DIRECTORATE OF DISTANCE EDUCATION

UNIVERSITY OF NORTH BENGAL

MASTER OF ARTS- PHILOSOPHY

SEMESTER -IV

APPLIED ETHICS

CORE 401

BLOCK-1

UNIVERSITY OF NORTH BENGAL

Postal Address:

The Registrar,

University of North Bengal,

Raja Rammohunpur,

P.O.-N.B.U., Dist-Darjeeling,

West Bengal, Pin-734013,

India.

Phone: (O) +91 0353-2776331/2699008

Fax: (0353) 2776313, 2699001

Email: regnbu@sancharnet.in ; regnbu@nbu.ac.in

Wesbsite: www.nbu.ac.in

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FOREWORD

The Self Learning Material (SLM) is written with the aim of providing simple and organized study content to all the learners. The SLMs are prepared on the framework of being mutually cohesive, internally consistent and structured as per the university's syllabi. It is a humble attempt to give glimpses of the various approaches and dimensions to the topic of study and to kindle the learner's interest to the subject

We have tried to put together information from various sources into this book that has been written in an engaging style with interesting and relevant examples. It introduces you to the insights of subject concepts and theories and presents them in a way that is easy to understand and comprehend.

We always believe in continuous improvement and would periodically update the content in the very interest of the learners. It may be added that despite enormous efforts and coordination, there is every possibility for some omission or inadequacy in few areas or topics, which would definitely be rectified in future.

We hope you enjoy learning from this book and the experience truly enrich your learning and help you to advance in your career and future endeavours.

APPLIED ETHICS

BLOCK-1

BLOCK-2

BLOCK 1: APPLIED ETHICS

Introduction to the Block

Unit 1 deals with Introduction: Applied Ethics. Ethics is the philosophical treatise which studies human behaviour and tries to determine what is right or wrong behaviour. It is also called moral philosophy.

Unit 2 deals with Nature and scope of applied ethics. This unit aims at introducing the students to the philosophical need for Ethics starting from a brief discussion of Moral law and how the human person in his or her process of growth intuits the ethical principles.

Unit 3 deals with Theological formulation of applied ethics. Systematic theology must serve as a foundation for any set of moral standards that pleases God and fulfills human nature.

Unit 4 deals with Analysis of the concept of prima facie obligation. Prima facie is a Latin term that is commonly understood to mean "on the first appearance" or "based on the first impression."

Unit 5 deals with Deontological and teleological approaches to moral action.

Unit 6 deals with Values. In this unit, we shall study one of the important schools of Normative Ethics, namely deontology.

Unit 7 deals with Private and public morality. Public morality refers to moral and ethical standards enforced in a society, by law or police work or social pressure, and applied to public life, to the content of the media, and to conduct in public places.

UNIT 1: INTRODUCTION: APPLIED ETHICS

STRUCTURE

1.0 OBJECTIVES

While spelling out the importance of ethics in so far as it affects human conduct and behaviour in the society, this unit seeks to respond to the some of the important challenges to ethics as a philosophical discipline particularly from certain approaches to make ethics itself relative. Thus we attempt to look at some of the figures in the tradition of Western Philosophy like Fletcher and Ginsberg, figures representing these challenging currents of thought and we offer an in-depth evaluation of their positions.

1.1 INTRODUCTION

Ethics is the philosophical treatise which studies human behaviour and tries to determine what is right or wrong behaviour. It is also called moral philosophy. (from the Greek 'ethos' and the Latin 'mores' which mean 'custom', 'ways of behaviour', 'human character').That there is in man a spontaneous awareness of a distinction between 'right' and 'wrong' behaviour is an indubitable fact. But philosophy, here like

elsewhere, cannot content itself with simply registering facts, it tries to reflect on the 'meaningfulness' of such facts, establish them (or reject them) on a rational basis, understand their implications, draw their practical consequences and above all intuit their ultimate cause (if any). Our study of ethics is also conditioned by some philosophical assumptions, which we take to be philosophically established in other treatises. Perhaps the three principal ones are: the possibility of meta-empirical knowledge, the ontological structure of reality and man as a rational and free being (philosophically established in critical, ontology and psychology respectively). For us, therefore, ethics is an attempt not only to 'understand' what is and what is not right human behaviour, the empirical and meta-empirical 'ground', if any, of the distinction between right and wrong behaviour, but also to see whether the conclusions thus drawn can serve as objective norms for practical conduct. The importance of ethics is obvious. From as far back in history as we can tell, man has always sought to know how to lead a 'good' life and to draw up rules of conduct. Thinkers of all cultures tried to explain in what this 'good' life consisted and, especially, why precisely it was 'good'. It is not so much that traditional moral values are questioned (e.g. the 'just' war, inviolability of life in cases of the hopelessly suffering and of unwanted pregnancies, sexual intercourse only between the legally married, indissolubility of marriage, etc.), but, more radically still, that the very 'meaningfulness' of an unchanging and universally valid morality is brought into question. 2 The causes of this modern questioning are hard to pin down. Certainly the spread of education, advances in science and technology, problems arising from modern way of living like the everincreasing urbanization, easier communication media, faster means of travel whereby people of one culture come in closer contact with people of another culture, etc are some of the causes. But if, as we have already implied, moral thinking is intimately linked with philosophical thinking in general, it might very well be that these causes, whatever they might be, are to be sought for on a deeper human level. Human person, perhaps, is not so much asking about the morality of this or that human act, but, more deeply still, about himself: the meaning of his life, the direction of human history, the significance of

the human world he lives in, the ambit of his knowledge and the possibility of his ever getting an answer to the questions he asks. Ethics, of course, cannot dream of suggesting answers to such radical questions. But it might well prove to be a 'way of approach' to questions which lie beyond its own field of enquiry.

1.2   THE RISE OF APPLIED ETHICS

It is important for us to understand the genesis of Applied Ethics as this subject holds significant importance to the contemporary issues of social issues within the context of Globalization phenomena. As Applied Ethics deals with the analysis and interpretation of specific, controversial contemporary moral issues such as bio-ethical subjects such as animal rights, euthanasia, abortion, organ-transplantation, environmental ethics, information and business ethics, through further inquiry into this subject we target to extrapolate the framework to address some of these issues. The term 'Applied Ethics' has recently expanded to cover many contemporary problems. Peter Albert David Singer, an Australian philosopher and leading bio-ethicist working with Princeton University , first used the term 'applied ethics', may be thought of as one of the first philosophers who used 'applied ethics' to express practical ethics. By this term he means to express "the most striking development of the past twenty years." But it is not new, in his opinion: "It would, rather, be the revival of an entire department of the subject: applied ethics." In his view, because applied ethics has a long tradition from Plato to recent philosophers, recent "development" of moral philosophy is considered a "revival." In any case, Singer thought that "recent development" began "during the 1960s, when first the American civil rights movement, and then the Vietnam war and the rise of student activism began."3 In such situations, philosophers were drawn into discussions of moral issues such as, "equality, justice, war, and civil disobedience," and it was important to answer the question, do philosophers make an appreciable contribution to such ethical issues? To answer the question means that philosophers "tell people what they ought or ought not to do" in fact, it is "the application of philosophy to public issues,"4 and serves to test the practical skill of philosophers. At first, public and ethical problems

which philosophers such as Peter Singer concerned themselves with were centered around bioethics. Many problems never before encountered in our history appeared in medicine and the biological sciences. Bioethics was planned to research and resolve such ethical problems as whether medical operations are accepted, how security range of biological experiments is determined and what and how standards of such experiments are created. In such planning, researchers have concerned with people, relationships, laws, and politics, which was related to such problems. Results which the researchers found in bioethical issues affected another range that bioethics related never little to, e. g. enviroment, or business. Environmental Ethics, Biomedical Ethics, Business ethics and so any other Ethics appeared, and developed their range. They are called 'Applied Ethics'; they treated concrete problems and tried to resolve some ethical issues in an adequate way in which their issues should be treated. Self-reflection and self-observation of all the actions in society are the fundamental traits of applied ethics. In this way, applied ethics transcends traditional formulation of ethics and tries to offer practical solutions by advancing viable alternatives in society. So there is an increasing tendency in institutionalizing applied ethics which is a welcome point as far as philosophy is concerned. By and large it is believed that philosophy is basically concerned with the intricate patterns of thinking realms alone. Now, applied ethics created new ways of looking at philosophy and these new ways expand their horizons through various sub-disciplines like bio-ethics, environmental ethics, business ethics, computer-ethics, ethics of technology, genetic ethics, etc. Applied ethics is proving the fact that there is enough space for discussing the issues in social development under the background of practical philosophy. In the words of Prof Brenda Almond, a British philosopher and a contemporary authority in the subject of applied ethics; "Applied ethics is the philosophical examination, from a moral standpoint, of particular issues in private and public life that are matters of moral judgment". It is thus a term used to describe attempts to use philosophical methods to identify the morally correct course of action in various fields of human life. Bioethics."5 For example, applied ethics is concerned with identifying the correct approach to matters such as

euthanasia, or the allocation of scarce health resources, or the use of human embryos in research. Environmental ethics is concerned with questions such as the duties of humans towards landscapes or species. Business ethics concerns questions such as the limits on managers in the pursuit of profit, or the duty of 'whistleblowers' to the general public as opposed to their employers. As such, it is a study which is supposed to involve practitioners as much as professional philosophers. Applied ethics is distinguished from normative ethics, which concerns what people should believe to be right and wrong, and from meta-ethics, which concerns the nature of moral statements. Applied ethics deals with the analysis and interpretation of specific, controversial moral issues such as animal rights, euthanasia, abortion, organtransplantation, etc. Since the introduction of applied ethics is in philosophical stream, the role of philosophy is expanded and the claim of the philosopher to intervene in all the problems relating to man, society and nature is being justified. Applied ethics is one of the most influential branches of philosophy and it has become a useful tool of decision making in society. So more than working in the realms of academic moral philosophy, applied ethics surpasses academic moral philosophy and achieves the status of philosophy of social purpose. This working of applied ethics as fulfilling the demands of social purpose is regular, systematic and continuous one. Applied ethics is viewed as the reflective philosophy of modern age. It gives importance to reflective actions of human beings, both as an individual and as a group, so as to reduce the negative consequences of actions. The historical reasons for the development of applied ethics are rather complex and diverse. The main point behind developing applied ethics is that 'how best we can do those things that we all agree ought to be done'. The great deal of problems concerning applied ethics are directed towards professions like medicine, legal, environmental, business etc., which shows the integration of applied ethics with all these professions. Since then the politicization of moral philosophy became deeper and this led to the expansion of philosophical landscape of ethical philosophy. The development of media also played a vital role by promoting meaningful discussions and debates centered on applied ethics. Prof. Kurt Bayertz of Jerusalem, a contemporary bio-

ethicist, points out about the characteristics of modern societies in developing applied ethics. He formulates it in the following manner: Modern societies are reflective societies; nearly everything in them can become the object of communications and reflection. In a first approximation, applied ethics can be understood as one part of this communication and reflection process which tries to apply philosophical methods to a growing number of problems. Although ethics has reacted to social problems (as has philosophy in general), this reaction was mostly abstract and indirect. The difference between traditional and applied ethics lies in the latter's direct approach to social problems. Kurtz argues further that the fear that applied ethics will disappear without trace is unfounded and as society is divided into various sub-systems and institutions. The stream of applied ethics will continue to grow as society encounters new problems. It is clear that the object of applied ethics is to reflect on the day-today problems of society rather than merely engaging in construction of theories of sorts. The day-to-day problems are the result of man's actions. As the scope of ethics includes man's actions in society, so these problems come under the purview of applied ethics. Majority of these day-to-day problems are the after effects of the development in the name of science and technology. These developments encroach into the very fabric of human values and destabilize them. The traditional theories are not adequate to address these problems. Under applied ethics, each of these problems is evaluated separately in order to re-define the present value system or to create new one according to the nature and context of the problem. The instruments for creating or constructing the solutions are basically ethical. "Existing morality is a historically evolved entity that can be overtaken by the development of new possibilities for action and that can, therefore, be in need of revision and adjustment. This hypothesis is the starting point of applied ethics. The other inadequacies can be corrected by ethical reflection and that it is not only necessary but also possible to create a new morality.

