nature not only describe how things *are*, they specify how things *ought to be* as well. Things are as they ought to be when they are serving their natural purposes. When they do not serve, they have gone wrong.

Example: Eyes that cannot see are defective. [Explained by natural law]

Implication on Human action: Moral rules are derived from the law of nature.

Some ways of behaving are said to be “natural” and some are “unnatural”; and “unnatural” are said to be morally wrong.

Example: Duty of Beneficence: We are morally required to be concerned for our neighbor's welfare as well as for our own. According NLT, beneficence is natural for us, considering the kind of nature we are. We are by our nature social creatures who want and need company of other people, and it is a part of natural makeup that we care about others; we are not 'Sociopath'. (A defective personality like a defective eye)

Two Objections:

NLT has been criticized and rejected on the following two reasons:

1. It seems to involve a confusion of "is" and "ought." David Hume pointed out that *what is the case* and *what is out to be the case* are logically different notions, and no conclusion about one follows from the other.
2. The concept of nature of NLT is obsolete, because the view of the world on which it rests is out of keeping with modern science.

Third: Moral Knowledge

Here the question is: How are we to go about determining what is Right/Wrong?

DCT says that we must consult God's commandments. But NLT gives a very different answer. According to this theory, moral judgments are "dictates of reason." The "natural laws" that specify what we should do are laws of reason, which we are able to grasp because God, the author of natural order, has made us rational beings with the power to understand that order. Therefore, the NLT endorses the familiar idea that the right thing to do is whatever course of conduct has the best reasons on its side.

St. Thomas Aquinas: [the most influential natural-law theorists] says

Moral life is the life lived 'according to reason.

To disparage the dictate of reason is equivalent to condemning the command of God.

Conscience is the dictate of reason...he who acts against his conscience always commit sin.

Key Ideas of Natural Law Tradition:

The following points elaborate the development of the key ideas of NLT:

- Human beings have an essential rational nature established by God, who designed us to live and flourish in prescribed ways.
(From Aristotle and Stoics)
- Even without knowledge of God, reason, as the essence of our nature, can discover the laws that are necessary for human flourishing.
(From Aristotle and developed by Aquinas)
- The natural laws are universal and unchangeable, and they should be used to judge the individual societies and their positive laws. Positive (or actual) laws of societies that are not in line with the natural law are not truly laws but counterfeits.
(From Stoics)
- Moral laws have objective validity.
- Aquinas' position and the natural law tradition in general is Absolutist.
- Humanity has an essential rational nature; reason can discover the right action in every situation.
- This leaves morality independent of religion.

- No difference between believer and nonbeliever as long as they follow the voice of their Conscience that is the dictate of Reason.

[Note: For further study see Rachels, James. *"The Elements of Moral Philosophy"* McGraw Hill. p. 59-64]

[Note: For further study see Pojman Louis P. *"Ethics: Discovering Right and Wrong"* Wadsworth. p. 42-47]

Lesson: 13

The Utilitarian Approach: a Revolution in Ethics:

Philosophers like to think that their ideas can change the society. But, often it is a vain hope. Philosopher's work is read by few, like-minded thinkers, the rest of the world goes unaffected.

For Example: The work of Russell and Whitehead, "*Principia Mathematica*" is considered a classic in the philosophy of Mathematics and no publisher was ready to publish it.

Karl Marx, the founder of Communism thought that the aim of philosophy is not to interpret the world, rather to change it.

On occasion, however, a philosophical theory can alter the way people think. Here is a good example:

Utilitarianism, a theory proposed by Scottish philosopher Hutcheson (1694-1746), David Hume (1711-1776) and Adam Smith (1723-1790) but given definite formation by English social reformer Bentham (1748-1832) and J.S. Mill (1806-1873).

The late 18th and 19th century witnessed an astonishing series of upheavals/sudden changes:

- Emergence of Modern nation state after French Revolution and the wreckage of Napoleonic Empire.
- Emergence of new ideas like: Liberty, Equality, Fraternity.
- Industrial Revolution: brought about a total Restructuring of Society.

Amidst all this change, people begin to think differently about Ethics. The old values ---the old ways of thinking----were very much in the air, open to challenge. Change is meant for all walks of life.

Against this background, Bentham's argument for a new conception of morality had a powerful influence.

Bentham says: "Morality is not a matter of pleasing God, nor is a matter of faithfulness to abstract rules. Morality is nothing more than the attempt to bring about as much happiness as possible in this world."

Thus the purpose of morality is being diverted from Transcendental World to this Mundane World.

According to Bentham there is one ultimate moral principle: "The Principle of Utility." Whenever we have a choice between the alternative actions or social policies, we must choose the one that has best overall consequences for every one concerned.

However, Bentham's disciple J. S. Mill's advocacy of Utilitarianism is more elegant and persuasive than his master.

Mill says: "We envision a certain state of affairs that we would like to see come about---states of affairs in which all people are as happy as they can be."

In deciding what to do, we should, therefore ask what course of conduct would promote the greatest happiness for all those who will be affected.

One may ask here the question that: 'Every one opposes suffering and promotes happiness.' How it [Utilitarianism] becomes a Revolutionary/ Radical Idea?

The answer is: To understand radicalness of the Principle of Utility, we have to appreciate what it *leaves out* of its picture of morality.

Accepting Utilitarianism means:

- Gone is all reference to God or to Abstract Moral Rules "written in heavens."
- Morality is no longer to be understood as faithfulness to some divinely given code.
- Morality is not 'Given' to man rather Morality is 'Created' by man.

That, in its time, was a revolutionary idea.

The utilitarians were social reformers as well as philosophers. They intended their doctrine to make a difference, not only in thought but in practice.

What is Utilitarianism:

Story of a millionaire, as lies dying, he requests you for a final favor:

Will: Asking you to hand over \$ 2 billion for his favorite baseball team New York Yankees.

Coming back to New York you see a newspaper advertisement placed by your favorite charity, World Hunger Relief Organization (WHRO) demanding the same to save thousands of people.

Question: What should you do with the money?

What is the right thing to do in this kind of situation?

Here are certain traditional Moral Principles that can help us to decide what to do:

- ‘Let your conscience be your guide.’
- ‘Do what is most loving.’ (St. Augustine)
- Golden Rule: ‘Do unto others as you would have them do unto you.’

These may be workable in ordinary moral situation but are limited in when there are legitimate conflicts of interests.

Decision Making in Morality:

Two major types of ethical systems:

1. *Deontological* [from the Greek *deon*, meaning “duty,” and *logos*, meaning “logic”], in which the locus of value is the act or kind of act.
2. *Teleological* [from Greek *teleos*, meaning having reached one’s end”], in which the locus of value is the outcome or consequences of the act.

If you decide to give money to Yankees (Keeping Promise) you are deontologist.

If you give money to WHRO (saving lives) you are teleologist.

Utilitarianism is a Universal teleological System. It calls for maximization of goodness in society, that is, the greatest goodness for the greatest number.

Two features of Utilitarianism:

1. The Consequentialist Principle: (teleological aspect) the rightness or wrongness of an action is determined by the goodness or badness of the results that flow from it. It is the end, not means, that count, ‘End justifies means.’
2. The Utility Principle: (hedonistic aspect) the only thing that is good in itself is some specific type of state (e.g., pleasure, happiness, welfare). ‘Pleasure the sole good and Pain as the only evil.’

According to Bentham an act is right if it either brings about more pleasure than pain or prevents pain, and an act is wrong if it either brings about more pain than pleasure or prevents pleasure from occurring. He invented *Hedonic Calculus* to measure pleasure and pain. The quantitative score for any pleasure or pain experience is obtained by summing the following seven aspects of pleasurable and painful experience:

1. Intensity
2. Duration
3. Certainty
4. Nearness
5. Fruitfulness
6. Purity

7. Extent

According to Bentham's approach we can apply this on our example for making decision to give money to Yankees or to WHRO. If we find that giving money to famine victims will cause more *hedons* (units of happiness) we would have an obligation to give the money to WHRO.

Merits of Bentham's Utilitarianism:

There is something appealing about Bentham's utilitarianism:

- 1 It is a Simple Principle to apply: "*Maximize Pleasure and Minimize Suffering.*"
- 2 It is Commonsensical: Morality really is about ameliorating suffering and promoting benevolence.
- 3 It is Scientific: Simply make Quantitative Measurements and apply the principle impartially, giving no special treatment to ourselves or to any else because of race, gender or religion.

Objections:

However Bentham's philosophy may be too simplistic in one way and too complicated in another:

It is too simplistic in that there are other values than pleasure.

It is too complicated in its artificial Hedonic Calculus because it has too many variables.

Bentham's version of utilitarian was, in his own day, referred to as the 'pig philosophy', since a pig enjoying his life would constitute a higher moral state than a slightly dissatisfied Socrates.

[Note: For further study see Rachels, James. "*The Elements of Moral Philosophy*" McGraw Hill. p. 96-98]

[Note: For further study see Pojman Louis P. "*Ethics: Discovering Right and Wrong*" Wadsworth. p. 105-112]

Lesson: 14**Mill's Utilitarianism: a modified version:**

Recapping objections on Bentham's Utilitarianism:

It is a Simple Principle to apply: "*Maximize Pleasure and Minimize Suffering.*" or *The sole good is Pleasure.*

But it is too simplistic, because there are other values than pleasure that matter in our life:

Material and Physical value: Health, Comfort, Physical Security.

Economic Value: Economic Security, Productiveness.

Moral: Honesty, Fairness, Kindness.

Social: Generosity, Politeness, Graciousness

Political: Freedom, Justice.

Aesthetic: Beauty, Symmetry, Grace.

Religious: Piety, Obedience, Faith.

Intellectual: Intelligence, Clarity, Knowledge.

It is too complicated; in its artificial *Hedonic Calculus*, that is encumbered with too many variables and has problems in assigning scores to the variables.

For example:

- What score do we give a cool drink on a hot day or a warm shower on a cool day?
- How do we compare a 5-year-old's delight over a new toy with a 50-year-old's delight with a new friend?

Because of such considerations, Bentham's version of utilitarianism was, even in his own day, referred to as the "Pig-philosophy," since a pig enjoying his life would constitute a higher moral state than a slightly dissatisfied Socrates.

Mill's Utilitarianism:

To meet objections against Bentham's version of utilitarianism, Mill distinguishes Happiness from mere Sensual Pleasure. His version of utilitarianism is called *Eudemonistic* (eudemonia, meaning Happiness.)

He defines happiness in terms of certain types of higher-order pleasure or satisfaction, such as, Intellectual, Aesthetic, and Social enjoyments as well as minimal suffering.

It means that there are two types of pleasures:

1. The Lower or Elementary: (Eating, Drinking, Sexuality, Resting, and Sensuous titillations)

2. The Higher: (Intellectuality, Creativity, Spirituality)

Though the lower pleasures are more intensely gratifying, they also lead to pain when overindulged in.

The spiritual pleasures, however, tend to be more protracted, continuous, and gradual.

"It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied." (Mill)

Humans are the kind of creatures who require more to be truly happy. They want the lower pleasures, but they also want deep friendship, intellectual ability, and culture, ability to create and appreciate art, knowledge, and wisdom.

The question is: How do we know that it really is better to have these higher pleasures?

The answer is simple: An appeal to experience. Those who have had experience of pleasures of both kinds almost all give a decided preference to the higher type.

Mill is an Empiricist—one who believed that all knowledge and justified beliefs was based on experience—he had no recourse but to rely on the composite consensus of human history.

Example: An expert can make distinction between lower and higher type of poetry and music.

But one may object: What does it mean to speak of better pleasure?

Is Mill assuming some non-hedonic notion of intrinsic value to make this distinction---that is , the knowledge, intelligence, freedom, friendship, love, health, etc. are good things in their own right?

The answer is that Mill is actually suggesting that intellectual activity, autonomous choice and non-hedonic qualities supplement the notion of pleasure.

Two Types of Utilitarianism:

1. Act-utilitarianism:

An action is right if and only if it results in as much good as any available alternative.

The act- utilitarian, like Bentham says that, when faced with a choice, we must first consider the likely consequences of potential actions and, from that, choose to do what we believe will generate the most pleasure.

Criticism on Act-utilitarianism:

Richard Brandt, American moral philosopher and a rule-utilitarian raised criticism on Act-utilitarianism:

“It implies that if your father is ill and has no prospect of good in his life, and maintaining him is a drain on the energy and enjoyment of others, then, if you can end his life without provoking any public scandal or setting bad example, it is your positive duty to take matters into your hands and bring his life to a close.”

2. Rule-utilitarianism:

An act is right if and only if it is required by a rule that is itself a member of a set of rules whose acceptance would lead to greater utility for society than any available alternative.

The rule- utilitarian, on the other hand, begins by looking at potential rules of action. To determine whether a rule should be followed, he looks at what would happen if it were constantly followed. If adherence to the rule produces more happiness than otherwise, it is a rule that morally must be followed at all times.

Criticism on Rule-utilitarianism:

Rule utilitarianism has been criticized for advocating general rules that, in some specific circumstances, it clearly decrease happiness if followed. “Never to kill another human being” may seem to be a good rule, but it could make self-defense against malevolent aggressors very difficult. Rule utilitarians add, however, that there are general exceptions to rules that allow the breaking of other rules if such rule-breaking increases happiness, one example being self-defense. Critics argue that this reduces rule utilitarianism to act utilitarianism and makes rules

meaningless. Rule utilitarians retort that rules in the legal system (i.e., laws) that regulate such situations are not meaningless. Self-defense is legally justified, while murder is not.

[Note: For further study see Pojman Louis P. *“Ethics: Discovering Right and Wrong”* Wadsworth. p. 112-116]

Lesson: 15**Implication of Utilitarianism:**

Utilitarians are social reformers as well as philosophers.

They intended their doctrine to make a difference, not only in thought but also in practice.

To illustrate this we will examine the implications of their philosophy for two different practical issues:

1. Euthanasia.
2. Treating Nonhuman Animals.

Euthanasia:

It is the painless killing of a patient suffering from incurable disease or an irreversible coma.

Example: Matthew Donnelly, a physicist, in a miserable physical condition, who requested his brother to kill him and he (Harold Donnelly) did it.

Question: Whether Harold action was immoral?

On the one hand, we may assume that Harold was motivated by a noble sentiment; he loved his brother and wanted only to relieve his misery by merci killing.

On the other hand, according to the dominant moral tradition in our society [the religious tradition], Harold's act was wrong.

The dominant religious tradition holds that human life is a gift from God, so that only He may decide when it will end. Religion prohibited all killing except capital punishment and killing in war. Other types of killing like suicide and euthanasia are absolutely forbidden by religion.

Theologians' formulated rule: *the intentional killing of innocent people is always wrong*.

Keeping in view this rule we are reluctant to excuse Harold, even though he may have acted from a noble cause.

However Utilitarianism takes a very different approach to this case; considering the choices available to Harold Donnelly, and asks the questions:

- What course of conduct would have best overall consequences?
- What action would produce the greatest balance of happiness over unhappiness for all concerned?

In this case Matthew is the person who would be most affected, he was so unhappy in this condition that he preferred death. Killing him would provide an escape for this misery.

Therefore, utilitarians have concluded that euthanasia may, in such case, be morally right.

The following argument by utilitarians, explains it further:

1. The morally right thing to do, on any occasion, is whatever would bring about the greatest balance of happiness over unhappiness.
2. On at least some occasions, the greatest balance of happiness over unhappiness may be brought about by merci killing.
3. Therefore, on at least some occasions, mercy killing may be morally right.

This kind of argument, however, has no foundation in religion.

The classical utilitarians, however, think that they are not advocating Atheistic or Antireligious philosophy.

Bentham suggests that religion would *endorse*, and not *condemn*, the utilitarian point of view if only its adherents would take seriously their view of God as Benevolent creator.

If someone were to say that God is kind but that he requires Matthew to suffer misery, this would be exactly what Bentham means by “calling Him benevolent in words, but not meaning that He is so in reality”.

But religious people disagree with Bentham, because euthanasia is illegal.

What would Utilitarianism say about it?

If, on the utilitarian view, euthanasia is moral, should it also be made legal?

This question is connected with the question: “what the purpose of the law ought to be?”

Here Bentham suggests the Principle of Utility as a guide for the legislatures.

The purpose of the law is the same as that of morals. It should promote the general welfare of all citizens.

Bentham thought it obvious that if the law is to serve this purpose, it should not restrict the freedom of citizens any more than necessary.

Mill gives this principle its most eloquent expression:

- “Over himself, over his own body and mind, the individual is sovereign”.

Thus for classical utilitarians, laws prohibiting euthanasia are not only contrary to the general welfare; they are also unjustifiable restrictions on people’s right to control their own lives.

When Harold killed his brother, he was assisting his brother in concluding his own life in a manner he had chosen. No harm was caused to any other member of society, and so it was none of their business.

Treating Nonhuman Animals:

Traditionally treating animals is no moral issue.

The Christian tradition says that man alone is made in God’s image and that natural order of things permits humans to use animals for any purpose they see fit.

Thomas Aquinas: By divine providence animals are intended for man’s use in the natural order. Hence it is not wrong for man to make use of them, either by killing them or in any other way whatever.

However he condemns being cruel with animals.

Thus people and animals are in entirely separate moral categories. Strictly speaking, animals have no moral standing of their own. We are free to treat them in any way that might seem to our advantage.

(However, people do have reservation about this type of attitude towards animals.)

We eat animals; we use them as experimental objects in the labs; we use their skin for clothing and their heads as wall ornaments; we make the objects of our amusement in the zoo; we kill them in sport just for fun of it.

Those who are uncomfortable with the theological “justification” for these practices, western philosophy has offered an abundance of secular ones:

For example:

- Animals are not *Rational*.
- They lack ability to *Speak*.
- Or that they simply are not *Human*.

All these reasons are given why their interests are outside the sphere of moral concern.

Utilitarian’s View:

For them, what matters is not whether an individual has a soul, is a rational, or any of the rest. All that matters is whether he is capable of experiencing happiness and unhappiness, pleasure and pain.

If an individual is capable of suffering, then we have a duty to take that into account when we are deciding what to do, even if the individual in question is nonhuman.

Bentham argues that whether the individual is human or nonhuman is just as irrelevant as whether he is black or white.

The basic question is not, can they *reason?*, nor can they *talk?*, but can *they suffer?*

Because both human and nonhuman can suffer, so we have same reasons for not mistreating both. If a human is tormented, why is it wrong? Because he suffers, similarly, if a nonhuman is tormented, he also suffers, and so it is equally wrong for the same reason.

For Bentham and Mill, this line of reasoning was conclusive. Humans and nonhumans are equally entitled to moral concern.

Thus we can conclude that what is most revolutionary in all this is simply the idea that the interest of nonhuman animals *count*.

We normally assume, as the dominant tradition of our society teaches, that human beings alone are worthy of moral consideration. Utilitarianism challenges that basic assumption and insists that the moral community must be expanded to include all creatures whose interests are affected by what we do. Human beings are in many ways special; and an adequate morality must acknowledge that. But it is also true that we are only one species among many inhabiting in this planet; and morality must acknowledge that as well.

[Note: For further study see Rachels, James. “*The Elements of Moral Philosophy*” McGraw Hill. p. 99-106]

Lesson: 16**Is Happiness the Only Thing That Matter?
Are Consequences All That Matters?****Summary of Classical Utilitarianism:**

- **First:** actions are to be judged right or wrong solely by virtue of their consequences. Nothing else matters. Right actions are, simply, those that have the best consequences.
- **Second:** in assessing consequences, the only thing that matters is the amount of happiness or unhappiness that is caused. Everything else is irrelevant. Thus right actions are those that produce the greatest balance of happiness over unhappiness.
- **Third:** in calculating the happiness or unhappiness that will be caused, no one's happiness is to be counted as more important than anyone else's. Each person's welfare is equally important.

Thus right actions are those that produce the greatest possible balance of happiness over unhappiness, with each person's happiness counted as equally important.

Although the appeal of this theory to philosophers, economists, sociologists has been enormous, but it has been challenged by a number of apparently devastating (shocking) arguments that are so persuasive that many have concluded the theory must be abandoned.

However, the remarkable thing is that so many have not abandoned, they only wanted some modification in the classical theory.

Is Happiness the Only Thing that Matters?

To explain this issue we must the difference between the following questions:

1. What things are good?
2. What actions are right?

Utilitarianism answers the second question by referring back to the first one. Right actions, it says, are the ones that produce most good. But what is good?

The Classical Utilitarianism reply is: one thing, and one thing only, namely happiness. [The sole good is pleasure/happiness.]

Mill says "The utilitarian doctrine is that happiness is desirable, and the only thing desirable as an end; all other things being desirable as means to that end."

The idea that happiness is the one ultimate good (and unhappiness the one ultimate evil) is known as Hedonism. It is a school of thought which argues that pleasure is the only intrinsic good.

Hedonism is a perennially popular theory that has its roots in ancient Greeks. (Cyrenaics, Epicureanism, 4 BC)

It has always been an attractive theory due to its simplicity, it expresses intuitively plausible notion of good and bad only on account of the way they make us *feel*.

However, a little reflection reveals serious flaws in the theory.

Examples 1: A young Pianist losing his hand in accident so that he can no longer play. Why is this a bad thing for him? Hedonism says it bad because it causes her unhappiness but his unhappiness is a rational response to a situation that is unfortunate, it's a tragedy that cannot be eliminated by getting him cheer up.

Examples 2: Thinking some one as friend, but he really ridicule you behind your back, but you know not, isn't it an unfortunate situation for you? Hedonism says no, because you are never caused unhappiness. Yet we do feel it bad in your being made a fool although you are not aware and so never suffer.

Both these examples make the same point: We value things like Artistic Creativity and Friendship, for their own sakes. It makes us happy to have them, but only because we already think them good. We do not think them good because they make us happy---that is how Hedonism "gets things the wrong way around."

Happiness is not something that is recognized as good and sought for its own sake, rather it is a response we have to attainment of things that we recognize *as* good, independently and in their own right like friendship etc.

Due to such reasons there are not many hedonists among contemporary thinkers.

The sympathetic to utilitarianism, however, sought to formulate their view without assuming hedonistic account of good and evil.

G. E. Moore (1873-1958) an English philosopher has tried to compile short list of things to be regarded as good in themselves. He suggests three obvious intrinsic good---pleasure, friendship and aesthetic enjoyment...and right actions are those that increase these.

Other utilitarians have bypassed the question of intrinsic goods and have concern with results of them only. Still others bypass the question in another way, holding only that we should act so as to maximize the satisfaction of people's *preferences*.

Are Consequences All that Matters?

Consequences matter is a necessary part of Utilitarianism. The theory's fundamental idea is that in order to determine whether an action would be right, we should look at "what will happen as a result of doing it." Any other consideration will undermine the theory.

Objection: In addition to utility, other considerations are also important in determining actions. Here are three such arguments, plus two arguments that raise additional issues.

1. Justice:

Example: Racial strife, killing of Negroes.

Critics of Utilitarianism sees a shortcoming in it that it is incompatible with the ideal of justice, demand of justice and demand of utility can come into conflict in this example.

2. Right:

Utilitarianism is at odds with the idea that people have *right* that may not be crushed or trampled on merely because one anticipates good results.

Depriving people from the right to freedom of religion, to free speech, may serve good purposes time to time, but is not morally right.

3. Backward-Looking Reasons:

Promise keeping vs. Promise breaking (without any good reason) in the context of weighing the consequences: A small gain in utility cannot overcome the obligation imposed by the fact that you promised. Not only future-looking (what will happen) but also backward-looking considerations are important.

4. Too Demanding:

Don't buy ticket for theater give it to food starving people.

However we distinguish between *obligatory* actions and *supererogatory* actions, which are praiseworthy but not strictly required. Utilitarianism seems to eliminate this distinction.

5. Personal Relationships:

Impartiality is the central component of Utilitarianism. As Mill puts it, when we are weighing the interest of different people, we should be “as strictly impartial as a disinterested and benevolent spectator.”

This sounds appealing in theory, but not in practice.

[Note: For further study see Rachels, James. “*The Elements of Moral Philosophy*” McGraw Hill. p. 107-115]

Lesson: 17**Defense of Utilitarianism:**

Utilitarianism being odd with such fundamental moral notions as justice, and individual rights freedom, and not considering backward-looking reasons in justifying conduct, lost its impressive and commonsensical features.

Abandon our ordinary life; spoil our Personal Relationships that mean everything to us.

Many philosophers abandon. However, many thinkers continue to believe it is some form.

Three General Defense:**The First Line of Argument:**

Example used in the Anti-utilitarian argument are unrealistic, and do not describe situation that come up in the real world. So, fanciful examples are dismissed as irrelevant.

First three Anti-utilitarian arguments (Justice Right, Backward-looking reasons) share a common strategy:

First: A case is described

Then: it is noted that from a utilitarian point of view a certain actions seems to be required that would have best consequences.

And: it is said that the action is not right.

Therefore (concluded) the utilitarian conception of rightness can not be correct.

This strategy succeeds only if we admit that the action described would really have the best consequences but the utilitarian need not admit this. He can object that in the real world, bearing false witness does *not* have good consequences; as is supposed in the example of racial strife.

(a) Because if the lie of the utilitarian be found out, then the situation would be even worse than before.

(b) Even if the lie did succeed, the real culprit would remain at large, to commit additional crimes.

(c) Moreover if the guilty party were caught on later, which is always a possibility, the liar would be in deep trouble, and confidence in the criminal justice system would be undermined.

The moral is that although one might *think* that one can bring about the best consequences by such behavior (telling lie), one can by no means be certain of it.

In fact experience teaches contrary about violating peoples right, breaking one's promises and lying all have bad consequences; only in philosophers imaginations is it otherwise.

In the real world, when people lie, others are hurt and their own reputations are damaged; and when people break their promises and fail to returns favors, they lose their friends.

Far from being incompatible with the idea that we should not violate people's right or lie, or break out promises, utilitarianism explains why we should not do those things.

Moreover apart from the utilitarian explanations these duties would remain mysterious and unintelligible (in the garb of having intrinsic value or good-in-itself)

The Second Line of Defense:

The first line of defense contains bluster than substance. It may be case that most acts of false witness have bad consequence in the real world, however not such acts have bad consequences sometime a false witness can lead to good consequences.