1.3   ETHICS AS A PHILOSOPHICAL STUDY

Ethics is the philosophical study of morality. Ethics can be viewed as understanding the foundation and structure of morality regarding how we ought to live.9 The terms "moral" and "ethics" denote the idea of custom. Although these terms have different origins, philosophers use these terms interchangeably. Ethics is defined as systematic understanding of moral concepts and justifies the theories and principles of right behavior that guides individuals and groups on how to behave in the society. According to Peter Singer: "An ethical issue is "relevant if it is one that any thinking person must face." In this sense environmental issues are more relevant today. Ethics is not a bunch of principles that everyone should follow in society, rather, ethics guides and allows being a rational agent in society. The interesting fact about ethics is that it is not a scientific study and at the same time even scientific study comes under ethical scrutiny. Ethics is not a scientific study in the sense that there is no scope for proof and demonstration as in science and mathematics. At the same time, ethics can be over and above science for we pass value judgments on scientific discoveries and inventions. The general notion about all areas of knowledge is that if it is not scientific or demonstrable, then there is no use of it. Ethics breaks this dogma. Even in scientific discipline an ethical orientation becomes inevitable. But that simply does not mean that ethics is a code of prohibitions. In the pre-modern period ethics was in the hands of theologians and they used it as hegemonic tool. It has been rapidly changing in modern times. The scope and definition is being broadened along with modern society. Prominence and importance of ethics is increasing day by day. As no society is static and problems related with it are also not static, ethics is not static and has been addressing ethical issues with different perspectives. Moral philosophers were traditionally engaged in analyzing moral semantics and other issues in meta-ethics. Now, more and more philosophers worked with moral problems in society. However, the turn to applied ethics was not a turn away from issues in meta-ethics. The discussion about methods in applied ethics and theories of justification has been lively and different alternatives has been suggested; "principlism", specifisism, case-based theories (casuistic) and John Rawls, arguably the most important contemporary political philosopher

proposed Rawls' theory of Reflective Equilibrium. However, one may still question if the turn to applied ethics in reality was something new. Brenda Almond argues that: "…the inception of applied philosophy /including applied ethics/ coincides with that of the Western philosophical tradition as a whole."

She mentions the pre-Socratic philosopher Thales (c.585 B.C.) as a pioneer in the field of ethics and economics! Other examples of important contributions to the history of applied ethics are works of Plato and Aristotle, philosophers who among other things worked in the area of ethics and politics (Platon: The Republic, Aristotle: Politics). Later day philosophers engaged in applied ethics include Immanuel Kant, John Locke and John Stuart Mill, all of them inspiring sources of presentday ethicists. Applied ethics also has its roots in theological ethics. As one classical example that we can mention here is Augustine's (5th Century) and Aquinas's (13th Century) theory of "just war". The conditions they set up for a war to be just are still highly relevant in the present discussion on just war. Furthermore, ethicists in both the Catholic and the Protestant tradition were among the first to engage in medical ethics.

1.4   MORAL DECISION MAKING

For utilitarianism, the maximization of pleasure and the minimization of pain are the only relevant criteria for moral decision making. This means that the primary question is: what decision will lead to the greatest amount of pleasure or, revised, the less amount of pain? For an ethicist in the Kantian tradition subject's autonomy plays a decisive role. This is in accordance with Kant's second formulation of the Categorical imperative, always to treat a human being as and end in him/herself, implying that one should always respect a person's will. The fact that a human life is at stake is important from a perspective emphasizing the principle of "sanctity of human life". According to the Catholic moral tradition each human person is "ensouled" and the life and death of a human being is in the hands of God. This implies that a decision to take a human life – for example through euthanasia – should not be considered as an option in health care. According Peter Singer, there are no restrictions for the ethicist from arguing for particular positions in

applied ethics provided one has good arguments. Hence, Singer himself argues vigorously for liberal immigration policies, for generous aid to poor countries, against hunting etc.

1.5 THE CHALLENGE OF SITUATION ETHICS

Situation ethics is the kind of approach to morality we might expect from an existentialist, who tends to reject the very idea of human nature – or any nature or "essence", for that matter. Joseph Fletcher, the former dean of St. Paul's Cathedral, Cincinnati and professor of Social Ethics, Episcopal Theology School, Cambridge, Massachusetts, USA, published his classical Situation Ethics in 1961. At the onset, he presents his view as the golden mean between the two reprehensible extremes of legalism and antinomianism. Unlike the latter, he assures us, "The situationist enters into every decision-making situation armed with the ethical maxims of his community and its heritage." There is no question of throwing out all laws, rules and commandments. However, he "treats them with respect as illuminators of his problems" but is prepared to "compromise them or set them aside in the situation if love seems better served by doing so". Now that last phrase serves to characterize what makes Fletcher describe as "Christian" his whole approach to morality. Fletcher even takes a swipe at "Kant's legalism," which produced universal laws like "a lie is always wrong'. He asks, "But what if you have to tell a lie to keep a promised secret?" and answers, "May be you lie and, if so, good for you if you follow love's lead." When we adopt a critical approach, we cannot but record our dissatisfaction as regards the carelessness with which Fletcher defines his position. If Aristotle and anyone who hold some sort of "natural law" morality are to be counted among the situationists, that grouping has been emptied of almost all precise meaning. The only ones excluded from that nomenclature would be the extreme legalist and antinomians, and would they be so numerous and so influential to warrant the setting up of whole "new morality"? Just about any system of deontological ethics that is open to prudence and casuistry is already sufficient to respond to the difficulty. And when Fletcher pens something to the effect that, "Situation ethics goes part of

the way with natural law, accepting reason as the instrument of judgment, while rejecting the notion that the good is 'given in the nature of things, objectively," one cannot help wondering whether he had really understood natural law and objective morality properly, at all. Fletcher has, to say the least, a rather legalistic definition of love. So long as an act is done "selflessly" without the agent seeking any clearly manifest material gain, it is a moral act. Even the sickest of mentally deranged acts could also be roped in as ethically laudable if they were 3 done without any demonstrably material profit being sought in the process. But if love is selflessness, before we can assess its rightness or wrongness, shouldn't we first enquire into the nature of the self? Besides, as one might well ask, why should love be the norm of morality and not hate? Ultimately one can only answer that question by saying that love enhances one's personhood, one's "human nature adequately considered." It makes one more fully human, more fully alive. And hate does not do that. This obliges us to recognize a more basic and deeper norm 'love in itself.' To give Fletcher his due, one has to admit that he does give the impression that he has done some critical reflection on love and its authentic meaning, even if it wouldn't stand up to anything like a deeper metaphysical query. He trots out some fancy terminology from Tillich to this end: Using terms made popular by Tillich and others, we may say that situationalism is a method that proceeds, so to speak, from (1) its one and only law, agape (love), to (2) the sophia (wisdom), containing many "general rules" of more or less reliability, to (3) the kairos (moment of decision, the fullness of time) in which the responsible self in the situation decides whether the sophia can serve there or not. Whence he goes on to make a highly simplistic summary of how the rival ethicists proceed: "Legalists make an idol of sophia, antinomians repudiate it, and situationists use it." Finally, Fletcher, taking his cue from Socrates to the effect that the unexamined life is not worth living, suggests that "unexamined ethical maxims are not worth living by." and then he unleashes a salvo on the maxim that "The end does not justify the means." On the contrary, he asks, "If the end does not justify the means, what does?" And he answers, "Obviously, 'Nothing.'" Whence his another proposition of situation ethics, "Only the end justifies the means;

nothing else." In the light of the preceding, this boils down to say that anything done out of love (the means) is thereby justified or made morally good. He is careful to quickly add, "Not any old end will justify any old means" only love would do the job. And then he tops it off with another chilling remark, "Being pragmatic, the situationist always asks the price and supposes that in theory and practice everything has its price. Everything, please note. Even for a 'pearl of great price' whatever it is – might be sold for love's sake if the situation calls for it." This kind of remark is chilling because it can be used to justify the suicide bomber who blows himself up with a host of innocent civilians – and, as we have seen, Fletcher actually does that. Even if we don't fully endorse Fletcher and his brand of situation ethics, is there something we can learn from what he has tried to tell us? He is reminding us of a timeless and oft-forgotten maxim: unless an action, however good in itself, is done with the motive of sincere love, it has no real ethical value, whatsoever.

Check Your Progress 1

Note: Use the space provided for your answer
1) Define Ethics and its importance.
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2) Illustrate Joseph Fletcher's Situation Ethics.
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1.6   CULTURAL AND ETHICAL SUBJECTIVISM

There is a quite understandable objection that any kind of ethical system based on human nature (however adequately considered.) has to face and that stems from the undeniable fact of cultural relativism. In one culture polygamy is viewed as right and moral; in another it is roundly condemned; not too long ago certain tribes in the South Sea Islands

considered the painless killing off of ones parents a filial duty, most of us would be horrified at the very idea. Sometimes within the same country or culture, there are splits: Some Indians disapprove of the remarriage of widows, others have no problem with it; People across the globe are radically divided on the morality of birth control and divorce. Now, if there were some kind of common human nature upon which all moral laws are based, how do we explain these wide divergences – even contradictions? Furthermore, studies in anthropology and sociology have led us to accept cultural relativism: there is no one culture which can be seen as superior to others, we are told. Each culture makes sense, is sufficient unto it-self within its own religious and philosophical presuppositions. It would be grossly unfair for one culture to arrogate to it-self the right to stand on judgment on another one. And even if one were to claim that he/she is not critiquing an alien culture from his/her cultural standpoint, but from the fancied "neutral ground" of "common human nature", isn't that, to say the least, rather naive? For he/she would be, in effect, advocating an understanding of human nature mediated by the "pre-understanding of his/her own culture, however subjectively convinced he/she may be that strict detachment is being observed. And, in any case, in the practical order of things, it would end up by the economically and politically dominant culture foisting itself upon all weaker ones, obliterating all "native" or "local " cultures and "little traditions" in one vast process of cultural domination? In fact, isn't this what "globalization" amounts to and haven't we all been most vocal in finding fault with it? Let us begin our response to these very pertinent questions with one important introductory remark. Many of the people who are up in arms at any mention of a common natural law confuse it with the rigid formalism of the Kantian "categorical imperative." Nothing could be more wrong. The categorical imperative of Kantian morality could not but enjoin strict and absolute submission, without any possibility of the least exception. To make matters worse, they had to be motivated by a purely internal drive – not out of love for anyone or anything external to the agent, not even love of one's country, God, family or friends: it had to be nothing but "duty for duty's sake". All this is enough to make any self-respecting antinomian see red, to say the