Therefore in at least some cases of real-life Utilitarianism come into conflict with common sense.

Thus the first line of argument is weak.

The second line of defense admits all this and gives new formulation to Utilitarianism, and revives the theory to meet criticism, only those feature of theory are being revived that cause trouble; other remain unchanged.

The troublesome aspect of theory was this:

The Classical version of Utilitarianism implied that each individual action is to be evaluated by reference to its own particular consequence. If on a certain occasion you are tempted to lie, whether it would be wrong is determined by the consequences of that particular lie---this cause trouble---even though '*in general*' lying has bad consequences, it is obvious sometimes particular act of lying have good consequences.

Therefore, the new version of Utilitarianism modifies the theory so that individual action will no longer be judged by the Principle of Utility. Instead rules will be established by reference to the principle, and individual acts will then be judged right or wrong with reference to the rules.

New version of theory: Rule-Utilitarianism, which distinguishes itself from the original Act-Utilitarianism.

Rule-Utilitarianism and Act-Utilitarianism have different reasons to do an act.

Rule-Utilitarianism: "What general rules of conduct tend to promote the greatest happiness?"

Act-Utilitarianism: "Whether the consequences of a particular act is good."

Example: Implication of these in two different society and their outcomes:

One Society follows: "Don't bear false witness against the innocent."

Other Society not follows the same.

Clearly in first society people are likely to be better off.

The Rule Utilitarianism cannot be convicted of violating our moral common sense. In shifting emphasis from the Justification of Acts to Justification of Rules, the theory has been brought into line with common sense.

The Third Line of Defense:

"So What?" response by a small group of contemporary utilitarianism.

J.J. Smart, an Australian philosopher, a detailed study entitled "*An Outline of a System of Utilitarian Ethics*" admitted that the Utilitarianism does have consequences which are incompatible with the common moral consciousness, but pointed out that our common sense not necessarily reliable being incorporated with various irrational elements including prejudices absorbed from our parents, our religion, and the general culture.

Why we should simply assume that our feelings (based on prejudices) are always correct?

Why should we reject a plausible, rational theory (Utilitarianism), simply because it conflicts those feelings?

Keeping in mind the example of racial strife, we must choose between:

A) Securing the conviction of one innocent person, and

B) Allowing the deaths of several innocent people.

For Smart, the deficiencies of moral common sense are also obvious:

Many white people once felt that there is an important difference between white and blacks, so the interest of white is more important. Trusting the “common sense” of their day, they have insisted that an adequate moral theory should accommodate this “fact”. (Today we will not be listening to this type of non-sense.)

But who knows how many irrational prejudices are still part of our moral common sense. The future generation looks those prejudices as disgust.

[Note: For further study see Rachels, James. “*The Elements of Moral Philosophy*” McGraw Hill. p. 115-121]

Lesson: 18**Kant and the Categorical Imperative:****The Case of the Inquiring Murderer:**

Imagine that someone is fleeing from a murderer and tells you that he is going home to hide. Then the murderer comes along and asks where the first man went. You believe that if you tell the truth, the murderer will find his victim and kill him. Furthermore, suppose the murderer is already headed in the right direction, and you believe that if you remain silent, he will find his victim and kill him.

The question is what should you do?

We should never lie even in such circumstance, says Immanuel Kant (1724-1804).

Morality is a matter of following Absolute Moral rules---rules that admit no exception.

Lying is never right, no matter what the circumstances.

One may ask the question:

How to define this radical view unless such rules are taken as “God’s Unconditional Commands.

But Kant, instead of appealing to theological consideration, only relied on Rational argument, holding that reason required that we never lie.

Kant observed that the word *ought* is often used in non-moral context:

Example:

1. If you want to become a better Cricket player, you ought to watch the games of Javed Miandad.
2. If you want to go to medical college, you ought to sign up to take entry test.

Kant says that much of our conduct is governed by such “oughts”.

The pattern of argument here is: We have a certain wish (to become a better Cricket player, to go to medical college); we recognize a certain course of action that would help us to get what we want (watching the games of Javed Miandad, signing up to take entry test); and so we conclude that we should follow the identical plan.

Kant called these Hypothetical Imperatives. Because these tell us what to do *provided that* we have relevant desires. In this case, however we can escape its force by renouncing the desire (No Compulsion), by saying, ‘I no longer want to go to medical college’, and we can get out of the obligation to take exam.

Moral obligations, for Kant, in contrast do not depend on our having particular desires. Their form is not ‘If-then’, (If you want so-and-so then you ought to do such and such.)

Instead moral requirements are Categorical: “You ought to help people regardless of your particular desires and wants.”

Thus, unlike Hypothetical “oughts”, moral requirements cannot be escaped by simply saying “But I don’t care about that.”

Hypothetical ‘oughts’ are easy to understand; they merely require us to adopt the means that are necessary for the ends we choose to seek.

Categorical ‘Ought’ are rather mysterious. Kant’s moral philosophy is an attempt to explain what Categorical ought and how are they possible.

His answer is that just as Hypothetical ‘ought’ are possible because we have *Desire*, so the Categorical ‘ought’ are possible because we have *Reason*.

Categorical ‘ought’ are binding on rational agents simply because they are rational.

How is it possible? Kant says because Categorical oughts are derived from a principle that every rational person must accept.

This principle is called Categorical Imperative:

“Act on that maxim by which you can at the same time will that it should become a universal law”

Kant gives several examples to explain how this work:

Example from Charity: suppose someone refuses to help others in need, saying to himself “What concern of mine is it? Let each one be happy as heaven wills, or as he can make himself; I will not take assistance in time of need I have no desire to contribute.” This, for Kant, is a rule that one cannot will to be universal law. For at some time in the future this man might himself be in need of assistance from others, and he would not want others to be so indifferent to him.

[Note: For further study see Rachels, James. “*The Elements of Moral Philosophy*” McGraw Hill. p.122-125]

Lesson: 19**Absolute Rules and the Duty Not to Lie:**

According to Kant's morality being moral agent means guiding one's conduct by "Universal Law"---- a moral rules that hold, without exception in all circumstances.

Thus lying, for Kant, in any circumstances is "to wipe out one's dignity as human being."

One may ask: "Why lying is prohibited?"

The following reasons may be presented as an answer:

- It's a Categorical Imperative.
- It would be self-defeating.
- People would not rely on what other people said.

Objection:

- What about the Case of Inquiring Murderer? Should we tell the truth?

Kant answers as follow:**First Answer by Kant:**

- 1) You should do only those actions that conform to rules that you could will to be adopted universally.
- 2) If you were to lie, you would be following the rule "It is permissible to lie."
- 3) This rule could not be adopted universally, because it would be self-defeating: People would stop believing one another, and then it would do no good to lie.
- 4) Therefore, you should not lie.

Objection on First Answer:

Kant's formulation of the rule is not the only sense of "Universalizability" there may be other way of putting it. The difficulty arises in the step (2) of the argument:

Suppose you follow a rule 'R' "It is permissible to lie when doing so would save someone's life". In this case we could will that 'R' be made a universal law and it would not be self-defeating.

Second Answer by Kant:

We are tempted to make exceptions to the rule against lying because in some cases we think that the consequences of lying are good. However, we can never certain about what the consequences of our actions will be-----we can not *know* that good results will follow. The results of lying might be unexpectedly bad. Therefore, the best policy is always to avoid the known evil, (lying) and let the consequences come as they will.

Even if the consequences are bad, they will not be our fault, for we will have done our duty.

Objection to Second Answer:

- (a) This argument depends on an unreasonably pessimistic view of what we can know. Sometimes we are quite confident of what the consequences of our actions will be; and we need not hesitate because of uncertainty.
- (b) Kant seems to assume that although we would be morally responsible for any bad consequences of lying, we would not be similarly responsible for any bad consequences of telling truth.

Suppose, as a result of our telling truth, the murderer found his victim and killed him. Kant assumes that we will be blameless. But can we escape responsibility so easily? After all we aided the murderer. So, this argument, like the first one, is not very convincing.

Conflicts between Rules:

The idea that moral rules are absolute (No Exception) is simply implausible in the light of the Case of Inquiring Murderer. Kant's argument for it is unsatisfactory. But are there any convincing arguments against the idea, apart from its being implausible?

The only convincing argument against absolute moral rules has to do with the possibility of conflicting cases. Suppose it is held to be absolutely wrong to do A in any circumstances and also wrong to do B in any circumstances. What a person will do when he is left with no other alternative? (In other words when one faces a Moral Dilemma)

This kind of conflict case shows that it is untenable to hold that moral rules are absolute.

Is there any way to avoid such objection? The only way is to say that such cases do not actually occur.

Geach, (British Philosopher) in his writing "*God and the Soul*", like Kant holds that moral rules are absolute, but with a different reason. He holds that moral rules must be understood as absolute divine commands. God will not allow conflicting situations to arise. We can only describe fictitious cases like such, but God will not permit such situations to exist in the real world.

Question: "Does such circumstances ever actually arise?"

The Case of Inquiring Murderer is, of course a fictitious example, but there are real-life examples that can make the same point.

Here is a good example from the real-life situation:

During the Second World War, Dutch fishermen regularly smuggled the Jewish refugees to England in their boats, and boats with refugees in the hold would sometimes be stopped by Nazi patrol boats. The Nazi captain would call out and ask the Dutch captain where he was bound, who was on board, and so forth. Now it is clear that the fishermen had only two alternatives, to lie or to allow their passengers (and themselves) to be taken and shot. No third alternative was available; they could not, for example remain silent or outrun Nazis.

Now suppose the two rules "It is wrong to lie" and "It is wrong to permit the murder of innocent people" are both taken to be absolute. The Dutch fishermen have to do one of these things; therefore a moral view that absolutely prohibits both is incoherent. Of course this difficulty could be avoided if one held that only one of these rules is absolute; that would apparently be Kant's way out. But this dodge cannot work in every such case; so there are at least two "Absolute Rules" whatever they might be, the possibility will always exist that they might come into conflict. And that make those rules as absolute impossible to maintain.

Another Look at Kant's Basic Idea:

Questions:

Keeping in view Kant's idea of morality as categorical imperative, that is beset by serious objections, what, then, accounts for his influence? Is there some basic idea underlying the Categorical Imperative that we might accept, even if we do not accept Kant's particular way of expressing it.

Rachels believes that there is, and that the power of this idea accounts, at least in part, for Kant's vast influence. He puts it in this way:

Kant thinks that Categorical Imperative is binding on rational agents simply because they are rational---in other words, a person who did not accept this principle would be guilty not only of being immoral but of being irrational. This is compelling idea---that there are rational as well as moral constraints on what a good person may believe and do.

The basic idea is that 'A moral judgment must be backed by good reasons.'---if it is true that you ought to do such-and-such, then there must be reason why you should do it. For example, you may think that you ought not to set forest into fires because property would be destroyed and people will be killed. *But if you accept any considerations as reason in one case, you must also accept them as reasons in other cases.*

Moral reasons, if they are valid at all, are binding on all people at all times. This is requirement of consistency; and Kant was right to think that no rational person may deny it. This Kantian idea has been so influential. It implies that a person cannot regard himself as special, from a moral point of view. He cannot consistently think that he is permitted to act in ways that are forbidden to others, or that his interests are more important than other people's interest.

Thus with reference to 'Wrong Doing' acceptance of its implication may be troublesome. It's a great contribution of Kant.

But "No Exception" to rule by Kant, is a step further, and is not necessary and it caused trouble. Rules, even within a Kantian framework need no be Absolute, all that Kant's basic idea requires is that when we violate a rule, we do so for a reason that we would be willing for anyone to accept, were they in our position.

In the Case of Inquiring Murderer, this means that we may violate the rule against lying only if we would be willing for anyone to do so were he faced with the same situation. And that proposition causes little trouble.

[Note: For further study see Rachels, James. *"The Elements of Moral Philosophy"* McGraw Hill. p. 125-131]

Lesson: 20

Kant and the Respect for Person:

Kant thought that human beings occupy a special place in creation. Of course he was not alone in thinking this way. It is an old idea: from ancient times, humans have considered themselves not only to be essentially different from the other creation but also better.

Only humans have 'Intrinsic worth' (Dignity) [An idea which is also propagated by Specieism, Anthropocentrism]

For Kant, human beings have "intrinsic worth, i.e., dignity" which makes him valuable "above all price". Others animals, by contrast have no or only 'Instrumental value', a mean to serve human purpose.

"But so far as animals are concerned, we have no direct duties. Animals are there merely as means to an end. That end is man." [Lectures on Ethics]

It implies that we can use animals in any way we please, because we don't have any direct duty even to refrain from torturing them.

Kant, however, admits that it is wrong to torture animal, reason being that "he who is cruel to animals becomes hard also in his dealing with man."

Humans may never be 'used' as means to an end – it is the ultimate Law of Morality.

Kant's morality can be summed up in One Ultimate Principle, from where all our duties – The Categorical Imperative.

"Act only according to that maxim by which you can at the same time will it to be a universal law."

However Kant gives another formulation of the Categorical Imperative, later in the same book, *Groundwork of the Metaphysics of Morals*: It is called 'Principle of Ends'

"Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only."

When Kant said that the value of human beings 'is above all price', its not a *Rhetoric* but an *Objective Judgment* about the place of man in the scheme of things.

Two important facts support this judgment:

First: Mere things, including inhuman animals, have value only as means to ends and its human and that *give* them value.

For example: If you want to become a better chess player, a book of chess instruction will have value for you; but apart from such ends the book has no value.

Second: More important, human have intrinsic value/worth i.e., dignity, because they are *rational agents*, that is free agents capable of making their own decisions, setting their own goals, and guiding their conduct by reason.

Because the moral law is the law of reason, rational beings are the embodiment of the moral law itself. The only way that moral good-ness can exist is for rational creatures to apprehend what they should do and, acting from a sense of duty, do it. Thus if there were no rational beings, the moral dimension of the world should simply disappear.

If their value is 'beyond all price' it follows that rational being must be treated always "as an end, and never as a means only."

So this means [on the most superficial level]:

- We have a strict duty to beneficence towards other persons;
- We must strive to promote their welfare;
- We must respect their right;

- We must avoid harming them;
- We must endeavor to further the ends of other.

Kant's idea has deeper implications also. The human beings are rational being and "treating them as an end-in themselves" mean *respecting their rationality*.

It means we must not exploit, manipulate or use people to achieve our purpose, no matter how good those purposes may be. The following example will illustrate this point:

Suppose you need money, and so you want to loan, but you know you will not be able to repay it. In desperation, you consider making a false promise to repay in order to trick a friend into giving you money. May you do that? Perhaps you need the money for a good purpose---so good, in fact, that you might convince yourself the lie would be justified. Nevertheless, if you lied to your friend, you would be manipulating him and using him "as a means."

On the other hand, what would it be like to treat your friend "as an end"? Suppose you told the truth, that you need the money for a certain purpose but will not be able to repay it. Then your friend could make up his own mind about whether to let you have it. He could exercise his own powers of reason, consulting his own value and wishes, and make a free, autonomous choice. If he did decide to give the money for this purpose, he would be choosing *to make that purpose his own*. Thus you would not merely using him as a means to achieve *your* end. This is what Kant meant when he said, "Rational beings ... must always be esteemed at the same time as ends, i. e., only as beings who must be able to contain in themselves the end of the very same action."

Three Problems in maintaining the Reason as the only thing that has Worth:

First Problem:

Different Questions:

- 1 Why does reason and only reason have intrinsic worth?
- 2 Who gives this value to rational beings and how do we know that they have value?
- 3 What if we believe that reason has only instrumental value?

Kant's notion of the high inherent value reason is more plausible to those who believe that man is made in God's image, and that our capabilities are the essence of being created in God's image.

Even non-theists may also be persuaded that Kant is correct in seeing rationality as inherently good. It is one of the things rational beings value more than virtually anything else. Kant seems correct in valuing rationality, because it enables us to engage in deliberate and moral reasoning and it lifts us above the lower animals.

But, Kant has gone wrong in neglecting other values, or states of beings that have moral significance:

For example Moral Obligation to Animals (they are not rational).

Utilitarians, however, oppose this keeping in mind the fact of Suffering.

Second Problem:

If we agree that reason is an intrinsic value, then it follows that those who have more of this quality should be respected more and honored more than those who have less.

Argument:

- 1 Reason is an intrinsic good.
- 2 The more we have an intrinsically good thing, the better.
- 3 Therefore, those who have more reason than others are intrinsically better.

It means that geniuses and intellectuals should be given privileged status in the society.-----
[Morality of the Elite, Plato, Aristotle]

Third Problem:

Kant's view of the dignity of rational beings only tell us that we should respect them as ends, this does not tell us very much. It may tell us not to enslave them and not to act cruelty towards them without a good reason, but it dose not tell us what to do in conflicting situations.

For example:

- 1 What does it tell to do about a terminally ill patient who wants us to help him die?
- 2 What does it tell to do in war when we are about to aim our gun at an enemy soldier? And so many conflicting cases like that [stealing unaffordable medicine to heal someone, asking us the whereabouts of a victim by a gangster]

So, it is hard to see how the notion of the Kingdom of Ends helps much in these situations. However, in fairness to Kant, he is no exception; every moral system has a trouble with dilemma.

[Note: For further study see Rachels, James. *"The Elements of Moral Philosophy"* McGraw Hill. p. 132- 135]

[Note: For further study see Pojman Louis P. *"Ethics: Discovering Right and Wrong"* Wadsworth. p. 147- 150]

Lesson: 21**Retribution and Utility in the Theory of Punishment:**

Bentham, the utilitarian theorist says: ‘All punishment is mischief; all punishment is evil’.

Punishment always involves treating people badly, for example:

- A) Taking away their Freedom (Imprisonment)
- B) Taking away their Property (Fines)
- C) Taking away their Life (Capital Punishment)

For Bentham these are all evil; they require justification.

Question: Why is it right to treat people like that?

Traditional Answer: punishment is justified as a way of “paying back” the offender for his evil. Those who have committed crime, such as stealing from other or assaulting other people, deserve to be treated badly in return. It’s a matter of Justice: “An eye for an eye”, “A tooth for tooth.” It is known as Retributivism: Punishment for wrong doing,

Retributive Justice: It concerns what punishment is appropriate for what offence and how to maintain balance between severity and leniency---requiring the punishment to fit the crime.

For Bentham, Retributivism is a wholly unsatisfactory idea, because it advocates infliction of suffering without any compensation gain on happiness. He says that Retributivism would have increase; but not decrease the amount of suffering in the world.

This is not a “hidden” implication of Retributivism.

Kant, however, being retributivist, was aware of this implication and openly embraced it.

“When someone who delights in annoying and vexing peace-loving folk receives at least a right good beating, it is certainly an ill, but everyone approves of it and considers it a good in itself even if nothing further results from it”. (*The Critique of Practical Reason*)

Thus for Kant, punishing criminals is all right after all they deserve it.

Utilitarianism takes a very different view: Our duty is to do what will increase the amount of happiness in the world. So, punishment is “an evil” because the person is being punished is -----unhappy.

For Bentham, punishment can only be justified if it will have good result, that on balance outweigh the evil done.

The Utilitarian Question:

Is there a good purpose served by punishing criminals, other than simply making them suffer?

Utilitarian’s answer is affirmative. There are two ways in which the practice of punishing lawbreakers benefits society.

First: It helps to prevent crime, or at least reduce the level of criminal activity. Since criminal misconduct causes unhappiness to its victim, in preventing crime we are preventing more unhappiness. This net gain in happiness will be seen by Utilitarians as a justification for the punishment.

Second: A, well designed system of punishment might have the effect of rehabilitating wrongdoers. Without trying to excuse them, it must be admitted that criminals are often people with emotional problems, who find it difficult to function well in society.

Address their problems: First get them imprisoned, and then take notice of their emotional, ill-educated, lack of marketable skill. Problem should be addressed by psychological therapist, provide them educational opportunities, job training. Eventually criminal returned to society as a productive citizen.

The logical conclusion of this type thinking:

- Abandon the notion of punishment.
- Replace it with more humane notion of treatment.

Karl Menninger, the distinguished psychologist suggests:

“We---- must move to end the game of tit-for-tat and blow, in which the offender has foolishly engaged himself and us.”

The ideas of utilitarianism dominate in Anglo-America law for the past century.

Prison—once places of confinement have been redesigned as “Centers for Rehabilitation”, complete with psychologists, libraries, educational programs, vocational training.

The term Prison, no longer in favor, preferred nomenclature, --Correctional facility, --Correction officer. Criminals are not to be ‘punished’ –but to be ‘corrected.’

Kant’s Retributivism:

Utilitarian theory of punishment has generated opposition.

For example crime rate in California in spite of rehabilitation of criminal, rate of Recidivism is higher.

Kant renounces Utilitarian approach and thought it to be incompatible with human dignity:

(A) It has us calculating how to use people as means to an end – this is morally impermissible “Never treat any human being as means to an end”

(B) Aim of “Rehabilitation,” although sounds noble enough, is actually an attempt to mold people into what we think they should be, here we violate their rights as autonomous beings to decide for themselves what sort of people they will be.

We do have a Right to respond against their wickedness by “Paying them back” but no right to violate their integrity by trying to manipulate their personalities.

For Kant punishment should be governed by two principles:

First: People should be punished simply because they have committed crimes, and for no other reason.

Second: Proportionate punishment (Retributive Justice). Kant endorse capital punishment, for in response to murder, only death is sufficiently stern penalty.

Utilitarianism violated Kant’s both principles:

1. Act on that maxim which you could will to be a universal law.
2. Treat every human being as an end and never as means.

In Utilitarianism there is no idea of Retributive Justice – punishment can be increased or decreased to get desired end. If the purpose of punishment is to secure the general welfare, as utilitarianism says, it could sometimes happen that the general welfare will be served by “punishing” someone who has not committed a crime—an innocent person.

Thus there is the possibility of greater punishment than the crime to get general welfare.

Kant’s distinctive contribution to theory of Retributivism:

For Kant, treating someone as “end-in-himself,” means treating him as rational being. Now a rational being is someone who is capable of reasoning about his conduct and who freely decides what he will do, on the basis of his own conception of what is best—A Rational Being is responsible for his action.

Difference between:

1. Treating someone as a responsible being.
2. Treating as a being who is not responsible for his conduct.

Mere animals, which lack reason, are not responsible for their action.

Reward and Punishment—not “Training” or other manipulation—are the natural expression of this gratitude or resentment.

Categorical Imperative as Universal Law—Implications:

When a rational being decides to treat people in a certain way, he decrees that in his judgment “this is the way people are to be treated” Thus if we treat him the same way in return we are doing nothing more than treating him “as he has decided” people to be treated. If he treats other badly, we treat him badly; we are complying with his own decision.

Kant says for criminal: “His own evil deed draws the punishment upon himself”.

Conclusion: By associating punishment with the idea of treating people as rational being Kant gave the retributive theory a new depth.

[Note: For further study see Rachels, James. “*The Elements of Moral Philosophy*” McGraw Hill. p. 135-142]

Lesson: 22**The Ethics of Virtue and the Ethics of Right Action:**

What question we begin with makes a great deal of difference in any subject's thinking.

For example; in *Nicomachean Ethics* (Aristotle) the central question is about character: "What is the good of man?"

We may answer: An activity of the soul in conformity with virtue. (Behavior showing high moral standard)

To understand ethics, therefore, we must understand what make some one a virtuous person.

Aristotle in this regard discusses particular virtues (a quality considered morally good or desirable) such as courage, self-control, generosity and truthfulness.

Other than Aristotle, Socrates, Plato, also approached ethics by asking: What traits of character make one a good person? 'The virtues' occupied central stage in their discussion.

With the passage of time certain changes in moral approach took place; with the coming of Christianity new ideas were introduced – God as law giver; righteous thing meant obedience to divine commandments.

Greeks view reason as the practical wisdom- the virtuous life was inseparable from the life of reason.

St. Augustine-----distrusted reason and thought that moral goodness depends on subordinating oneself to the Will of God.

Medieval thinkers discussed the virtues in the context of Divine Law. The 'theological virtues' faith, hope, charity and obedience-came to have a central place.

After Renaissance, moral philosophy began to be secularized; once again divine law was replaced by Moral Law, which springs from human reason rather than by divine authority-a system of rules specifying which actions are right.

Modern Moral philosophers instead of asking 'What traits of character make one a good person?' - They ask, "What is the right thing to do?" This led them to another direction- to develop theories not of virtue, but of rightness and obligation.

Different Theories developed by Modern Moral philosophers:

- Each person ought to do whatever will best promote his or her own interest. (**Ethical Egoism**)
- We ought to do whatever will promote the greatest happiness for the greatest number. (**Utilitarianism**)
- Our duty is to follow rules that we could consistently will to be universal laws- that is , rules that we could be willing to have followed by all people in all circumstances. (**Kant's theory**)
- The right thing to do is to follow the rule that rational self – interested people can agree to establish for their mutual benefit. (**the Social Contract theory**)

Should We return to the Ethics of Virtue?

Recently a number of philosophers have advanced a radical idea: They have suggested that modern moral philosophy is bankrupt and that in order to salvage the subject, we should return to Aristotle's way of thinking-----to Ethics of Virtue.

The idea was first put forth by British philosopher Anscombe in: "*Modern Moral Philosophy*" (an Article published in the journal philosophy 1958). She suggested that modern moral philosophy is misguided because it rests on the incoherent notion of a "law" without lawgiver. The very concepts of obligation, duty, and rightness on which modern moral philosophers have

concentrated their attention, are inextricably linked to this non-sensical idea. Therefore we should stop thinking about obligation, duty and rightness and return to Aristotle's approach. Much was written after Anscombe--- we will first take a look at what the theory of virtue is like- then reason given for its superiority to other,-finally whatever a "return to the ethics of virtue" is really a viable option.

The Virtue:

Theory's components:

- (a) Explanation of virtue.
- (b) List of character traits being virtue.
- (c) An explanation of what these virtues consist in.
- (d) Explanation of why these qualities are good ones for a person to have.
- (e) Objectivity of virtue- whether same or different for different person/culture.