least. Kant was determined that his system of ethics have an autonomous source. Basing mortal conduct on external grounds – the will, of God (Occam) or of positive law (Durkheim) would be to ask for trouble. An atheist would be deprived of any moral foundation and positive law would scarcely help matters: it is susceptible to so many variants, often on the basis of vested interests 5 and corruption, that it would afford, at best, a very shaky moral set-up. On the other hand, Kant's agnostic epistemology, influenced by Hume, rendered it quite impossible to take the "natural law," based on human nature, as the norm of morality. As the first Critique had argued, we cannot know the 'thing-in-itself' (the noumenon) and human nature is one of those things, precisely. The only solution was for him to ground it among those a prior practical principle built into our very mental makeup, parallel to those speculative principles that The Critique of pure Reason has uncovered. These a priori synthetic judgments were endowed with the qualities of strict universality and absolute necessity. One could as much expect exceptions to moral laws as one could require, say, the Principle of Identity or Contradiction to allow for contravention on the basis of special circumstances. But, if one were not to go along with Hume and Kant and accept that not only is there a common human nature in which we all participate, but can discern what basically constitutes it, the problem is dispersed at once. In the first place, this doesn't open the door to all manner of cultural exploitation and foisting questionable pre-understandings and perceptions onto recalcitrant people and their cultures. The basic make-up of all humans or "common human nature" would comprise the following data: we are embodied beings with a capacity to transcend space and time, are social by nature, rooted in a world and have some sort of relatedness to the ultimate: only that and nothing more. No host of uncritical "commonness" are being smuggled in as a kind of packaged deal, forcing people to accept certain attitudes to people, places, things and even God as constituting our "common human nature". Furthermore, sense perception is a necessary constituent of human nature and this, in itself, opens the door to certain relativism – perceptual relativism. Now this opens the door to a whole range of divergences within and between cultures. For if all people are seeing, hearing, smelling and tasting the

same objects, they are not necessarily apprehending them in the same way. There is the possibility of "acquitted tastes" and some people acquire them, while others don't. Accepting a common human nature does not oblige us to subscribe to a single, common view of things, as rigid and unchanging as the Kantian categorical imperatives. Inasmuch as much of culture is built on sense perception there is plenty of scope for a certain cultural relativism. However, not all cultural differences can be reduced to the mere relativeness of our perception of things. Sometimes it stems from a broader and wider interpretation of whole complexes of interrelated experiences. A particular local, regional or even national customs or rite may imply a judgment that people of a particular gender, ethnic or religious background are either nonpersons or rather inferior version of the species. As a result, they are disqualified from enjoying certain privileges and rights that another dominant group claims exclusively for it. In cases, such as these, where a clear ethical bias is manifest, one has every right to challenge and critique the culture concerned. Cultural divergences, based on a questionable hermeneutics and implying arrant discrimination against certain people cannot justify itself on the grounds of cultural difference.

1.7 MORRIS GINSBERG'S "ON THE DIVERSITY OF MORALS"

Professor of Sociology at the University of London from 1929-1954, just one year before his retirement, Ginsberg delivered the Huxley Memorial lecture on the phenomenon of apparent ethical relativism that anthropologists and sociologists were unearthing in cross cultural studies. 6 It would be pertinent to quote in anticipation, the conclusion he arrives at, after a long and patient scrutiny of the facts. Amidst variations moral codes everywhere exhibit striking similarities in essentials. There are no societies without rules of conduct, backed by the general approval of the members. There are none which do not regard that which contributes to the needs and survival of the group as good, none which do not condemn conduct interfering with the satisfaction of common needs and threatening the stability of social relations. As Ginsberg sums it up insightfully, "It might be argued that the diversity of moral judgments

affords no more proof of their subjectivity than the diversity of judgments regarding matters of fact throws any doubt on the possibility of valid scientific judgments about them" He then goes on to detail six different contexts wherein a certain variation in moral practices may be noted between and within certain nations and cultures. In sum, they are as follows: (1) Variations in the view as to whom moral rules were held to be applicable. (2) Variations arising due to differences of opinion as to the non-moral qualities of certain acts and their consequences. (3) Variations arising from the fact that the same act appears to be seen differently in different situations and contexts. (4) Variations arising due to a difference of emphasis on different elements comprising moral life. (5) Variations arising from the possibility of alternative ways of satisfying primary needs. (6) Variations due to differences of moral insight and general level of development, ethical as well as intellectual. The range of persons to whom moral rules are held to be applicable: Anthropologists like Taylor recognize a certain "natural solidarity," comprising a measure of mutual forbearance, helpfulness and trust as constitutive of all societies. Everyone felt somehow bound to his or her neighbour by certain societal bonds of shared care and responsibility. However, there was a divergence of view as to who really were ones neighbours. Initially, and quite understandably, "neighbour" was rather narrowly understood to be only those of one's own family, tribe or clan and very often it was only the males who, in the full sense, were considered moral persons to whom societal norms in all fullness had to be applied. However, what constitutes one's "neighbourness" is not a particular set of racial features or one's sex but "human nature adequately considered" and so moral laws have to be applied to all persons, irrespective of their age, sex, social status or nationality. No law was understood as discriminating against ones neighbour: there was only a mistaken perception as to what the term meant. It could well be that vested interest's made use of this confusion to justify their breaking of promises and agreements to colonised natives. After all, if the natives had no souls, then they were mere sub-humans and the ethical prescriptions didn't apply in their case. Differences arising from the growth of knowledge concerning certain acts: This is perhaps best

exemplified with the medical discovery, in fairly recent times, of the role played by microbes in generating disease. This has given us new responsibilities as regards cleanliness and hygiene: hospital staff may be guilty of criminal neglect if they are careless in these areas nowadays something totally unheard of in ancient period. Again, it was only in the eighteenth century that people desisted from torturing and burning to death alleged "witches." At that time, such people were seen as being guilty of heinous crimes and, due to their pernicious influence or occult powers could cause serious bodily harm to peoples, bring about natural disasters and jeopardize not only their own salvation, but of others as well. As Lecky, remarks "granted these propositions, there was no moral difficulty in drawing the conclusion that… [They]…should be 7 put to death." Happily, we live in more enlightened times and developments in psychology and sociology have helped us recognize the folly and error underlying such views. The same act is seen differently in different contexts/cultures: Divergences, here, are very often the result of ethical laws and principles being couched in a very brief formula. As a result, the passage of time or a wholly new set of circumstances in a different climate or culture yield examples of "differences" in ethical behavior as regards the "same" act when, on closer study, we realize that these are totally different ones altogether. What constitutes "usury" in one place may not be so in another, depending on the standard of living. A simplistic condemnation of "aggression" may only apparently be broken in the case of a pre-emptive strike where one nation attacks another because it has reasonable grounds to believe that the other is planning a full scale invasion. In a society where there is no established system of properly conducted law courts, self-redress may be a legitimate option, whereas it would be condemnable wherever there is a working network of judiciary procedures. Variations due to differences of emphases in moral responsibility: Even if there is a universal agreement that we should do what is right and spurn all that is evil, there may be differences of view as to what is the ultimate reason we should do so: it may mean, as Ginsberg summarizes it, "Because it is the will of God and that will may be considered inscrutable; or it may mean because of the love of God, or because of the love of men, not so much because they are worthy

of it, but because they are the objects of divine love and enabled by the Incarnation; or again for prudential reasons because it would lead to beatitude in this or another world." Sometimes, a particular stress may lead to a certain imbalance if there is no critical reflection accompanying the trend. Irrational feelings of love and devotion may land one in the extremes of fanaticism. An over-stress on faith may lead to a neglect of justice. Self-discipline may wind up in repulsive forms of masochism. It is not so much ethical relativism that is to be blamed for all these oddities, but a lack of the cultivation of a spirit of self-criticism and recta ratio. Variations due to different ways of fulfilling basic needs: This arises when people, though they may be in agreement as to what constitutes the most basic needs of humans ("first order values"), different societies and cultures seek to fulfill them by alternative ways ("second order values"). For instance, most communities favour the monogamous marriage and the sex-rules associated with it: the association of sex with enduring companionship, the fusing of sex with tenderness, the enhancement of the parental relationship through shared interest in the upbringing and love of children, providing security to children by the experience of parent's love for them and for each other and so on. These are all "first order values" and all cultures recognize these. However, they may seek different ways to realize these ways other than monogamous marriage and its customary practices. Thus, in Bantu society (in Africa), physical attraction, affection and companionship usually follow quite different channels. Instead of seeking these within the context of monogamy, "quite different channels" are followed for each of the above-mentioned "second order values", "a man desiring his wife, loving his sister and seeking companionship among his male relatives and friends." This is where there is ample scope for dialogue and exchange, where people of different cultures can challenge each others' presuppositions and customs, seeking how to more fully and deeply realize the basic goals ("first order values") that they all respect. In our more enlightened times of freedom of enquiry and dialogue, when we have come to realize that no culture is perfect and infallible and that we have a lot to learn even 8 from those we don't quite agree with, such exchanges can prove beneficial to all the parties concerned and no one

will come away from serious and sincere sharing with quite the same convictions and presuppositions with which he or she entered into it. Divergences due to the particular level of mental development: The development of mental, and therefore, moral acumen may be gauged, Ginsberg says, from five perspectives: (a) The degree of universalism that a moral system envisages: this is a matter of assessing whether the moral code stops with the confines of the family, tribe or clan or whether it goes on to include rules governing how one should deal with the larger family, embracing people of all nations, ethnic groups, cultures and religions and making no discrimination according to sex, age or religion; (b) The range or comprehensiveness of experience embodied in the particular moral code: obviously the moral code of a small group that takes out a kind of nomadic existence by hunting and gathering will be very sensitive to issues linked with rather limited way of life, but it will be lacking as to guidelines for business, economic and inter religious relationships; (c) The extent to which the underlying moral codes and principles that are the basis of any moral system are brought to light and scrutinized as to how justified they are and whether they have been made to fit together coherently and harmoniously; (d) The extent to which there is a separation of moral codes from law and from religion: this is important because if no clear demarcation is made, the principles of the dominant religion will be taken as the basis of law and morality and this will imply scant respect, if any, for people who don't subscribe to the doctrines of the dominant religion: obviously, there should be left scope for individual decision in certain matters and the law should not employ its machinery to oblige everyone to act as if he or she was not in full accord with the teachings of a given religion; (e) The extent to which moral systems permit, even encourage, self-criticism and self-direction: a system which assumes that even adults are too immature to make their own religious and moral decisions and refuse to tolerate even the mildest form of dissent, even when presented non-violently is certainly inferior to one that assures for a public debate on complex issues and in the light of contemporary development in the social sciences.

Check Your Progress 2

Note: Use the space provided for your answer

1) Mention the six contexts of Ginsberg's Diversity of Morals.

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2) What is diatopical exchange of Pannikar?

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1.8 LET US SUM UP

We have exposed the main challenges to Ethics arising from Situation Ethics, Subjectivism and the divergence of morals. In our conclusion, we would like to emphasise that we should not commit the mistake to the effect that the more technologically developed and industrially refined a culture is, the more enlightened it will be, in the sense of the five norms outlined above by Ginsberg. Nor should we assume that access to the media and information technology would necessarily create a society made of people who are more critical and less likely to be led astray by unscrupulous demagogues and cleaver dicks who're hell bent on making a fast buck for themselves at whatever cost to other people, the environment and the future generations. Globalization, today, is proceeding along very unethical lines and has been elaborated by a culture that prides itself on being a model for all the world, one whose very pretensions to democracy and family values cloud well be questioned. It is by what Pannikar calls a "diatopical" exchange – a dialogue between cultures – that societies can learn from one another, challenge each other and grow together, without being obliged to model themselves on one allegedly "higher" level of intellectual development. Some cultures may have a lot to offer others from one angle while they need to learn from others as regards another aspect. Paolo Freire, for instance, opined that third world cultures should learn from the technological development of the west but, in their turn, have a lot to offer the latter from the way they have learnt to preserve family values and a less destructive way of relating to nature. In all this, it is human nature adequately considered that is to be repeatedly brought into the

area of discussion, sharing and debate whenever we feel decisions and judgments have to be made.