What is Virtue: "A virtue is a trait of character manifested in habitual action that is good for a person to have."

What are Virtues:

Benevolence,
Compassion,
Cooperativeness,
Courage,
Courteousness,
Fairness,
Friendliness,
Generosity,
Honesty,
Justice,
Loyalty,
Self-confidence,
Self-discipline,
Truthfulness,
Thoughtfulness,
Tolerance.

What Do these Virtues Consist in?

Example: [Courage] According to Aristotle, virtues are means poised between extremes. A virtue "the mean by reference to two vices: the one of excess and the other of deficiency. Courage ----means between Cowardice and Foolhardiness. It is cowardly to run away from all danger; yet it is foolhardy to risk too.

1. Courage: A military virtue needed to accomplish the soldier's task, without courage battle will be lost.

Courage also needed in ordinary course of life.

Difference between courage and terrorist activities (courage employed in an evil cause is on the whole wicked)

2. Generosity: Willingness to expend one's resources to help others. It stands between Stinginess and Extravagance.

The stingy person gives too little; the extravagant person gives too much.

But How Much is enough:

Jesus says 'Give All' (Not acceptable)

Utilitarians: we should be generous with our money until the point has reached at which giving further would be more harmful than it would be helpful to other.

3. Honesty: Two views of the matter:

- 1) That an honest person will never lie (Living in a Community, communication, making promises, exchange of information, without honesty in these area social living becomes impossible)
- 2) An honest man will never lie except in rare circumstances when there are compelling reasons why it must be done. (Issue of self-preservation)

4. Loyalty to Family and Friend: We do not treat our family and friends as we would treat strangers; we are bound to them by love and affection. Special relationship; how could I be your friend and yet not treat you with special considerations?

Why are these Virtues Important?

Questions: Why virtues are desirable? Why is it a good thing for a person to be courageous, generous, honest, or loyal?

We will find varying answers depending on particular virtue in question. (for courage, generosity, honesty, loyalty).

Aristotle's general answer: Virtues are important because the virtuous person will fare better in life.

Are the Virtues Same for Everyone?

Question: whether a single set of trait is desirable for all people?

Nietzsche objected this assumption, for him 'Man ought to be different.'

There is a sense in which the virtues may be thought of as differing from person to person. Because people lead different kinds of lives, have different sorts of personalities, and occupy different social roles, the quality of character that they manifest may differ.

Virtue may also differ from society to society. Society provides systems of values, institution, and ways of life within which individual lives are fashioned.

However it may be countered (by Aristotle) that 'there are some virtues that will be needed by all people in all time' (like courage, generosity, honesty, loyalty).

[Note: For further study see Rachels, James. *"The Elements of Moral Philosophy"* McGraw Hill. p. 175-187]

Lesson: 23**Some Advantages of Virtue Ethics:**

Most ethical theories have been either duty-oriented or action-oriented, that is either deontological or teleological.

There is, however, a third tradition that goes back to Plato and especially Aristotle, and which receives support in the writings of Epicureans, the Stoic, and members of the early Christian Church----the Virtue- based system.

Rather than seeing the heart of ethics in actions or duties, Virtue ethics centers in the heart of the agent---in his character.

Whereas action-governed [rule-governed] ethics emphasizes “Doing”, Virtue [agent] ethics emphasizes “Being”.

Virtue Ethics seeks to produce excellent person, who act well out of spontaneous goodness and serve as example to inspire others. It seeks to create people who light up our moral landscape as jewel who shine in their own light.

Virtue Ethics has reemerged as major ethical theory, largely due to dissatisfaction with Rule-governed [Action-centered] ethical system.

Some philosophers [Elizabeth Anscombe, Philippa Foot, Alasdair McIntyre, Bernard Mayo, Edmund Pincoffs, and Richard Taylor] believe that an emphasis on the virtue ethics is superior to other ways of thinking and argued for a return to a virtue-based theory.

Four specific criticism have been lodged against rule-governed ethics:

1. They lack a motivational component.
2. They are founded on a theological-legal model that is no longer appropriate.
3. They ignore the spiritual dimension of morality.
4. They overemphasize the principle of autonomy and neglect the communal context of morality.

1. Moral Motivation:

Virtue Ethics is appealing because it provides a natural and attractive account of moral motivation.

Example from Michael Stocker’s article in the Journal “Philosophy” 1976: Mr. Smith, seeing a patient in the hospital as a duty, ‘Do the right thing’ ---- ‘surely there is some thing lacking here----and lacking in moral merit or value’ (Stocker)

Nothing wrong with what Smith did---but the problem is his Motive. We value friendship, love and respect---we want our relationship with people to be based on mutual regard.

Acting from an abstract sense of duty, or from a desire to ‘do the right thing’ is not the same. We would not want to live in a community of people who acted only from such motives, nor would we want to be such person. Thus the theories that emphasize only right action will never provide a completely satisfactory account of the moral life.

So we need a theory that emphasizes a personal quality such as friendship, love and loyalty----i.e., Theory of Virtue.

2. Doubts about the “Ideal” of Impartiality:

A dominant theme of modern moral philosophy has been impartiality---- the idea that all person are morally equal, and that in deciding what to do we should treat everyone’s interest as equally important.

For example J. S. Mill says that Utilitarianism requires the moral agent to be strictly impartial as a benevolent and disinterested spectator. In most ethical writing impartiality is included as a part of minimum conception of morality.

However our relationships with our family and friends raise doubt about the notion of impartiality as an important feature of the morally good life. A Mother's care/love for his children is a clear example.

So the love of family and friends is an inescapable feature of the morally good life----a theory that emphasizes impartiality will have a difficult time in accounting for this.

A moral theory that emphasizes the virtues, can account for all this very comfortably.

Some virtues are partial [love for friend] some are not partial [beneficence towards people].

What is needed is not some general requirement of impartiality. But understanding of the nature of these different virtues and how they are related to one another.

The Incompleteness of Virtue Ethics:

The preceding argument makes an impressive case for two general points:

First: An adequate theory of ethics must provide an understanding of moral character.

Second: That, modern philosophers have failed to do this. Not only have they neglected the topic; their neglect has led them sometimes to embrace doctrines that distort the nature of moral character.

Accepting these conclusions we may go either way:

First: Combining Virtue with Right Action:

We may proceed to develop a theory that combines the best feature of right action approach with insights drawn from the virtue approach. Thus, we may try to improve Utilitarianism, Kantianism etc, by dealing a better account of moral character.

This sounds sensible---and a project [Virtue Theory (V.T) as supplementary to Right Action Approaches] could be carried out successfully.

Second: Radical Virtue Ethics:

Some Virtue theorists suggested that ethics of virtue should be considered as an alternative to other theories----an independent theory of ethics, it is complete in itself.

Question: Is this viable?

Virtue and Conduct:

Right Action theories seem incomplete because they neglect the question of character.

Virtue Theory remedies this problem by making the question of character its central concern.

But Virtue Theory runs the risk of being incomplete because moral problems are frequently about 'what we should *do*.' Thus, it is not clear how to answer this question with reference to Virtue Theory.

If Virtue Theory is taken as a supplementary to a theory of Right Action----then assessment of action at issue will be settled by the recommendation of Utilitarian and Kantian policies.

If Virtue Theory taken as independent and complete theory in itself, the question of assessment of action will be settled by discarding the "notion of right" altogether or it will have to give some account of the notion derived from the conception of Virtuous Character.

Some philosophers, believing in Virtue Theory, however argued that we should get rid of such concepts as "Morally right Action".

Anscombe says that "it would be a great improvement if we stop using such notion altogether. In assessing conduct as better or worse, instead of saying that an action was "morally wrong" we

would simply say that it was “Unjust” or “Untruthful”----terms derived from the vocabulary of Virtues. And that is simple reason why an action is being rejected.

Accommodating Right Action Theory:

It is not necessary to discard the notion of Morally Right----- the idea can be retained by giving new interpretation within the Virtue frame-work:

It could be said that actions are to be assessed as Right and Wrong in familiar way by reference to reason that can be given for or against them. We ought to do those actions that have best reasons in their favor.

However the reason cited will be reasons that are connected with the virtues; the reason in favor of doing act will be that it is ‘honest’ ‘generous’ or ‘fair’-----while reason against doing it will be that it is ‘dishonest’, ‘stingy’ or ‘unfair’.

The analysis can be summed up by saying that our duty is to act virtually-----the ‘right thing to do’ in other words, is whatever a virtuous person would do.

The Problem of Incompleteness:

Question: Is the understanding what we ought to do, given by Radical Virtue Theorist, is enough?

The principle problem with Virtue Theory is the problem of incompleteness. Let us examine it:

1. To see the problem----see the virtue of Honesty---suppose a person is tempted to lie----perhaps it may offer some advantages in a particular situation---- Virtue Theory has reason against it----- one must not be dishonest----but what does mean to be honest?---- Is not an honest person simply one who follows such Rule “Don’t lie”? ---- so it is Rule all that matters here.

Thus giving any explanation at all seems to take us beyond the limit of Virtue Theory.

2. It is difficult to see how Virtue Theory could handle case of Moral Conflict---choosing between A and B----when it would be dishonest but kind to do A, honest but unkind to do B (example telling the truth in circumstances that would be hurtful to someone) Virtue Theory leaves us wondering which virtue take precedence.

Is There a Virtue that Matches Every Morally Good Reason for doing something?

Radical Virtue Ethics is committed to the idea that for any reason that may be given in favor of doing an action there is a corresponding virtue that consists in the disposition to accept and act on that reason----but it does not appear to be true.

For example in a situation of the allocation of funds for medical research----there is not enough money for everything, and you must decide whether to invest resources in AIDS research or in some other worthy project----which virtue will guide us?

Conclusion:

For these reason, it seems best to regard the Theory of Virtue as part of the overall theory of ethics rather than as a complete theory in itself.

The total theory would include an account of all the consideration that figure in practical decision making together with their underlying rationale.

The blend of Virtue Theory and Right Action theory is possible because from a moral point of view we should want a society in which people can lead happy and satisfying lives.

We could then go on to consider both the question of what sort actions and social policies would contribute to this good and the question of what qualities of character are needed to create and sustain individual lives.

[Note: For further study see Rachels, James. *“The Elements of Moral Philosophy”* McGraw Hill. p. 187-193]

Lesson: 24**Business Ethics:****Defining Business:**

- Pattern of complex operations in the *lives of people*, concerning all those functions that govern the production, distribution, and sale of goods and services for the benefit of the *buyer* and the profit of the *seller*.

Rights and Obligation in Business:

Rights are those things to which human beings are entitled by Law, Morality, and Tradition.

An obligation is responsibility or duty people have towards one another to see that their rights are protected.

Rights related to Business:

- 1 General Rights to life, justice, honesty, truth telling and freedom.
- 2 Right to have one's life protected as an employer, an employee, or as a consumer.
- 3 Right to pursue and qualify oneself for employment without unfair hindrance.
- 4 Right to expect contracts to be executed fairly.
- 5 Right to establish a business, own property, employ whomever you want, and make profit.
- 6 Right to fairness, honesty, and truth telling at all level of business dealing.
- 7 Right to employment security.
- 8 Right to try to get consumer to use products and the right of consumers to choose which product they wish to buy.

Obligations related to Business:

- 1 Participants in business activities are obligated to be honest and tell the truth.
- 2 They must be just and fair in dealing with others.
- 3 They must be sincere and trustworthy in honoring agreements and contracts.
- 4 They must pay off debts in a fashion agreeable to all parties.
- 5 They must create a safe atmosphere for employees to work in at workplace.
- 6 They must give efforts and perform work for which wages are being paid.
- 7 They must be loyal to employers, employees, and customers within reasonable and ethical limits.

Defining Business Ethics:

Business ethics is a form of applied ethics. It examines ethical rules and principles within a commercial context; the various moral or ethical problems that can arise in a business setting; and any special duties or obligations that apply to persons who are engaged in commerce.

Identifying Five different Views taken in Business Ethics:**1) *Business is Business*: (a maxim)**

Holder of this view contend that Firm's aims are purely commercial rather than ethical, that is maximization of profit, sales and market share. According to this view the responsibility rests with the customer to inspect the offered goods and services. It is a kind "Amoralism" that is no

moral responsibility on the part of business. The famous saying “Business is Business; and Cup of tea is a Cup of tea.” Explain it.

It entails some ruthless practices:

- Sacking superfluous staff.
- Engaging in industrial espionage.
- Selling shoddy (badly made) goods.

However there are certain Exceptions: (seems to be moral but for the achievements of business objective not for moral objectives)

- No Sexual harassment,
- No Nepotistic promotion policies.

2) Act Consistently with Law:

Holders of this view contend that: Legislation provides the baseline and Business should not stoop. Whereas ‘Business is Business’ suggests that anything goes; this view holds that at least firm should fulfill its legal obligations.

Objection: Business should do more than mere conformity to law that is Social, Environmental responsibility. For example when CFCs (used in aerosols and refrigerants) were found to be harmful, should not firms have stopped selling them at once, rather than wait for legislation?

3) Good Ethics means Good Business:

This view is also called *coincidence theory*: Virtue and Prosperity coincide.

If we sell defective goods customer will not return. If we discriminate against applicants on the basis of sex or race, we deprive ourselves of the best person for job.

But following this view sometimes business managers have to face a dilemma: What about a situation where the manager has to choose between existing staff levels or introducing new and more profitable technology?

Objection: To have one’s eye on profit rather than sincerity. To act selfishly, unethical motives; doing right for wrong reason.

4) Conventional Morality:

According to this view it is suggested that business people should act in accordance with the conventional standards of morality. [When Rome, do as the Romans do]

Conventionalism means acting in accordance with the prevailing standards accepted by public.

For example: Stereotyping of women [role of cooking and washing] in advertising, although some people may condemn it.

Objection: Conventional wisdom cannot be trusted sometimes: for example child labor, stereotyping of women in advertising is not acceptable as “conventional.”

5) Universal Morality:

This view holds that business people should maintain the same standard of ethical behavior in Business as they would in their private lives. [*No Difference Theory*]

Just as our next door neighbors would not expect us to dispose of our rubbish on to their gardens, so---it might be argued--- we have a right to expect business companies not to pollute the environment with discharged waste, smoke and noise.

Objection: *No Difference Theory* expresses fine ideal but Business is like war, competition. However, even in war one’s basic principles remain same.

The fact that a War Zone or a Business environment can be different from that of one's personal life may cause us to change in our overt behavior to some degree, but there is no reason to suppose that such transition demand that we assume different moral principle.

Indeed moral laws are universal by nature. No Compartmentalism. No Exceptions. If something is right, it is right for all people, at all times and in all places. [Absolutism of Kant]

[Note: For further study see Thiroux, Jacques "*Ethics: Theory and Practice*" Prentice Hall. p. 407-409]

[Note: For further study see George Chryssides and John Kaler "*Essential of Business Ethics*" McGraw Hill. p. 7-10]

Lesson: 25**The Nature of Business Ethics:**

Business Ethics has two aspects:

First involves the Specific situations in which ethical controversy arise:

For example: Advertising, Accounting, Employee relations and Environmental issues.

Second concerns the Principles of behavior by which it is appropriate to abide.

That is to follow a particular Ethical theory.

The first seems more concrete and more exciting.

We cannot judge what we ought to do unless we first know the moral principles which we should bring to bear.

Historically business transactions have largely been conducted on the principle of *Caveat emptor*---onus on purchasers of goods and services to assure themselves about the quality for which they hope. According to this principle vendors only follow legal obligation---no moral obligation.

Law as a source of fair deal:

Only Law is not enough. Business cannot leave the law to resolve its moral dilemma.

There are certain *Grey* areas, where there is no public agreement; and law seems an undue intrusion on individual conscience. Here are some of them:

- Is animal testing defensible especially for new cosmetic?
- Should the sale of furs continue to be legal?
- Is it defensible to invest in a company who has interest in oppressive regime?

Some Moral Dilemmas in Business:

Dilemma: A situation, that requires a choice between options that are seem equally unfavorable or mutually exclusive.

Examples:

Developing a new perfume and its testing: (Testing subject: Man or Animal)

Being worker in a company, that ignoring Safety precautions: (Blow the whistle or keep quite let the management do the needful)

Being manager of a company and the applicant for job is a friend's son: (To give job or not to give job)

Financing in an established company with a bad political record: (To invest or not to invest)

Ethical Theory:

Every subject needs a theoretical support or justification. For example:

Science: to explain *why* things appear to happen as they do.

Ethics: to explain *why* we should act as we believe we must.

If our actions lack an underlying rationale, then we are likely to act inconsistently.

Just as a scientific theory tells us what will happen in the future in given circumstances, so a moral theory can enable us to decide what we ought to do in new situations.

Ethical theories serve to explain why certain types of action are ethical or unethical, not that why they are legal or illegal.

A specimen Case of Bribery:

A well-known educational charity wishes to set up an office in our city. Having employed an architect to draw up plans, its officers seek planning permission. The planning department indicates that, in order to obtain approval, it will be necessary to offer a bribe to the relevant official.

Let us see different possible responses to deal with this situation; the basic question is whether 'To bribe or not to bribe.'

Possible Responses:

- 1 It is up to the individual: If you can live with the decision, then go ahead. If it worries you, then do not pay and risk the consequences.
- 2 Everyone does it--at least in our country: This charity's problem was that as a foreign organization, it was simply unused to demands of this kind. You cannot get anywhere in countries like ours without offering bribes.
- 3 Bribery is simply wrong: The end does not justify means: even if bribing would enable the charity to undertake important and commendable work, this does not make bribery right.
- 4 In a developing country, where there is malnutrition, disease and low literacy rate, humanitarian work should always take precedence over 'principles'. Although it might be better if one did not have to bribe one's way into setting up a branch in the city, it is better than the two evils.
- 5 The planning officials have no *Right* to the charity's money. Money belongs to those who have earned it. And the planning officials have done nothing which entitled them to it.

These all responses possess some moral theories as reasons behind our convictions.

1st Response; Subjectivism:

It is up to the individual:

It suggests that there is no objective right answer to the moral dilemma. It is up to the individual to choose among options, none of which are intrinsically right or wrong.

2nd Response; Cultural Relativism:

Everyone does it:

What is commonly done in one's own social group is considered to be right. Right/Wrong is relative to the society one belongs.

Following are the advantages of holding this view:

- a) It acknowledges that our beliefs and practices are indeed shaped by the environment around us.
- b) It is a reaction against the arrogance of any culture which claims to have monopoly of truth.
- c) It accommodates the fact that there are important moral differences b/w cultures which seems impossible to resolve.

3rd Response; Non-Consequentialism:

Bribery is simply wrong:

Moral Principles do not vary according to the prevalent moral climate, but stand for all time and in all places.

Types of Non-Consequential Theory:

Religious Morality: (Judaeo-Christian scripture, Quranic teaching, Buddhist precepts 'To avoid taking the not-given.'). This is a type of Morality that depends on Divine Command.

Kant's Deontological System:

Human reason could be trusted as arbiter of truth. Essence of morality is to be found in reason. One's duty is to be done for duty's sake. Moral law is to be obeyed *because it is the right thing to do*, not because of its probable consequences.

4th Response Consequentialism:

Human welfare is best served:

Justification: Our concern is not self interest but relief to human misery.

Circumstances surrounding a moral problem can and should make a difference to our decision.

Here the deciding question is: Which course of action achieves the greatest good?

What is important is not Moral Principle but outcomes of ethical decisions.

Action are right in so far they are conducive to the greatest happiness of the greatest number of people. (Utilitarianism, Bentham & Mill)

End justifies means.

The difference between Non-Consequentialism and Consequentialism is that the former follows reason whereas the latter follows feelings.

5th Response Natural Law- An Ethic of Rights

It is quite different approach to ethical reasoning from that of following moral principles and keeping in view the consequences of an action.

It introduces the concepts of *Rights* and *Entitlements*. It asserts a compelling reason against bribery. Those who accept bribes are not entitled (have no rights). According to this view rights rather than duties are primordial. Duties can only be defined in terms of rights.

The type of ethical theory which acknowledges the supremacy of rights is known as *natural law theory*. According to this theory the following are the sources of rights:

- Natural Rights are given by God. (Theistic/Religious approach)
- Humans have rights that are inherent in 'Nature'. (Non-theistic/Non-religious approach)
- Universal declaration of Human Rights (1948). Every citizen has the right to Life, Liberty and Possession.

Bribe is simply not one's property. Thus officials who accept bribes have not "mixed their labor".

[Note: For further study see George Chryssides and John Kaler "*Essential of Business Ethics*" McGraw Hill. p. 1-4 & 22-41]

Lesson: 26**The Ethics of Advertising and Green Issues in Business:**

At the beginning we must keep in mind the function of Business Ethics:

1. To clarify one's concepts about the meaning of moral obligations.
2. To show how it is possible to hold different views on such matter, and where one can locate the points of disagreement.
3. Introduction of 'Ethical Consumer'.
4. Public & Political concerns about ethical issues cause certain professions to formulate code of practice, to define the limits.

Defining Advertising:

Advertising is a form of communication used to persuade or inform an audience (viewers, readers or listeners) to take some action with respect to products, ideas, or services.

Advertising messages are usually paid for by sponsors and viewed via various traditional media; including mass media such as newspaper, magazines, television commercial, radio advertisement, outdoor advertising or direct mail; or new media such as websites and text messages.

Etymology of the word Advertisement:

The word advertisement comes from '*Advertere*' (Latin) that means "to make know" the goods and services to potential purchaser. In other words it is an activity of attracting public attention to a product or service or business, as by paid announcements in the print, broadcast, or electronic media.

There are certain moral problems related to advertisement which are as follow:

- It encourages excessive expending even debt.
- It extols/raises material values such as greed and acquisitiveness.
- It promotes the outlook of judging people by what they own rather who they are.
- It misleads and deceive;
- It treats public like morons; as stupid persons.
- It causes degrading women. (Feminists complaints about the role of women)
- Stereotype portrayal of women. (Housewife)

Pro and Anti Advertising Camps:

Basic Question: Where the morally acceptable limits of advertising lie?

Two highly divergent approaches to advertising:

1. The anything-goes approach argues that advertising does little harm to anyone and is good for business, the economy, and the society as a whole.
2. The approach based on truth telling decrees that businesses have the right to advertise freely but not to lie to the public about their products or services.

Traditional and Modern Advertisement:

It is helpful for the sake of discussion to keep in mind the distinction between Traditional and Modern Advertisement:

Traditional Advertisement is based on market research that is on public's likes and dislikes. (a sort of *Concrete* Advertisement)

Modern Advertisement on the hand is based on motivational research. (a sort of *Abstract* Advertisement) It is benefited by in-depth examination of people's mind (Psychoanalysis).

In response to Advertisement based on Market research, people behave rationally.

In response to Advertisement based on Motivational research, people behave emotionally.

It is worth mentioning here that Vance Packard's book "*The Hidden Persuaders*" became a landmark in the debate about advertising. It was an attack on those advertisements that use 'in-depth' research on human motivation & behavior. For him modern advertisement is actually Manipulative Advertisement.

Packard's Criticism of Modern Advertising:

- It encourages non-rational, impulsive spending.
- It plays on the weakness of the public.
- It manipulates people---- including children and encourages waste by instigating needless consumption.
- Manipulative advertising sub-ordinate Truth to Desire, playing on hidden psychological motivation, which is obtained by means that intrude on the depth of the human psyche and which are largely unrecognized even by those who are subject to them.

Inform or Persuade: Some Theoretical Issues:

"*The Hidden Persuaders*" unmasked some of the worrying aspects of marketing industry and attacked them vigorously. Packard's analysis of advertising raises the following question:

- Whether any form of irrational persuasion is ethically wrong?
- Whether advertiser should feel a moral duty to confine themselves only to *information* rather than *persuasion*?

The different ethical theories seem to lead to different conclusions on this subject:

Consequentialists point out to the undesirable outcomes of certain types of persuasion.

Non-consequentialists insist that there is something inherently objectionable about the methods of certain types of persuasion themselves.

Right-based perspective: right to know is paramount; consumers have a right to disclosure of full information about the cons as well pros of the thing being promoted in order to reach the decision.

For Kant (the deontologist) the principle of 'respect for person' demands that human being must be respected absolutely and any form of persuasion which is less than rational is an assault on the integrity of the individual and hence unacceptable.

Utilitarian depending on the result of weighing up conflicting (positive / negative) factors, they will reach the decision.

Consensus:

What different theoretical perspectives have in common is that they agree on the necessity for full disclosure of information:

- Right-based approach stresses the right to know;
- Respect for person entails not dumping them into decisions which bypass their rational processes;

- The utilitarian needs full information on which to assess the consequences of acceptance and rejection.

Full disclosure: a Challenge for Advertiser:

Should advertising only persuade or inform?

Insisting on information means the proper model for the advertiser-consumer relationship is to see consumer as having predetermined wants, and ideal advertisers are those who give them the relevant information.

If persuasion is legitimate then on the 'persuasion' model, advertisers not only satisfy existing desires: he can create new wants.

Disadvantages of Persuasion:

Following are some disadvantages related to persuasive advertisement:

- Artificial wants carry no utility.
- No intrinsic benefits to society.
- Artificially created demands have lop-sided emphasis, leaving provision of public services such as health, education and welfare lagging behind.
- Advertising directs resources away from the area of possible benefits to areas of no intrinsic benefits.

What Advertisers ought to Observe?

Following are the moral responsibilities of the advertisers:

- Basic principles of legality, decency, honesty and truth.
- Advertising copy must be distinguished from editorial material.
- Advertisers must not mislead the public about their identity.
- Advertised products must be available and not advertise as a mean of testing potential demand or for the purpose of 'switch selling'.
- Advertisers no longer can say 'Business is Business'.

Women and Advertising:

The topic of women in advertising is one which attracted considerable attention in recent times. Feminists (who believe in sexual equality) complain about the role of women in advertising especially stereotype portrayal of women as housewife and the unethical practice of showing women in nudity and semi-nudity.

However, advertisers respond to this by saying that the nature of issue ideological rather than misleading. And advertisers are to sell their product, not to reform society (not to protect feminist ideology).

Nevertheless the impact of women advertising on Business is damaging.