1.9 KEY WORDS

Situation Ethics: Is the kind of approach to morality we might expect from an existentialist, who tends to reject the very idea of human nature or any nature or essence.

Perceptual Relativism: sense perception a necessary constituent of human nature, this in itself opens the door to certain relativism.

Kairos: moment of decision, the fullness of time. Masochism: the enjoyment of something that most people would find unpleasant or painful.

1.10 QUESTIONS FOR REVIEW

1. Discuss in details about the Rise of Applied Ethics.
2. How could you understand the Ethics as a philosophical study?
3. Discuss the Moral decision making.
4. How could you describe the Challenge of Situation Ethics?
5. Write about the Cultural and Ethical Subjectivism.
6. Discuss the Morris Ginsberg's "On the Diversity of Morals".

1.11 SUGGESTED READINGS AND REFERENCES

*   Daniel, David Mills. Fletcher's Situation Ethics: The New Morality. London: SCM Press Limited, 2009.
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*   Ginsberg, Morris. "Comparative Ethics," in Philosophical Quarterly 3/12 (1953): 253-56.
*   Sterba, James P. Three Challenges to Ethics: Environmentalism, Feminism, and Multiculturalism. Oxford: Oxford University press, 2001.

1.12 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. See Section 1.3
2. See Section 1.4

Check Your Progress 2

1. See Section 1.6
2. See Section 1.7

UNIT 2: NATURE AND SCOPE OF APPLIED ETHICS

STRUCTURE

2.0 OBJECTIVES

This unit aims at introducing the students to the philosophical need for Ethics starting from a brief discussion of Moral law and how the human person in his or her process of growth intuits the ethical principles. Discussions pertaining to the dynamics of morality is undertaken to show how on the one hand new situations call for new responses from moral point of view and on the other hand certain fundamentals of ethics remain the same in so far as there is something of a common human nature adequately understood.

2.1 INTRODUCTION

Beneficent actions and motives have traditionally occupied a central place in morality. Common examples today are found in social welfare programs, scholarships for needy and meritorious students, communal support of health-related research, policies to improve the welfare of animals, philanthropy, disaster relief, programs to benefit children and the incompetent, and preferential hiring and admission policies. What

makes these diverse acts beneficent? Are such beneficent acts and policies obligatory or merely the pursuit of optional moral ideals?

These questions have generated a substantial literature on beneficence in both theoretical ethics and applied ethics. In theoretical ethics, the dominant issue in recent years has been how to place limits on the scope of beneficence. In applied and professional ethics, a number of issues have been treated in the fields of biomedical ethics and business ethics.Let us begin our study of Nature and Scope of Ethics by understanding what we mean by moral law. But two things need to be clarified before we raise the question with which we are concerned here. First, the moral law is called 'law' only metaphorically, or if one prefers, analogically. The primary meaning of law is "a rule of action, promulgated by him/her who is in charge of a community in view of the common good". This is called positive law. If the legislator is considered to be God, it is divine positive law; if the legislator is human person, and it is human positive law. Human positive law can further be subdivided according to what the common good aimed at. (e.g. civil law, criminal law, commercial law, etc.) In a case, a positive law lays down rules to be observed by human persons. It is prescription. Then there is another sense of 'law' which is quite different. In this sense it is a formula expressing a constant of behaviour of things and of persons. So we have physical law (including laws studied in physics, chemistry, biology, etc.), psychological law, sociological law, etc. (Since the constant of behaviour among human persons is less fixed and foreseeable than that among things it is more of a statistical constant). As distinct from positive law, this kind of law is called 'natural law'. It is descriptive. It can also be called prescriptive to the extent if it is considered as willed by God and includes the divine positive law, and descriptive to the extent that this divine will is the ultimate cause of the constant of behaviour in things and human persons. However, moral law corresponds exactly neither to the positive law nor to the natural law. On the contrary, the sense of the 'absolute should' is an immediate datum of the moral consciousness itself. Secondly, in the language of Moral philosophers, moral law includes not only general and abstract rules of action (e.g. "do good and avoid evil"), or, in our language, the sense of the absolute should, but

also particular and concrete precepts (e.g. help the poor, obey legitimate authority, be truthful, do not kill the innocent, adultery is wrong, etc.). These particular and concrete precepts, we are here calling the specifications of the moral law. Hence our question: How are the general data of the moral consciousness particularized and concretized in specific precepts and what is the cause of this difference among men? In terms of moral value, we can raise this question as follows. If the moral value par excellence is human person's self-realization as human how can this moral value determine specific moral values? And why is there disagreement as to whether such and such an action is a 'good' (moral value) or not?

The history of ethical theory shows that there are many ways to think about beneficence and benevolence. Several landmark ethical theories have embraced these moral notions as central categories, while proposing strikingly different conceptual and moral analyses. Prime examples are found in the moral-sentiment theory of David Hume, where benevolence is the central "principle" of human nature in his moral psychology, and in utilitarian theories such as John Stuart Mill's, where the principle of utility is itself a strong and very demanding normative principle of beneficence. In these writers beneficence is close to the essence of morality. Other writers, including Kant, have given less ascendency to beneficence, but still give it a central place in morality.

Hume's Theory

Hume's moral psychology and virtue ethics make motives of benevolence all important in moral life. He argues that natural benevolence accounts, in great part, for what he calls the origin of morality. A major theme is his defense of benevolence as a principle in human nature, in opposition to theories of psychological egoism. Much in Hume's moral theory is directed against Bernard Mandeville's (and likely Hobbes's) theory that the motive underlying human action is private interest and that humans are naturally neither sociable nor benevolent. Hume argues that egoism rests on a faulty moral psychology and maintains that benevolence is an "original" feature of human nature. Benevolence is Hume's most important moral principle of human nature,

but he also uses the term "benevolence" to designate a class of virtues rooted in goodwill, generosity, and love directed at others. Hume finds benevolence in many manifestations: friendship, charity, compassion, etc. Although he speaks of both benevolence and justice as social virtues, only benevolence is a constitutive principle of human nature. Rules of justice, by contrast, are normative human conventions that promote public utility. The virtues of benevolence and justice are therefore extraordinarily different virtues in Hume's ethics.

In his inquiries into the principle of self-love, Hume does not reject all aspects of the egoists' claims about the absence of impartial benevolence in human motivation. He acknowledges many motives in human nature and uses metaphors of the dove, wolf, and serpent to illustrate the mixture of elements in our nature. Principally, he sees human nature in the domain of moral conduct as a mixture of benevolence and self-love. Whereas the egoist views human nature as limited to motives such as survival, fear, ambition, and the search for happiness, Hume regards persons as motivated by a variety of passions, both generous and ungenerous. He maintains that these elements vary by degree from person to person. Lacking distinctive information about a particular individual, we cannot know whether in that person benevolence typically dominates and controls self-love, or the converse.

Mill's Theory

In Utilitarianism, John Stuart Mill argues that moral philosophers have left a train of unconvincing and incompatible theories that can be coherently unified by a single standard of beneficence that allows us to decide objectively what is right and wrong. He declares the principle of utility, or the "greatest happiness" principle, to be the basic foundation of morals: Actions are right in proportion to their promotion of happiness for all beings, and wrong as they produce the reverse. This is a straightforward principle of beneficence and potentially a very demanding one. Mill and subsequent utilitarians mean that an action or practice is right (when compared with any alternative action or practice) if it leads to the greatest possible balance of beneficial consequences (happiness for Mill) or to the least possible balance of bad consequences

(unhappiness for Mill). Mill also holds that the concepts of duty, obligation, and right are subordinated to, and determined by, that which maximizes benefits and minimizes harmful outcomes. The principle of utility is presented by Mill as an absolute principle, thereby making beneficence the one and only supreme or preeminent principle of ethics. It justifies all subordinate rules and is not simply one among a number of basic principles.

Mill's theory of morality is welfare-oriented at its core because moral rightness is determined by goodness, which is itself to be understood in terms of the welfare of individuals. It is a consequentialist theory because the moral rightness and obligatoriness of actions are established by their beneficial results. It is an aggregative theory because a judgment about right or obligatory action depends on an appraisal of the effects of different possible actions on the welfare of all affected parties, which entails summing positive benefits and negative effects over all persons affected. Beneficence has rarely occupied such a central role in a moral theory.

Kant's Theory

Kant rejects the utilitarian model of a supreme principle of beneficence, but he still finds a vital place in the moral life for beneficence. He seeks universally valid principles (or maxims) of duty, and beneficence is one such principle. A motive of benevolence based on sentiment—highly admired by Hume—is morally unworthy in Kant's theory unless the motive behind benevolent action is a motive of duty. The motive likewise cannot rest on utilitarian goals.

Kant argues that everyone has a duty to be beneficent, i.e. to be helpful to others according to one's means, and without hoping for any form of personal gain thereby. Benevolence done from friendly inclination he regards as "unlimited" (a term subject to different interpretations, but meaning at least "having no boundaries in potential scope"), whereas beneficence from duty does not place unlimited demands on persons. Nonetheless, the limits of duties of beneficence are not clear and precise in Kant. While we are obligated to some extent to sacrifice some part of our welfare to benefit others without any expectation of recompense, it is

not possible in the abstract to fix a definite limit on how far this duty extends. We can only say that everyone has a duty to be beneficent, according to that person's means, and that no one has an unlimited duty to do so.

Kant here anticipates, without developing, what would later become one of the most difficult areas of the theory of beneficence: How, exactly, are we to specify the limits of beneficence as an obligation? Neither Kant, Hume, nor Mill has a precise answer to this question.

2.2 MORAL INTUITIONISM

All 'deontological' theories agree that there must exist some rule or law which 'enforces' moral value and that it is natural to human person, intuitively known. There is then an element of 'intuition' in all of them – no matter how they conceive of it and the way they approach it, whether as 'conscience' (Ockham), 'Logos' (Stoics), 'moral sense' (Shaftesbury), the 'a-priori categorical imperative' (Kant), 'right reason' (Thomas Aquinas and Suarez). This element of moral 'intuition' is also found in the 'teleological' theories whether implicitly or even explicitly. It is implicitly found in the concept of 'autarxia' (Epicurus), in that of 'eudemonia' (Aristotle), and explicitly in the concept of 'right reason' (Hobbes), in the 'conscientious feelings of mankind' (Mill). And in fact the more the idea of moral obligation is prominent in an ethical theory, the more explicit becomes the recourse to this element of 'intuition' (or 'direct perception'). This element of 'intuition' is strongly emphasized by meta-ethicists who maintain that moral language is 'objective' and therefore 'informative'. But here again, they differ as to what the 'object' of this moral intuition is. This difference is explainable by the difference in their meta-ethical theories regarding the meaning of moral 'good.' Hence for some, this object is the 'rightness of specific acts' (Carritt, Prichard) for others it is a kind of moral property, simple and indefinable in nonmoral terms (Moore), for others, it is a general principle (e.g. the 'the principle of utility' itself – Sidgwick) or a set of principles (e.g. the 'Prima facie' duties of fidelity, reparation, gratitude, justice, beneficence, self-improvement and non-maleficence – Ross). In ethics the philosophy which insists on the necessity of moral intuition is called Ethical

Intuitionism. But even the most insistent of all moral philosophers on this element of intuition in the moral consciousness, namely Kant, not only does not deny, but, on the contrary, explicitly states that the moral judgment includes elements derived from experience (which are therefore 'aposteriori' as opposed to the 'a-priori' element). Kant denies the possibility of deriving particular and concrete moral precepts from the concept of practical reason alone. For this the study of human nature is necessary. Similarly, Thomas Aquinas distinguishes between the 'first principles' of the synderesis which are 'self-evident', intuitively known by all, and which cannot be deleted from the human heart, and the 'secondary and more specific principles' which are derived from the former 'as if by way of conclusion from premises' what is implied here is that this secondary principles require reflection. Thomas speaks of the difficulty involved in applying general principles to concrete cases. Even though principles whether theoretical or practical can be evident in themselves, they 3 may not be so evident to us. And this is due, according to Thomas, to wrong persuasions on the part of human person. Saurez is perhaps even more explicit in his doctrine that even the secondary principles – which like the primary are self-evident in themselves – require a certain amount of thought and experience. This is truer of the tertiary principles which require study and discursive thought. But all moral principles can be derived from self-evident principles. One notable difference between Thomas and Saurez is that the former derives the concrete principles in a way corresponding to 'human person's natural inclinations,' the latter derives them in a way corresponding to a legal system. For Saurez these precepts have their immediate norm the 'good' of human nature. The need of experience and reflection is similarly – indeed even more insisted upon by contemporary ethicists. Why this greater insistence?