Business and the Environment:

Business should not take total blame for environmental problems, but it bears a large share of the blame.

There are two extreme positions related to this issue:

First:

- It is not business's fault that environmental problems exist; business has always striven to give consumers what they want.

- Interference by nature-loving do-gooders will ruin business, our economy, and our society.
- If they are not interfered with, business and science will eventually find answers to environmental problems.
- Business has always operated in good faith and could not have foreseen these problems; therefore, why should it shoulder any blame?
- Changes required to solve environmental problems are too expensive, and business should not have to suffer this burden.

Second:

- Some people hold that the environment should always come first.
- We have been ruining the environment, and the only solution now is to stop all destructive activities before it is too late.
- Business must take the major blame for our environmental problems.
- Business, through its use of advertising, has caused the consume-at-all-costs syndrome, which has led to environmental depletion.

Government's Responsibility:

- Government should immediately pass legislation to ensure a clean environment.
- Government must conduct a massive reeducation of everyone in society, including business people.
- If businesses are destroyed in the process, then so be it —the environment must be saved at all costs.

Moderate View:

There is also a moderate view on business and the environment.

- Business isn't totally to blame for the destruction of the environment.
- The government and society in general share the blame.
- Business, government, and society must work together to stop this destruction, recognizing that we all have an ethical obligation to protect human beings and the environment.

Green Issues in Business:

There is considerable attention in 'greening' of Business' and 'campaigning' in Nature in recent time. Companies have designed to demonstrate that their Environmental record is acceptable, even commendable.

Area of Concern While Being Green:

1. Preservation of environment.
2. Avoidance of pollution.
3. Conservation of energy.
4. Depletion of raw material.
5. Animal welfare and species preservation.
6. Noise pollution.

Key Features of Greenness:

1. Responsible use of nonrenewable resources.
2. Pursuit of sustainable growth and development.
3. Minimization of pollution.
4. Avoiding the irreversible destruction of aspects of the environment.
5. Conservation and preservation of beauty.
6. Preservation of animal and plant life.

Consumer's Obligation:

Avoid products which are likely to:

1. Endanger the health either of the consumer or of others.
2. Cause significant damage to the environment during manufacture, use or disposal.
3. Cause unnecessary waste, whether because of over packaging, an unduly short useful life or because they are not suitable to re-use or recycle.
4. Use materials derived from threatened species or from threatened environments.
5. Involve the unnecessary use of ---or cruelty to---animals, whether this be for toxicity testing or other purposes.
6. Adversely affect other countries, particularly in the third world.

[Note: For further study see George Chryssides and John Kaler "*Essential of Business Ethics*" McGraw Hill. p. 123-137 & 138-144]

[Note: For further study see Thiroux, Jacques "*Ethics: Theory and Practice*" Prentice Hall. p. 416-417]

Lesson: 27**Environmental Ethics:****Defining Environmental Ethics:**

Environmental Ethics is the discipline that studies the Moral Relationship of human beings to, and also the value and moral status of, the environment and its non human content.

Key Terms:

- **Speciesism:** A prejudice for one's own species and against other species.
- **Sentientism:** The theory that only those beings with mental states should be subject of moral concern.
- **Holism:** A conception of nature where humans and nature together form a moral community.
- **Vegetarianism:** The refusal to eat flesh of animals in favor of a diet of vegetables.
- **Endangered Species:** Plants & Animals in danger of becoming extinct because of the encroachment of civilization upon natural environment and because of careless exploitation by human beings.

Man and Nature:

Following are two different perspectives to understand the relationship of humans to nature:

Anthropocentric:

- Human-centered; humans alone have intrinsic worth; those things are good that promote the interest of human beings.

Non Anthropocentric:

- Not just humans that have intrinsic value. It is also known as Eco-centric or Bio-centric and assigns intrinsic value to individual life forms and also to whole systems or ecosystems.

Anthropocentric: Absolute & Relative:

- **Absolute:** Intrinsic Value to human being alone.
- **Relative:** Assigning a significantly greater amount of intrinsic value to human beings than to any nonhuman things.

Values:

It is important to make a distinction between two types of values in this context:

a) Instrumental Value: *a function of usefulness.*

An object has instrumental value because it can be used to attain something else of value. Example: Clear air & water are valued because without them human health and well-being jeopardized/ruined.

Thinking of natural object in terms of "resources" is to treat them as having Instrumental Value.

b) Intrinsic Value: an object has intrinsic value when it is valuable in itself and is not valued simply for its uses.

Environmental concerns rest on the intrinsic value that we recognize in nature.

Life itself has intrinsic Value; no matter what form it takes.

Prima Facie moral duty:

It is commonly held that something that possesses intrinsic value generates a prima facie direct moral duty on the part of moral agents to protect it or at least refrain from damaging it.

Nature and Morality:

Human beings have discovered in recent years that natural resources, including animals, plants, and trees are not boundless but are subject to diminishment, destruction and loss.

The reason is the careless exploitation, pollution, and the general encroachment of civilization. Our concern for nature is often centered the idea that its destruction affecting our own life (Nature's as having instrumental value).

However people do consider nature as valuable in itself and insist that we have specific moral obligations toward it and all it contains, especially animals that are closer to us in nature's order.

Environmental Ethical Issues:

1. Waste and Destruction of Natural Resources.
We cannot continue the waste and destruction of natural resources, but must take action now to conserve and replenish/restore what we use from nature.
- 2 Exploiting, Misusing & Polluting the Environment.
Neither we can continue to exploit, misuse, and pollute the environment.
3. Exploiting, Abusing, and Destroying Animals:
Ethical issues of animal rights:
 - a) Many people feel that with our modern products and food availability, we no longer should be destroying animals for food and body parts (fur, skin, tusks).
 - b) Also we must be much more humane in the way we raise domestic animals for food.
 - c) We should either not use animals at all for scientific experimentation or use them only sparingly and again humanely.
 - d) We must also be careful to ensure that various animals' species are not decimated or made extinct.

Our Attitude towards Nature:

Our attitude towards nature has not developed overnight; it has its history.

Eastern Religions:

Hinduism, Buddhism, and Taoism, see nature and human being as a unified whole instead of seeing nature as subordinate to humans or as something to be manipulated and controlled by them. The spirituality of these religions tends to permeate everyone and everything not just human beings.

The western religions, however, see human and nature in a dualistic relationship.

Platonic Dualism---The Beginning of Western Philosophy:

It essentially saw human beings as separate from and superior to the external world and nature, tended to split human beings off from nature. The implications of Platonic dualism are significant here. World of ideas is considered to be as something real. Whereas the World of sense (the External, Physical world) is considered something unreal and shadow.

Judeo-Christian Tradition:

This is a second dualistic view in the early teachings of religious tradition.

Bible taught that human beings are imbued/filled with soul whereas the rest of nature is not. Human beings have dominion over all nature and should “go forth and multiply”.

In Genesis, Adam is told by God that he has “dominion over the animals of the earth, the bird of air, and the fish of the sea” and that nature is essentially there for his purposes.

The Rise of Science and Scientific Progress:

With the advancement of science and technology nature has become, at least from human point of view, more and more subservient to human beings. It is meant to fulfill his needs and desires, and the environment and animals were used and exploited without regard to any inherent value they might have.

Industrialization:

Industrialization has not only increased the use of natural resources for its operation but also has polluted the environment with disposing of waste.

Encroachment of Nature by Civilization:

Through industrialization, population increases, and greater need for land and space, civilization has encroached on nature, destroying more and more of the natural environment.

Lesson: 28**Arguments for and against the Use and Exploitation of the Natural Environment:****Arguments for the Use and Exploitation of the Natural Environment:**

A strong set of arguments states that human beings are the highest form of natural creation and therefore, should have complete dominion over nature and everything it contains. Nature exists strictly for the use of human beings and has no other purpose for its existence.

Two Types of Dominion over Nature:**1. Religious:**

Western religions (Judeo-Christian tradition) seem to condone this type of dominion. Human being is superior by virtue of his *spirituality*, conferred upon him by God. No other beings in nature have such high status as humans; therefore, they do not deserve the same ethical considerations as humans do.

2. Natural Order and Evolution:

In this view, human beings are considered the highest evolved species in nature, so they should exercise power over the rest of it. Humans by virtue of their fantastic brain have shown through their ability to reason and invent that they are capable of harnessing/controlling nature and all its aspects.

Human Reasoning vs. Nature as Blind and Non-reasoning:

The main reason that human beings are at the top of the natural order of things is that they have the *capacity for reasoning* that the rest of nature does not have. Because nature is *Blind and Non-reasoning*, it is obvious that human beings should have complete dominion and control over it.

Civilization More Important than Nature:

Civilization is more important than nature. Because human beings are at the highest evolutionary and religious order, so human civilization, including its institutions, technology, science, industry and systems of all kinds, should take precedence over nature.

Moral Rights and Obligation:

Because humans are at the top of the religious and natural orders, so humans and only human are deserving of moral rights and moral obligation.

Nature, then, can be used and exploited in any way that humans see fit, for it is merely there for their purposes.

Argument against the Use and Exploitation of the Natural Environment:**Monistic Holism vs. Dominion and Domination:**

Human beings and Nature are parts of a whole and not separated into dominant and subordinate groups. So it is argued that:

1. Religious arguments about the superiority of humans have either been misinterpreted or are irrelevant.

2. That humans have evolved to a higher level of intelligence does not mean that they are automatically entitled to dominion over nature. Someday they might be replaced by a more advanced species.
3. The proper relationship between human beings and nature is not dualistic, but holistic; that is, humans are an integral part of nature and nature is an integral part of them. Thus there is no dominant and subordinate relation.

Reasoning should not Separate Humans from Nature:

Reasoning should not separate humans from nature but should unite them both more closely. Reasoning should lead to an acceptance of nature as intrinsically valuable.

Having reason endows humans with much more responsibility toward nature and all it contains than other beings in nature who do not have it.

Civilization vs. Nature:

Nature, which contains most humans' needs and which relates to humans in a vital way, should never be made subordinate to civilization, which is human-constructed.

Frank Lloyd Wright (1869—1959) an American Architect and advocate of Organic Architecture, felt that buildings should be designed to fit into the natural environment.

Moderate Position:

Both Sets of Arguments are Extreme Positions.

Nature must be considered on an Equal Footing. Nature is important and significant but not necessarily on the same footing with humans. It may therefore be used for human means but with care not to endanger or destroy it.

This position generally agrees with the holistic position but is not against using nature for the good of humans as long as it is done carefully, allowing for the preservation and protection of the environment.

[Note: For further study see Thiroux, Jacques *"Ethics: Theory and Practice"* Prentice Hall, p. 437-448]

Lesson: 29**Bioethics---Ethical Issues in Medicine:****Definition:**

Bioethics means 'life ethics' or 'ethics in medicine'.

It covers the following areas:

- Caring for dying: allowing someone to die, mercy death, and mercy killing:
- Human experimentation and informed consent.
- Genetics.
- Fertilization and birth.
- Health care and its cost.
- Population and birth control.
- Allocation of scarce medical resources.
- Truth telling and confidentiality.

Essential Concerns:

It is essentially concerned with establishment and maintenance of vital and moral human relationship between the sick and the dying on the one hand, and healthy and medical professional on the other.

It is concerned with 'treatment' in the broadest sense; that is, it deals not only with how we treat patients in medical sense, but also how we relate to, or deal with, our fellow human beings, especially in matters of illness, injury, and dying, and death.

Health care Personnel and Patients and their Families; Rights and Obligations:**Paternalism:**

According to this view Health Care Professionals [Doctors, Nurses, Attendants, Aides, Therapists Technicians and all others involved in medical aid] should take a parental role toward patients and their families.

Reasons:

- 1 Lay people don't know what's best for them; therefore, they should place themselves totally in the hands of professionals because they and they alone have proper medical background.
- 2 Patients and their families are essentially like children when they come to medical problems, so the professional should serve as father figure.

Radical Individualism:

It is the position that patient should have absolute right over their bodies and lives and many therefore reject doctor's recommendations.

Reasons:

- 1 Doctors are human beings like everybody else and they are capable of errors in judgments, diagnose and treatment.
They are even at times guilty of malpractice, negligence, or maltreatment.
- 2 Patients and their families are best qualified than anyone else, can decide if, how, when and what treatment to be given because their bodies and lives are at stake.

- 3 Many issues having to do with treatment are not strictly medical, and professional are not qualified to make decision about them.
- 4 Many lay people these days are quite knowledgeable about their bodies and about medicine, and even when they are not, they can be made to understand the nature of their medical problems when explained clearly.
- 5 Paternalism has often led to total patient dependence on doctors and has sometimes resulted in dehumanization, when a patient is regarded merely as a living body to be investigated, analyzed, medicated, or operated without recognition that a *person* still resides within it

The Reciprocal or Collegial View:

It utilizes the team approach, in which patients and their families work with health care personnel to do what is best for patient.

Supportive Reasons: [similar to Individualism]

1. Professionals are not gods or even father figures; they are merely human beings with specialized training.
2. Many decisions are not strictly medical; they should not strictly be made by professionals. Doctors need to rely on other support personnel (nurses, therapist, etc) as well as non-medical personnel, such as social workers, clergy, and trained volunteers in order to properly care for patients and their families as a whole.
3. This view recognizes the importance of individual patient's rights in all medical areas.
4. It accepts that neither patient nor professional alone "know best" but that decisions should be both reciprocal (involving give and take) and collegial (involving team approach) rather than dictatorial, paternalistic or anarchistic.
5. Patients are entitled to know what is happening to them, and decisions should be arrived at through a free exchange of ideas and should be made jointly by everyone on the team.

Truth Telling and Informed Consent:

Truth Telling: The issue involving truth telling is to what extent patients and their families should be told the truth about their medical situation and to what extent they should not.

Informed Consent: It is a formalized procedure in which patients or their families consent in writing to medical procedures involving some degree of risk to their health and life.

The Paternalistic View of Telling Truth:

There are several arguments put forth to support the paternalistic point of view. For example:

- 1 This view holds that because patients are not medically trained, they cannot understand what doctors tell them; therefore, they do not need to know more than professionals are doing their very best for them.
- 2 It is best for the patient's morale and their will to get better or will to live that they are not told bad news.
- 3 Keeping patients in dark allows them to live remainder of their lives without worry, concern, or depression. Telling them bad news will not keep them away from dying.
- 4 It is all right to tell bad news to families but not to patients.
- 5 Professionals and patient's families should avoid being morbid and should cheer up patient.

The Patient's Right to Know:

Following are the arguments supporting Patient's Right to know about their conditions.

- 1 They have right to know because it is their body and lives that are at stake.
- 2 It is much easier to deal with patients who are aware of what is going on, so that pretense is unnecessary.
- 3 Patients are often angry and feel dehumanized if they don't know what is going on or what to expect.

Problems with Right to Know Approach:

- 1 This approach, however, may lead some professional to be frank to the point of being brutal or even cruel in telling patients the truth.
- 2 It is a false dilemma to assume that either you have to give people terrible news or to lie.

Moderate Position:

A view that lies between paternalism and the brutal frankness is a sharing of appropriate information with patients when they want to know it and to the extent they want to know. This view lets the patients be the guide in determining the information they will receive.

It involves the following:

- a) Listening to and really hearing patient.
- b) Answering patient's question truthfully.
- c) Not forcing information on patient but letting them decide what should be told and when it is to be told.
- d) Not avoiding questions or issues by using medical technical language or jargon.
- e) Recognizing that explanation may have to be given in parts or more than once because of the shock of the news and resultant patient denial.
- e) Always giving information clearly, gently, and humanly, never coldly, brutally, or cruelly.
- f) Never leaving patients and their families without some hope, even if it is only that the patients will be cared for and kept free of pain.

Informed Consent:

Informed consent is a more formalized approach to truth telling and to involving patients in decisions concerning their treatment.

Informed consent is necessitated in our times by the increase in complex technological tests, procedures, and surgeries, not only for the therapeutic reasons but also for experimental purposes.

- 1 In countries like U.S.A. patients must be informed of the risks involved in any procedures that are to be performed on them.
- 2 The assumption behind this approach is that in order to intelligently consent to any procedure, patient must be fully informed; they should also consent in writing to avoid future confusions or legal problems.
- 3 Most Informed Consent *forms* do the following:

- a) Explain the procedure and its purpose clearly and in ordinary language.
 - b) Explain what the procedure will cause the patient to feel in the way of discomfort or pain before, during, and after the procedure.
 - c) Explain any and all complications that may arise because of the procedure.
 - d) State how long the procedure will take.
 - e) Include a statement that the patient's doctor has judged the procedure so important to patient's well-being that the risks involved are justified.
2. Often the best approach is for the physician to provide information in person as well as having a consent form for the patient to read and sign; this will help ensure full understanding and truly informed consent.

Doctors who are against truth telling and informed consent say:

- a) Doctors know what they are doing, and having to explain complicated medical procedures to patient will only confuse the patients and break down the relationship of faith and trust Doctors vary to T.T and Info Consent between doctor and patient.
- b) Patients often really don't want to know the truth, and forcing it on them against their wills both invades their privacy and is bad for their morale.
- c) Every procedure has its risks, but there is no reason to frighten patients unnecessarily, especially when risks are very low.
- d) Patients may be unnecessarily frighten to the point where they will refuse to have necessary procedure performed.
- e) Unnecessary side effects may also be caused by the power of suggestion.

Pro Truth Telling & Informed Consent:

Some doctors, on the other hand, have gone overboard in giving information whether or not the patients want to hear it, thus causing unnecessary anxiety.

Reaction of Patients and Families to Truth Telling & Informed Consent:

The reaction of patients and their families to truth telling and informed consent also vary:

1. Some patients, and their families, don't want to know the truth because they wish to continue denying their problems. However most patients want to know what's happening to them; perhaps they don't need to know everything, but they certainly want to know the crucial facts.
2. That patient and their families want to deny their problems doesn't necessarily mean they don't want to know the truth. After all, there may be unfinished business to take care of, and knowing the truth may help all of them take care of it.
3. A great deal of sensitivity is necessary on the part of the whole health care team to know how, what, when and where to tell the truth.

Guides to Truth Telling and Informed Consent:

- 1 Generally, patients and their families should be kept as fully informed as possible, especially when they clearly want to know the truth.
- 2 They should be dealt with truthfully, honestly, and compassionately and without cruelty, coldness, or brutal frankness.

- 3 If they consistently indicate that they don't want to know the truth and if ignorance will do no harm to them or to their families, then one can avoid telling them until they do want to know.
- 4 If the patients want to know the truth but their families don't want them to, then the patient's desire come first.

[Note: For further study see Thiroux, Jacques *"Ethics: Theory and Practice"*
Hall. p. 373-383]

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Lesson: 30**Confidentiality, Guilt and Innocence in Treating Patients, Euthanasia, Ethics and Behavior Control, Genetics:****Confidentiality:**

Confidentiality in patient-doctor relationship would on the surface seem to be fairly clear-----that is, whatever a doctor and patient discuss and whatever the patient reveals in in this relationship is to be held in strictest confidence, just as in other professions like the lawyer-client priest/minister-parishioner relationships.

Generally the matter of confidentiality seems fairly clear in that what goes on between doctors and patients should always be confidential. This is usually the case.

However the problems with HIV and AIDS have made the matter of confidentiality a different issue in the following cases:

- 1 Spouse and partner deserve to be protected.
- 2 Patients deserve to be protected from health care givers infected with HIV and AIDS.

As a rule, confidentiality should be maintained, but at the same time everything must be done to protect the innocent from any kind of contagion. Thus it is suggested that:

- 1 People who are capable of infecting must take the responsibility for warning others.
- 2 Where they won't or can't, confidential action must be taken to protect the innocent.

Guilt and Innocence in Treating Patients:

Another general medical ethical issue that sometimes arises is the on the treatment of patient by health care professionals who have judged them to be either "guilty" or "innocent".

It is often difficult for health care professional to be objective in treating patients who have certain problems that have also been personal problems for the professionals in some way (e.g., a child abuser who needs treatment and the doctor or nurse who is a parent of a small child)

Another aspect of this issue is when professionals have to keep treating patients who continuously abuse their own health (e.g., alcoholics)

This problem has become even more of a problem since the advent of AIDS.

Suggestions:

1. It is not the job of health professional to try, judge, or convict any patient of crimes, no matter how heinous. It is their job, rather to treat sick or injured patients no matter what their background of life-style.
2. Professionals need not like such patients or condone, what they have done or how they live, but neither must they let their own preconceptions or feeling enters into the quality of their treatment.

Ethical Issues in Medicine:**Euthanasia:**

The word *euthanasia* comes from the Greek and originally meant "a good or happy death." However, it has also been interpreted, especially in the twentieth century, to mean "mercy killing," a legal form of murder in different countries of the world.

It is a process in medical practice that allows a dying patient to die a natural death without interference from medical science and technology.

It involves both:

1. Not starting curative treatment when no cure is possible.
2. Stopping treatment when it is no longer able to cure the patient.

Mercy Death vs. Mercy Killing:

Mercy Death: Taking of a direct action to terminate a patient's life because he has voluntarily requested it--- (assisted suicide)

Mercy Killing: Taking of a direct action to terminate a patient's life without his permission. (However in most countries of the world both are illegal.)

Brain Death vs. Persistent Vegetative State (PVS):

Brain Death: When a patient has a normal heartbeat and normal respiration but has suffered irreversible and total brain damage.

Persistent Vegetative State (PVS): It results from damage to the cerebral cortex, or neocortex, which controls the cognitive functions. A PVS patient is not brain dead, but lacks permanently that makes life a human life.

Allowing Someone to Die:

The phrase "allowing someone to die" implies an essential recognition that there is some point in any terminal illness when further curative treatment has no purpose and that the patient in this situation should be allowed to die in natural death in comfort, peace, and dignity.

Let us examine the arguments for and against allowing someone to die.

Arguments against:

It is a common assumption that human life is always to be protected and preserved, regardless of its quality, by every means we have at our disposal. This assumption has given rise to a number of arguments against allowing someone to die.

- 1 Some say it is tantamount to abandoning a dying person, though this need not be the case if we distinguish carefully between the "curing and healing" and "comforting and caring for" aspects of medicine.
- 2 Cures may be found or miracle cures may occur.
- 3 We can never choose death over life.
- 4 Interfering with God's divine plan.

Arguments for:

Most arguments for allowing someone to die are based on the Principle of Individual Freedom--- specifically, on the rights of individual dying patients to make decisions about their own bodies and lives.

1. Individuals have rights over their bodies, lives, and deaths.
2. Patients have right to refuse treatment.
3. Shorten suffering.

4. Patient's Right to die with dignity.

Mercy Death: (Voluntary Dying or Assisted Suicide)

Argument Against:

- 1 The Irrationality of Mercy Death: Suffering people can't make a rational decision.
- 2 The Religious Argument: A second person must do the killing, which, in religious term even worse than suicide. Killing is killing regardless of the motives.
- 3 The Domino Argument: If Mercy Death is allowed, Mercy Killing will soon follow.
- 4 The Justice Argument: It involves the guilt and other negative feelings of the person who has to do killing and also on the part of family.
- 5 The Possibility of Finding Cure: "Where there's life, there's hope".
- 6 The Hospice (a home providing care for the sick or terminally ill) Alternative: It has eliminated the need for mercy killing.

Argument For:

- 1 Individual Freedom and Rights: Patients should have freedom to decide about their own deaths, and the person who performs the act merely carries out the patient's wish.
- 2 Human Rights vs. Animals Rights: We do the same to dumb animals (while in suffering), and we owe our fellow humans at least as much consideration and mercy.

Mercy Killing:

It means the termination of someone's life without that person's explicit consent by a direct means out of a motive of mercy.

Arguments Against:

- 1 Direct Violation of the Value of Life Principle: Murder is murder regardless of motive.
- 2 The Domino Argument: Since the consent of the patients cannot be obtained, mercy killing involves an outside decision about the worth of their lives and set a dangerous precedent for eliminating others who may be considered "useless" to society.
- 3 The Possibility of Finding Cures: Cures may be found or patients may come out of deep comas; if we kill them, we eliminate these possibilities.

Arguments For:

1. Mercy for the "Living Dead": No violation of the Value of Life Principle. Because most of those who undergo mercy killing are not fully alive human beings; rather they are mindless organism.
2. Financial and Emotional Burdens: The longer people continue to "merely exist," the greater financial and emotional burdens on the family and on society.

Ethics and Behavior Control:

Questions:

- To what extent the behavior of the human beings should be controlled by the various technologies available to us.

- Whether we have the right to change people's behavior whether they know or not or whether they consent or not.

Two Positions on Behavior Control:

- **Pro-behaviorists:** We have this right because we know what normal behavior is, and those in society who can't conform to these norms, ought to have their behavior changed.
- **Anti-behaviorists:** We do not have this right because we don't know what the norm is, and setting one arbitrarily is dangerous. Individual freedom, uniqueness, and creativity should be prized and protected at all costs.

Human Experimentation:

It means the use of human beings for experimental purposes either for their own therapy, for the good of humanity or to advance scientific knowledge.

- **Pro-experimentation:** As long as an experiment can advance scientific knowledge or aid humanity it is justified.
- **Anti-Experimentation:** Human being should never be used for experimentations unless protective criteria are met because of the ease of abusing the rights of people whose freedoms are limited (prisoners, mental patients, and children)

Kant's Practical Imperative:

It is significant to mention here Kant's point of view in this regard that holds "Treat human being as an end and never as means to someone else's end." It means:

- a) A person should generally not be experimented on unless the experimental procedure is therapeutic and harmless.
- b) A person may be experimented on provided he is fully informed and can freely consent to such experimentation, realizing it may not be therapeutic to him but good for humanity.

Genetics:

It is the area of medicine and science that is concerned with the manipulation and control of the human genetic makeup.

Supporters: Nothing and no one should stand in the way of scientific advancement and the chance to perfect the human race because the world can benefit from the improvements.

Opponents: Anything that tempers with the natural life process, interfering with Nature's or God's plan, should be prohibited. This includes scientific experimentation in the area of genetics, especially the artificial creation of life.

[Note: For further study see Thiroux, Jacques "*Ethics: Theory and Practice*"
Hall. p. 227-235 & 383-391]

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