There are many active and productive sciences including engineering, the health sciences, manufacturing and business. Therefore, there are many forms that applied ethics takes. Bioethics deals with the issues of human life and health – especially as they relate to doctors, nurses and health care professionals. Business ethics is exactly what it sounds like. One could imagine political ethics and scientific ethics as well.

Interestingly enough, neither of these fields is recognized as being independent of normative ethics itself. Naturally this has also contributed to the problem of unethical scientists and politicians.

Applied ethics does not necessarily resolve problems dealt with in either metaethics or normative ethics. For example, an applied ethicist may promote the idea that absolute pacifism is always the right answer. Naturally, this position is highly controversial (and wrong). Nonetheless, as long as this ethicist answers questions about how we are to act as doctors or as politicians, then that person is still doing applied ethics. If a different person believed that obligations to the state are always our highest obligation (another controversial and wrong idea), then the same would be true of them. There is no need for applied ethicists to answer questions found in other disciplines.

It is true that any applied ethicist will need to take a position on all of the issues dealt with in both metaethics and normative ethics. In order to explain what our actions should be in particular situations, we must know what is right and wrong in general. In order to know how to apply our actions consistently, we must know why these actions are right or wrong. But this does not mean that we have to explicitly set out our position on everything. There are controversies within these sciences that are do not need to be explicitly addressed in order to give practical advice in most situations. Rare situations may call for answers, but most of time these questions can be left unanswered.

Applied ethicists can provide the best sort of evidence for a normative or metaethical theory by testing it out in practical terms. If the theory cannot be put into practice, then the theory is wrong. This is because ethics is an active science. The theory may fail to address all possible situations, and practical testing may reveal this. Finally, applied ethics may reveal that a particular theory is not at all plausible to the majority of people. This is the weakest form of evidence, but it may become significant with further understanding. Applied ethics cannot provide evidence against a normative or metaethical theory in other ways.

Definitions

Applied ethics is the branch of ethical knowledge. Regardless of the solution of the problem of rank attribution of ethics as such (is it considered as an organic part of philosophy – as a "practical philosophy", either as a private scientific knowledge that has been spun off from it. Or as a science with mixed status, as a "tree of goals" roots in philosophy, and separate branches growing out of its sphere) applied ethics is an indispensable component of ethical knowledge as an integral system. The definition of the nature of applied ethics through the opposition of theoretical ethics is not entirely correct: and at the level of ethical-applied research, our theories are being created. It is preferable to compare ethical-applied knowledge with fundamental knowledge, which, to become applied, must be transformed in a certain way.

The term "applied ethics" is used in two primary senses, determined by the specifics of the object of application of ethical knowledge and the purposes of the application. According to the first criterion, applied ethics includes knowledge of normative-value subsystems that arise through the concretization of public morality. Such processes to a certain extent proved to be familiar to ethics from the time when research began on various branches and subbranches of professional morality (in Europe such a study was undertaken, as evidenced by library indexes, almost from the 16th century) and ethos (labor and management, military and administrative affairs, education, etc.). The analysis of concretization processes in its various aspects was tested by ethics both in the form of codes of some socioprofessional groups and corporations and regarding articulating the set of rules for specific spheres of human activity.

In the course of discussions on the problems of nature and the properties of professional ethics, judgments were expressed that the process of concretization of norms and values of public morality in relation to a particular type of human activity consists in the discovery of such peculiarities and situations in professional action in which it is necessary to limit common moral requirements. The task of the ethical theory, in this case, is to justify such digressions and minimize them to the utmost, reduce them to single cases, qualifying them not as something positive in the moral sense, but only as an inevitable evil. However, this understanding of concretization, other researchers believe, depreciates

the codes of private moral requirements and the corresponding evaluation templates.

In the process of concretization, the question of developing the content of moral commands, prohibitions, and permits, about the development ("development") of the form of morality, its peculiar "code", the types of moral responsibility is put and is being decided. At the same time, the results of such development cannot be, as it seems to some researchers, extracted from general concepts and rules according to the axiomatic method – in this case, applied ethics would deal only with elementary application and detail, which to a tiny extent presuppose moral creativity. The development of the content and form of morality in the process of concretization means:

- a certain transformation, and in some cases a rethinking of moral imperative value ideas;

- new accents in the ways of "cohesion," the coherence of values, norms, rules between themselves and with all others – the extra-moral ones;

- a change in their place in the complex configuration of the value universe; fourthly, the possibility of the emergence of new installations, permissions and prohibitions that have no application anywhere else, except in a particular area of activity, maximally contributing to improving its effectiveness, strengthening the humanistic orientation of activities in these spheres and professions.

The concretization of public morality is not only due to the efforts of the multi-disciplinary cooperation of scientists and leaders or as a result of the implementation of programs of activities of various social institutions: it is the result of a long and mostly spontaneous cultural evolution of society.

From the second criterion, the content of applied ethics is conditioned by the desire of various social institutions and organizations to strengthen, as far as possible, the impact of fundamental ethical knowledge, its ideas, and doctrines, on real moral relations. Traditional ways of such implications are complemented by the involvement of this experience in

the development of a particular theory of social management at the macro- and especially microlevels.

Concerning the possibility and necessity of such a supplement in the ethics, two basic approaches crystallized. According to one of them (going back to Hobbes and Bentham), if the functioning of institutions and organizations is correctly put, it should not have an actual need for the target formation of moral qualities among people involved in management for different roles. Only the professional skills, knowledge, intellectual and psychological attributes of a person, allowing to make correct decisions and realize them, are an indispensable condition for effective social management. In extreme form, this approach is expressed in the assertion that the effectiveness of the functioning of institutions and organizations implies either the limitation of such virtues as decency, responsibility, honesty, initiative, the independence of employees in judgments and deeds, or their transformation into "negative virtues" of conformism and "organization". This position allows for exceptions only for a certain number of those social practices ("small" organizations of artisans, a community of scientists, artists, doctors, athletes), where success can not be achieved without respecting the rules of honesty, decency, trust. In a "big" society based on market institutions and representative democracy governed by bureaucratic structures of corporate type, human activity turns out to be for the supporters of such an approach merely an instrument of achieving power alienated from it, a means of realizing goals that are not coordinated with the internal values of people.

This approach reflects many very real aspects of the moral life of modern civilization, some negative trends in its development. However, another position is traced in ethical knowledge. Separating the moral aspects of the functioning of social institutions and organizations from the proper moral qualities and "civic virtues", the proponents of this position recognize a certain degree of their mutual correlation.

Within the framework of such a position, the exceptional importance of these virtues, the morally positive motivation of the "organization man":

- in ensuring the functioning of institutions and organizations,

- in satisfying the never-disappearing need for adaptive changes of these institutions and organizations themselves,
- in ensuring optimal interaction in them of formal and informal relations, which makes it possible to widely use the "human factor" in production and management.

This makes the second kind of application of ethical knowledge necessary – to the target block of social management. Applied ethics in this situation does not pursue utopian goals, does not try to make people's behavior as close as possible to the moral ideal or to substitute their efforts in the process of moral choice. The purpose of this block is to strengthen the members of the organization "civil virtues", in creating conditions that limit and displace various types of deviant behavior. Ethics of management plays an irreplaceable role in the target block, administrative, managerial ethics, as well as professional ethics that orient and sanction the behavior of the "organization man", while avoiding deviations in moralizing and rigorism.

The second kind of applied ethical knowledge is addressed to such theories, whose subject of interest is at least partially morality and moral education. In this sense, ethical-sociological, ethical-psychological, ethical-pedagogical, ethical-medical, ethical-ethnic, ethical-ethnographic, ethical-ecological and research are ethical and applied. From this interaction, interdisciplinary knowledge complexes arise. With their help, the diagnostic information about the state of morals, about the "painful points" and the internal contradictions of the moral life in its various sections is necessary for the preparation and adoption of managerial decisions and for carrying out any social experiments.

Ethical and applied knowledge is based on the methods of humanitarian expertise and counseling, including on the methods of game simulation in the form of ethical-praxeological games. Ethical expertise must reveal the maximum of real options, identifying for this value basis and indicating precedents of solutions in similar situations. Following this, the examination should offer the subject of choice the algorithm for finding solutions and develop in a dialogue with him humanistic choices in their axiological and praxeological aspects. An essential role in this is

played by the dissemination of democratic and meritocratic expert surveys.

The development of applied ethics in many countries employs numerous departments, laboratories, institutes, and associations, conducts relevant scientific conferences, practical classes, produces specialized journals, textbooks, normative documents (codes, charters, declarations, interviewing techniques and ethical-praxeological games). The most active searches are conducted on the problems of pedagogical ethics, bioethics, medical ethics, ethics of nonviolence, ethics of business.

2.3 HUMAN PERSON IN SEARCH OF HIMSELF/HERSELF

What we are dealing with here is to see whether a general principle such as 'serious promises should not be lightly broken' is 'self-evident' and therefore be counted among the 'first principles' intuitively known by everybody. If yes, how is it derived from the very first selfevident principle that 'good is to be done, evil to be avoided?' Is it merely by a kind of logical deduction? And if it is 'self-evident' in itself but not known by all, is it because of some accidental reason such as ignorance or bad habit? Finally, if it is not 'self-evident' how is it that human person has today come to agree that such a general principle is correct (that it is amoral value)? To speak more specifically of thinkers like Thomas Aquinas, Suarez and Ross are we to say that the examples they give of first principles (or of pirma facie duties) are meant to serve merely as examples or are we to say that they are meant to be included among the first principles themselves? In the first case we could perhaps disagree that the examples they give are good examples but still agree with their doctrine that there exist first principles intuitively known by every man. The question would be then which are these fist principles. In the second case to question the aptness of the examples would be to question their doctrine itself. Irrespective of what such thinkers actually mean we have got to study the problem in itself. If there is any principle that cannot be denied, it is the immediate data of moral consciousness. If these data cannot be denied they are self-evident. They are self-evident not as principles, that is, as formulae but as data whether they are

thematically formulated or not. The immediate ontological foundation of the moral obligation is human inter-relatedness and that the norm for moral good (as distinct from the moral right) is human person as a social being. We have also reflected how the only moral precept which is immediately given that is self-evident and cannot be justified on a mere moral level is that human person should be human (as an individual and social being). Hence all other precepts (what we are here calling specifications of the moral law) must somehow or other flow from this fundamental precept that a person should realize himself/herself as human. Human consciousness is in a process of becoming. Human person is becoming moral and more himself and in the process his awareness of himself develops. He/she has been continuously asking himself the question what he is. Human person is in a never-ending search of 4 himself/herself. The more he/she grows the more he/she becomes conscious of himself/herself as human person the more he/she is himself/herself. Moral consciousness is a part or an aspect of human consciousness. The more human person becomes himself/herself the more he/she becomes conscious of what he/she should be. This leads to the emergence of moral precepts specifying evermore clearly the conduct of human person. Hence the moral precepts (moral values) flow from the first fundamental moral precept that human person should be himself/herself (the moral value par excellence not by way of mere logical deduction or of mere mediate inference. The former are related to the latter not simply as logical conclusions or as implicitly correlated to their premises. Logic has got to do with ideas, with mere ideas. It cannot be denied that this relation of the explicit to the implicit of the clear to the unclear to the unclear of the concrete to the abstract is here present. But it is present in the sense that a continuously developing human consciousness is related to its stages past and future of its development. Existence is more than logic. If what we are saying about the progressive development of human consciousness, and therefore of moral consciousness is true one can easily understand the development of morals from the cave-man to modern human person from ancient slavery to the Universal Declaration of Human Rights which was approved without a dissenting voice in the United Nations General Assembly in

1948. Ignorance of the moral precepts is therefore not necessarily the result of perverse customs as if this result were accidental. It is a fact of experience that perverse customs not only weaken the will to pursue the moral good but darkens the mind to recognize what the moral good is. But this is more easily possible on an individual level. Here we are placing ourselves on the level of mankind and its historical progress. This ignorance and the variety of morals can be explained by human historicity itself, that is, by the historical progressive development of his human moral consciousness. However, we must not easily take it for granted that this development has always and everywhere been a linear progress. It may have suffered setbacks, reverses and regress. We need not go into that. What is more pertinent here to ask is whether we should reasonably suppose that human person has now attained the some of his/her self-consciousness and of his/her moral consciousness. What is reasonable to suppose according to us is that he/she has not. Apart from the fact that one cannot predict the future, contemporary moral problem of the morality of abortion hinges to a great extent on whether one should consider the human foetus a human person. The so-called women's liberation movement indicates no matter what its merits and demerits are that women have not been treated as full human persons everywhere in the world. One could think of many other indications. If progress is still possible it can only be done by the passage of time and on the part of human person by experience and by his reflection on his own experience.

2.4 LOVE AND THE MORAL PRECEPTS

Here we wish to bring into focus the more salient moments of our reflection on the subject bringing them to bear upon the topic at hand. To recognize human inter-relatedness as the immediate ontological foundation of the moral order and to act accordingly can be expressed in 5 terms of love. Love is therefore the existential basis of the moral order. This leads us already to start thinking that love is the basic moral activity. The primary intuitively grasped demand that human person realizes himself as a human person is particularized and concretized in moral precepts. This too can be expressed in terms of love. Universal love is particularized and concretized – it is objectified – in the moral

precepts. Hence as love not just one moral virtue among others but the form of all of the moral virtues, so too love is not just one moral precept among others but it is the form of all of them. It is what makes moral precepts moral precepts. Indeed it could hardly be called a precept since taken by itself in a non-objectified sense, it does not prescribe anything definite. And in the same way one can hardly call the moral realization of oneself as human as an obligation. This too taken by itself in a non-objectified sense does not oblige human person to do anything specific. And there is hardly any meaning in the saying that human person should love (love cannot be enforced) so too there is hardly any meaning in the saying that human person should fulfil himself as human. If love is the form of the moral precepts and if love – like human moral consciousness – is a progressive affair this means that acting according to the moral precepts is acting according to love but that this awareness admits of degrees. This means that love can also be considered to be not only the beginning of the moral life but also its end. At the beginning it is present as a seed – which is more than mere potentiality but already an actuality albeit in a seminal form. The seed can develop into a fully mature and fully conscious lobe. And if it is in love that human person perfects himself as human, it is in this fully mature and fully conscious love that he/she does so. Many factors go in this process of maturing of self-fulfilment. No matter how logically we can distinguish one human faculty (or aspect) of human person from another human person is a totality one integrated whole. As it is not the intellect which understands but human person by his intellect so too it is not with his/her heart that human person loves but human person by his heart (but heart is one's whole being). Love is an existential relation involving my whole existence. Suffice it here to remark already that though human person can develop one or other of his/her faculties independently of the rest (or at least quasi independently) one cannot develop himself/herself as a human person without developing the core of his/her being namely his/her love and this is not achieved by mere study and reflection – although these can be very useful – but by doing. As scholastics say the operation is the perfection of being.

2.5 THE DYNAMICS OF MORALITY

Here we examine two questions which are intimately linked. In an evolutionary visions of human person to what extent can we say that morality (that is, the specification of the moral law) are universally valid for all human persons to what extent can we say that they are unchangeable? If one maintains their universal validity one is charged with absolutism with holding the opinion of a static nature of human person incompatible with present day theories about man's dynamic and evolutionary nature. If on the other hand one were to maintain a relative validity one would fall into a philosophically untenable moral relativism. Can the dilemma be overcome? 6 The Evolutionary nature of human person and of his human consciousness has long been recognized one way or another. Charles Darwin gave the theory of evolution a biological basis. An Evolutionary view of the world and of human person is today at the basis of a great deal of scientific philosophical and theological thinking. The thinking of such human persons as Pierre Teilhard de Chardin and of Aurobindo comes of course spontaneously to mind. Herbert Spencer is perhaps the best known Evolutionary ethicist. He starts by observing that both human and animal conduct consists in acts adjusted to ends. The higher we proceed in the scale of Evolution the easier it becomes for us to obtain evidence of purposeful actions directed toward the good either of the individual or of the species. This purposeful activity forms part of the struggle for existence waged between individual members of the same species or between different species. But this type of conduct is according to Spencer an imperfectly evolved conduct. In a perfectly evolved conduct which is ethical conduct in the proper sense of the word this struggle for existence will yield place to cooperation and mutual help. Egoism and altruism will be both transcended. This leads Spencer to distinguish between absolute and relative ethics. Absolute ethics is an ideal code of conduct formulating the behaviour of the completely adapted human person in the completely evolved society. Relative ethics is the nearest approximation to this ideal according to the more or less perfectly evolved society in which human person happens to find him/her. Spencer adopts the utilitarian ethical principle. In fact he takes happiness to be the ultimate end of life and

measures the rightness or wrongness of actions by their conduciveness to this end. From a nascent state when this utilitarian principle was dependent on non-ethical (e.g. authoritarian) beliefs it gradually developed to become independent and as suggested by the theory of evolution, it will continue to evolve and reach an ideal limit. Happiness however depends on the fulfilment of some conditions. And these conditions are the observances of certain principles and rules which causally determine human welfare. Spencer acknowledges the existence of moral intuitions which however are the slowly organized results of experience received by the race. In other words an induction from experience handed down from one generation to the other ends up by becoming an instinctive moral reaction. Evolution is moving towards the emergence of the highest form of life. Happiness as the supreme end of human person is the concomitant and virtue is the condition for its attainment. In the preface of the fifth and sixth parts of his the principles of ethics subsequently withdrawn Spencer confesses that the theory of Evolution has not provided as much practical guidance as he had hoped. What is peculiarly Spencer's is his interpretation of Evolution as a teleological process directed towards the establishment of a higher and higher moral order.

2.6 THE CONSTANT AND THE VARIABLE IN MORALITY

Whether or not man has evolved from sub-human beings it is not for us to decide. But we can easily accept the theory that this human consciousness itself has natured and developed. At the beginning human person was not necessarily conscious of himself/herself as human as we today are. On an individual level this progress in human consciousness is a fact of experience. The child is a human being but as it grows it becomes more and more conscious of itself as a human being. We can accept this theory even on the level of mankind as such to explain how the moral law is particularized and concretized in specific moral precepts. 7 Human consciousness involves one's consciousness of oneself as an individual and as a social being. Moral consciousness is an integral part of human consciousness. Primitive human (to call him so)

must have been morally conscious – otherwise we are not entitled to call him/her human at all. So if moral consciousness belongs essentially to human consciousness as such – and in a univocal and not in an analogical sense – it has been a kind of constant in all the later stages of man's evolution. However, on the accepted theory that the human and therefore moral consciousness has been developing, the different stages of this development can be reasonably considered as the variable in human evolution. If we speak of moral consciousness at all – whether of the primitive human or ours – we must speak of it in terms of the immediate data of consciousness as foundation on the human order more precisely on human inter-relatedness and these data to be in conformity to human reason and to be conducive to the self-realization of human person as human. But human moral consciousness has been evolving. This change takes different forms some of which are easily understandable and afford no real problem to ethics some are not so easily understandable and therefore afford some difficulty. As human person becomes more and more conscious of himself as human – as an individual and as a social being – he/she becomes more conscious of his/her human inter-relatedness and of his/her rights and duties as a human person. This clearer self-consciousness is obviously concretized and particularized in specific moral precepts. Even at one given stage of human moral consciousness different people living in different human situations (situations affecting their inter-relatedness) will live a more or less different moral life. Such human situations can arise out of geographical, climatic and economic conditions. Again since moral consciousness has been in fact intimately linked to and condition by religious consciousness, different religious beliefs have produced different moral values. And a change in religious consciousness has often wrought a corresponding change in morality. The history of religion affords us with many examples (e.g. human sacrifice, burning of witches, saturnalia, etc.). This change is primarily and directly in religious consciousness and only secondarily and indirectly in moral consciousness. It is a change in the religiously conditioned morality. However, a change in civil law governing the mores of the people does not necessarily mean a change in morality. When a civil law declares that something is legal it does not

mean to say that it is moral. Civil law as such does not pass a moral judgment. Legal means allowed as far as the state is concerned. It is not the business of the state as such to promote the moral beliefs of one section of its population as against those of another. This is important to remember today when many countries proclaim themselves to be secular – today when society is increasingly pluralistic. The variable in morality raises the important question regarding the kind of certitude we can have in moral matters. To put it bluntly if what is believed to be morally right today can be proved to be morally wrong tomorrow and vice-versa can one be absolutely certain of what is morally right or morally wrong? In more philosophical terms if human person is conditioned by his/her existential situation and if human (and moral) consciousness is always in a process of 8 development and is dependent on physiological, cultural, social, psychological environmental and other factors, can he/she ever be certain of having reached objective moral truth if there is such a thing as moral truth? At the very outset, we have to distinguish carefully between moral relativity and ethical relativism. Moral relativity is simply the view that different people especially in different civilizations and cultures have or have had different moral beliefs and what is believed to be morally right at a given time or place may be believed to be morally wrong at a different time or place. This is an undeniable empirical fact. But ethical relativism is the philosophical theory that no foundation exists, there is no universal moral norm (or basic moral principle), but what is morally right is relative to the individual or group of men in question. If such a theory can give reasons for such a position (as Sartre does), it is ethical relativism in the strict sense. If it cannot give reasons but simply admits that it is strictly impossible to say what is morally right and morally wrong it can be reasonably called ethical skepticism. In an evolutionary view of human being, that is, on the accepted theory that human consciousness of himself/herself is increasingly developing, can we pretend to say the last word on what human person is? Obviously not. Human person's knowledge of his/her self is a progressive and dynamic knowledge, always tending towards a better and better understanding. In this sense human person's knowledge of himself/herself is relative. And if this is true his/her moral knowledge is also relative in so far as it is

progressive and far from complete. However an attentive study of the evolution of human person's self-consciousness and of moral knowledge helps one discover a certain constant progression, that is, human person is becoming more and more he/she. He/she is becoming more and more conscious of what he/she really is. His/her moral knowledge helps him/her to recognize him/her and others more and more as persons. Like in all spheres of knowledge a time of questioning debate and temporary disagreement is necessary in moral knowledge if progress is to be made. Indeed a state of incertitude on some issues is a pre-requisite and the pre-supposition of every progress. But whatever has been achieved is a definite acquisition – even if this acquisition remains still open to further advance and a deeper understanding.

Check Your Progress 1

Note: Use the space provided for your answer

1) Explain Absolute Ethics and Relative Ethics.

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2) How are love and moral precepts related?

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3) How do the concepts of love and moral percepts help to build an ethical society?

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4) What is the notable difference between Aquinas and Saurez's idea of self-evident or moral principle?

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2.7   LET US SUM UP

Human person both is and is becoming; he/she is an "is-in-becoming." And this is because he/she is both essence and existence, rather he/she is and essence-in-existence. He/she is act and potency or here again he/she is act-in-potency. He/she is spirit and body, better still, spirit-inbody. In existential terms he/she is freedom and he is existentially situated, that is to say he is freedom-existentially situated. Human person is both an end-in-himself and for others a particular human and social being. He/she can only find his self-perfection in the perfection of others. Hence the dialectical tension in human knowledge of moral law. The tension between the "is" and the "ought" between intuition and experience (or the a-priori and the a-posteriori) between the static and the dynamic the constant and the variable the absolute and the relative. We can go on like that an infinitum.

2.8   KEY WORDS

Intuitionism: In the philosophy of mathematics, intuitionism, or neointuitionism, is an approach where mathematics is considered to be purely the result of the constructive mental activity of humans rather than the discovery of fundamental principles claimed to exist in an objective reality.

2.9 QUESTIONS FOR REVIEW

1. Discuss about the Moral Intuitionism.
2. Write about the Human Person in Search of Himself/Herself.
3. Describe the Love and the Moral Precepts.
4. What is the meant by Dynamics of Morality?
5. Discuss the Constant and the Variable in Morality.

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2.11 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. See Section 2.2
2. See Section 2.3
3. See Section 2.4
4. See Section 2.5

UNIT 3: THEOLOGICAL FORMULATION OF APPLIED ETHICS

STRUCTURE

3.0   OBJECTIVES

Systematic theology must serve as a foundation for any set of moral standards that pleases God and fulfills human nature. Establishing such a set is difficult today because of the emergence of the postmodernism which denies the existence of absolute truth, absolute moral standards, and universal ethics. Advances in science, medicine, and technology increase the difficulty of creating a system of Christian ethics. The inevitable connection between ethics and systematic theology requires that one have a good foundation in systematic theology for his ethics. A separation between the two fields occurred largely as a result of the Enlightenment which caused theology to be viewed as a science. Since the study of a science must be separate from a religious perspective, theology underwent a process of becoming a profession and the responsibility for educating theologians became the responsibility of the college rather than the church. This solidified the barrier between theology and ethics. Who God is must be the root for standards of right and wrong. God's glory must be the goal of ethics. Love for God must be the basis for one's love for and behavior toward his fellow man. Other

doctrines besides the doctrine of God, especially bibliology, play an important role in determining right ethical standards.

After this unit, we can able to know:

- To know about the Ethics and other philosophical fields
- To discuss the theological Approaches
- To know about the Major subfields
- To discuss about the Applied Ethics as Distinct from Normative Ethics and Metaethics

3.1 INTRODUCTION

Theology is not merely an endeavour of academic theologians, but the concern of every Christian who desires to understand and apply God's truth for life and make it known to others. Consequently, our theology affects all that we do, whether or not we have thought it through systematically. It directs our sermons, our evangelism and apologetics (or lack thereof), and our personal and social ethics. In other words, it is indispensable and inescapable. This underscores the urgency of developing a theology that is both faithful to Scripture and which speaks forcefully and truthfully to our postmodern situation.

Many observers of the social scene have concluded that the Western world has been going through a change from modernism, based on the Renaissance and the Enlightenment, to postmodernism. Neither modernism nor postmodernism is a friend to biblical Christianity, but "the transition from the modern era to the postmodern era poses a grave challenge to the church in its mission to its own next generation." Three foundational features of the belief system of postmodernism illustrate the complexities of developing a theology for ethics in the modern world.

No Absolute Truth First, postmodernists believe that there is no absolute truth. Truth is constructed, not revealed or discovered, and it is peculiar to each society. Postmodernist Michel Foucalt writes: The important thing here, I believe, is that truth isn't outside power, or lacking in power. . . . Truth is a thing of this world: it is produced only by virtue of multiple forms of constraint. And it induces regular effects of power. Each society has its regime of truth, its 'general politics' of truth: that is,

the types of discourse which it accepts and makes function as true; the mechanism and instances which enable one to distinguish true and false statements; the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true.7 Seemingly this is what most Americans believe. According to recent Barna polls, sixty-six percent of Americans believe that "there is no such thing as absolute truth." Among young adults, 72% do not believe absolutes exist. Even worse, however, is the fact that 53% of those who call themselves evangelical Christians believe that there are no absolutes.8 This would mean that about half of those say that they believe in salvation through Jesus Christ, and who might be able to sign a doctrinal statement proclaiming the inerrancy of Scripture, do not believe in absolute truth.

No Absolute Moral Standards The moral standards of Americans are as alarming as their epistemological views. Specifically, 68% of Americans, according to a 1969 Barna poll, believed that sexual relations before marriages were wrong. But in 1992, only 33% rejected the idea of premarital sex. One study reported in Veith claimed that 56% of single "fundamentalists" engaged in sex outside of marriage, which is only 1% less than those who considered themselves theologically liberal. Forty-nine percent of Protestants and 47% of Catholics consider themselves "pro-choice." Some 49% of evangelicals and an amazing 71% of Roman Catholics say that they believe in euthanasia.

No Universal Ethics Since there is neither absolute truth nor absolute moral standards, universal ethics no longer exist, according to postmodernists. Ethics have shifted from universal to community. Each community, each group, each sub-group, each minority segment of society, should operate on the basis of an ethical system which best suits it. Stanley Grenz, an evangelical observer of postmodernism, comments, [T]he center of ethics is shifting away from the individual actor and the quest for the one true, universal ethical society. The new focus is on the community in the midst of which and according to the ideals of which personal character finds its reference point. In the end, the newer voices assert, ethical judgments arise from and must be articulated in accordance with the belief structures of the community in which a person

lives. Ideally, this would mean that the supreme ethical value in society is tolerance. "Under the post-modernist way of thinking," writes Gene Veith, "the principle of cultural diversity means that every like-minded group constitutes a culture that must be considered as good as any other culture."In the long run, though, tolerance will certainly be smothered by each community's pursuit of power.

The Dilemma of Scientific, Medical, and Technological Advances The perplexities of ethics in a society impacted by postmodernism are magnified by the advances in science, medicine, and technology. Timothy Demy writes, Science and technology have brought enormous medical advances and benefits to humanity. The ability to diagnose, prevent, and treat many medical conditions has enriched and saved millions of lives. . . . No reasonable individual would suggest abandoning such progress. Yet advances in medicine and technology do raise new ethical issues that need to be continually refined. New ethical dilemmas include genetic engineering, genetic testing, gene therapy, cloning, fetal-tissue research, and euthanasia. These have been added to other issues such as abortion, capital punishment, war/pacifism, civil disobedience, sexual morality, homosexuality, pornography, penology, birth control, divorce, and remarriage. The specific questions that come with the new ethics of modern life are complicated, sometimes bizarre, and almost unending. Grenz says, In short, we are confronted by the greatest issues humankind has ever faced at a time when the moral fiber of our society appears to be at its weakest. Ethical questions are assaulting us at breakneck speed at a time when people have lost their sense of mooring, their sense of stability and their sense of possessing some platform on which to stand as they make moral decisions. How then can we confront and solve the dilemmas of postmodernism and the advances in technology and science? How must a Christian formulate a correct ethical system?

Under what conditions is an abortion morally permissible? Does a citizen have a moral obligation to actively participate (perhaps by voting) in the democratic process of one's nation (assuming one is living in a democracy)? What obligations, if any, does one have to the global poor? Under what conditions is female genital excision morally permissible? If

there are conditions under which it is morally wrong, what measures, if any, should be taken against the practice? These are just some of the thousands of questions that applied ethicists consider. Applied ethics is often referred to as a component study of the wider sub-discipline of ethics within the discipline of philosophy. This does not mean that only philosophers are applied ethicists, or that fruitful applied ethics is only done within academic philosophy departments. In fact, there are those who believe that a more informed approach is best gotten outside of the academy, or at least certainly outside of philosophy. This article, though, will mostly focus on how applied ethics is approached by trained academic philosophers, or by those trained in very closely related disciplines.

This article first locates applied ethics as distinct from, but nevertheless related to, two other branches of ethics. Since the content of what is studied by applied ethicists is so varied, and since working knowledge of the field requires considerable empirical knowledge, and since historically the pursuit of applied ethics has been done by looking at different kinds of human practices, it only makes sense that there will be many different kinds of applied ethical research, such that an expert working in one kind will not have much to say in another. For example, business ethics is a field of applied ethics, and so too is bioethics. There are plenty of experts in one field that have nothing to say in the other. This article discusses each field, highlighting just some of the many issues that fall within each. Throughout the presentation of the different areas of applied ethics, some methodological issues continue to come up. Additionally, the other two branches of ethics are consulted in dealing with many of the issues of almost all the different fields. So, what may be a methodological worry for a business ethics issue may also be a worry for bioethical issues.

One particular kind of applied ethics that raises distinct concerns is bioethics. Whereas with other kinds of applied ethics it is usually implicit that the issue involves those who we already know to have moral standing, bioethical issues, such as abortion, often involve beings whose moral standing is much more contentious. Our treatment of non-human animals is another area of bioethical research that often hinges on what

moral standing these animals have. As such, it is important that this article devote a section to the issues that arise concerning moral standing and personhood.

This article ends with a discussion of the role of moral psychology in applied ethics, and in particular how applied ethicists might appropriate social psychological knowledge for the purpose of understanding the role of emotion in the formation of moral judgments. Additionally, to what extent is it important to understand the role of culture in not only what is valued but in how practices are to be morally evaluated?

One way of categorizing the field of ethics (as a study of morality) is by distinguishing between its three branches, one of them being applied ethics. By contrasting applied ethics with the other branches, one can get a better understanding what exactly applied ethics is about. The three branches are metaethics, normative ethics (sometimes referred to as ethical theory), and applied ethics. Metaethics deals with whether morality exists. Normative ethics, usually assuming an affirmative answer to the existence question, deals with the reasoned construction of moral principles, and at its highest level, determines what the fundamental principle of morality is. Applied ethics, also usually assuming an affirmative answer to the existence question, addresses the moral permissibility of specific actions and practices.

Although there are many avenues of research in metaethics, one main avenue starts with the question of whether or not moral judgments are truth-apt. The following will illuminate this question. Consider the following claims: '2+2=4', 'The volume of an organic cell expands at a greater rate than its surface area', 'AB=BA, for all A,B matrices', and 'Joel enjoys white wine.' All of these claims are either true or false; the first two are true, the latter two are false, and there are ways in which to determine the truth or falsity of them. But how about the claim 'Natalie's torturing of Nate's dog for the mere fun of it is morally wrong'? A large proportion of people, and perhaps cross-culturally, will say that this claim is true (and hence truth-apt). But it's not quite as obvious how this claim is truth-apt in the way that the other claims are truth-apt. There are axioms and observations (sometime through scientific instruments) which support the truth-aptness of the claims above, but it's not so clear

that truth-aptness is gotten through these means with respect to the torturing judgment. So, it is the branch of metaethics that deals with this question, and not applied ethics.

Normative ethics is concerned with principles of morality. This branch itself can be divide into various sub-branches (and in various ways): consequentialist theories, deontological theories, and virtue-based theories. A consequentialist theory says that an action is morally permissible if and only if it maximizes overall goodness (relative to its alternatives). Consequentialist theories are specified according to what they take to be (intrinsically) good. For example, classical utilitarians considered intrinsic goodness to be happiness/pleasure. Modern utilitarians, on the other hand, define goodness in terms of things like preference-satisfaction, or even well-being. Other kinds of consequentialists will consider less subjective criteria for goodness. But, setting aside the issue of what constitutes goodness, there is a rhetorical argument supporting consequentialist theories: How could it ever be wrong to do what's best overall? (I take this straight from Robert N. Johnson.) Although intuitively the answer is that it couldn't be wrong to do what's best overall, there are a plentitude of purported counterexamples to consequentialism on this point – on what might be called "the maximizing component" of consequentialism. For example, consider the Transplant Problem, in which the only way to save five dying people is by killing one person for organ transplantation to the five. Such counterexamples draw upon another kind of normative/ethical theory – namely, deontological theory. Such theories either place rights or duties as fundamental to morality. The idea is that there are certain constraints placed against persons/agents in maximizing overall goodness. One is not morally permitted to save five lives by cutting up another person for organ transplantation because the one person has a right against any person to be treated in this way. Similarly, there is a duty for all people to make sure that they do not treat others in a way that merely makes them a means to the end of maximizing overall goodness, whatever that may be. Finally, we have virtue theories. Such theories are motivated by the idea that what's fundamental to morality is not what one ought to do, but rather what one ought to be. But given that we live

in a world of action, of doing, the question of what one ought to do creeps up. Therefore, according to such theories, what one ought to do is what the ideally virtuous person would do. What should I do? Well, suppose I've become the kind of person I want to be. Then whatever I do from there is what I should do now. This theory is initially appealing, but nevertheless, there are lots of problems with it, and we cannot get into them for an article like this.

Applied ethics, unlike the other two branches, deals with questions that started this article – for example, under what conditions is an abortion morally permissible? And, what obligations, if any, do we have toward the world's global poor? Notice the specificity compared to the other two branches. Already, though, one might wonder whether the way to handle these applied problems is by applying one of the branches. So, if it's the case that morality doesn't exist (or: moral judgments are not truth-apt), then we can just say that any claims about the permissibility of abortion or global duties to the poor are not true (in virtue of not being truth-apt), and there is therefore no problem; applied ethics is finished. It's absolutely crucial that we are able to show that morality exists (that moral judgments are truth-apt) in order for applied ethics to get off the ground.

Actually, this may be wrong. It might be the case that even if we are in error about morality existing, we can nevertheless give reasons which support our illusions in specified cases. More concretely, there really is no truth of the matter about the moral permissibility of abortion, but that does not stop us from considering whether we should have legislation that places constraints on it. Perhaps there are other reasons which would support answers to this issue. The pursuit and discussion of these (purported) reasons would be an exercise in applied ethics. Similarly, suppose that there is no such thing as a fundamental principle of morality; this does not exclude, for one thing, the possibility of actions and practices from being morally permissible and impermissible/wrong. Furthermore, suppose we go with the idea that there is a finite list of principles that comprise a theory (with no principle being fundamental). There are those who think that we can determine, and explain, the rightness/wrongness of actions and practices without this list of non-

fundamental principles. (We'll look at this later in this article) If this is the case, then we can do applied ethics without an explicit appeal to normative ethics.

In summary, we should consider whether or not the three branches are as distinct as we might think that they are. Of course, the principle questions of each are distinct, and as such, each branch is in fact distinct. But it appears that in doing applied ethics one must (or less strongly, may) endeavor into the other two branches. Suppose that one wants to come to the conclusion that our current treatment of non-human animals, more specifically our treatment of chickens in their mass production in chicken warehouses, is morally impermissible. Then, if one stayed away from consequentialist theories, they would have either a deontological or virtue-based theory to approach this issue. Supposing they dismissed virtue-theory (on normative ethical grounds), they would then approach the issue from deontology. Suppose further, they chose a rights-based theory. Then they would have to defend the existence of rights, or at least appeal to a defense of rights found within the literature. What reasons do we have to think that rights exist? This then looks like a metaethical question. As such, even before being able to appeal to the issue of whether we're doing right by chickens in our manufactured slaughtering of them, we have to do some normative ethics and metaethics. Yes, the three branches are distinct, but they are also related.

3.2 ETHICS AND OTHER PHILOSOPHICAL FIELDS

Ethics and other philosophical fields

Ethical questions in practical fields often lead to questions beyond ethics. For example, euthanasia, an issue in medical ethics, leads to questions regarding life, death, aging, happiness, suffering, and human existence. In the history of philosophy, however, philosophers have tried to establish ethical theories independent of other philosophical fields, particularly metaphysics.

To avoid stepping into unsettled disputes on fundamental philosophical questions outside of ethics, philosophers often attempt to find practical, agreeable, solutions. Some philosophers who take a case-based reasoning

approach called casuistry set aside even ethical theories altogether in order to find a mutually agreeable, plausible, and practical solution.

Interdisciplinary collaboration

Applied ethics requires knowledge of specific fields and, oftentimes, multiple fields. For example, in order to address the ethical questions concerning global warming, a central issue in environmental ethics, philosophers often have to consider social, economic, and political implications. Furthermore, applied ethics often require not only a theoretical analysis but also practical, feasible solutions. For this reason, a team of professionals from different disciplinary fields often collaborate as a team.

ETHICS: THEOLOGY IN ACTION (Prolegomena)

The answer to these questions is the thesis of this essay. Every Christian needs to commit himself to understanding the basics (at least) of a systematic theology, drawn carefully from the Bible, which becomes the foundation for his moral standards, decision-making process, and manner of living.

The Pre-Enlightenment Idea of Theology

We live in an era, however, when systematic theology is denigrated, minimized, and ignored. Theology to some is only the handmaid of experience. Margaret Poloma, for example, in an article on the "Toronto Blessing," writes that "religious experiences . . . can shake our ecclesiastical walls and cast a glaring light on the inadequacy of our theologies."16 Moreover, theology is often considered as irrelevant for Christian living and ministry. David Wells' account of the incident that motivated him to write No Place for Truth is all too familiar to those who teach beginning theology. After Wells' introductory lecture on the importance of theology, "an obviously agitated student who had come forward" told him how grateful he was for the lecture. He told me that he was one of those I had described who felt petrified by the prospect of having to take this course. As a matter of fact, he said, he had had a mighty struggle with his conscience about it. Was it right to spend so

much money on a course of study that was so irrelevant to his desire to minister to people in the Church? He plainly intended no insult. As a matter of fact, this confession, which I rather think he had not intended to blurt out, had begun as a compliment. That was the day I decided that I had to write this book. What is the origin of the idea that theology is irrelevant for Christian living? Certainly not the Scriptures. The apostle Paul makes the case for the practical value of theology when he groups together "reproof, correction, and instruction in righteousness" with "doctrine." Doctrine is part of the Scriptural process that makes the man of God "perfect, thoroughly furnished unto all good works" (2 Tim 3:16-17). To hear that theology is irrelevant to Christian living and ministry also would have bewildered the pre-Enlightenment theologians. To many of them, ethics was theology in action. In the Pietist tradition, William Perkins wrote, "Theology is the science of living blessedly forever. . . . William Ames, the student of Perkins and the teacher of many of the Puritans, wrote that theology is the teaching of "living unto God." Many of the pre-Enlightenment theologians, in fact, had major sections in their theology books on ethics. The great Baptist theologian, John Gill, for example, divided his Body of Divinity into two parts. The first section was entitled, "A Body of Doctrinal Divinity." This section, over 600 pages in length, developed the various doctrines as might be expected. Following " A Body of Doctrinal Divinity" came a 300-page section entitled "A Body of Practical Divinity." In this section, Gill discussed such issues as worship, contentment, patience, sincerity, prayer, duties of husband and wife, and the duties of parents and children. Many readers of John Calvin's Institutes of the Christian Religion are also pleased to find so many insights into practical Christian living—not what they might have expected from a great work on systematic theology. In fact, one of the finest devotional books available today is the little Golden Booklet of the Christian Life that is excerpted from the Institutes. Though Calvin, Gill, and the other preEnlightenment theologians could not foresee the technical ethical issues of the twenty-first century, they were committed to the value of theology for life.

The Enlightenment Idea of Theology The Enlightenment, however, "transformed the intellectual map of Europe. In brief, the Enlightenment

was an eighteenth-century European intellectual development which continued the scientific spirit of the thought of Descartes, John Locke, and Isaac Newton. Enlightenment thinkers distrusted tradition (including the Bible) "in matters of intellectual inquiry, and believed that truth could be attained only through reason, observation, and experiment." The result for theology was that theology began to be treated as an academic science. The word, "science," (scientia) has been used in defining theology at least as far back as Augustine. But it is clear that the pre-Enlightenment theologians understood science in the sense of the analyzed and synthesized doctrines of Scripture studied in connection with Christian living. Perkins' definition above is a prime example: "Theology is the science of living blessedly forever."

The Definition of Theology In the post-Enlightenment era, "science" took on the connotation of a specialized field—that which is called "science" today. And some of the definitions of theology, even those devised by evangelical heroes, describe theology in terms of inductive science, rather in relation to living. W. G. T. Shedd wrote that theology "is a science that is concerned with both the Infinite and Finite, with both God and the Universe. The material, therefore, which it includes is vaster than that of any other science. It is also the most necessary of all the sciences." Charles Hodge writes, "Theology, therefore, is the exhibition of the facts of Scripture in their proper order and relation, with the principles or general truths involved in the facts themselves, and which pervade and harmonize the whole." Lewis Sperry Chafer wrote: "Systematic Theology may be defined as the collecting, scientifically arranging, comparing, exhibiting, and defending of all facts from any and every source concerning God and His works." This writer has no desire to minimize the greatness of these theologians and their books. They all wrote much about Christian living and regularly applied theology to ethics. They have been greatly used by God in the lives of Biblebelieving Christians. But is systematic theology a science? In some ways, yes. Thomas Oden writes, Insofar as it seeks to make accurate observations, test evidence, provide fit hypotheses, arrange facts in due order, and make reliable generalizations, the study of God may be called a science. It employs both inductive and deductive argument. It relies upon the

same primary laws of thought and the same categories of reason upon which all scientific inquiry depends. But in other ways, theology ought not to be thought of as a science. For one reason, "science means for so many the ruling out of all forms of evidence that do not submit to naturalistic observation, quantification, and measurement." For another reason, defining theology as a science misses the emphasis on living blessedly through theology, and seems to relegate the study of theology to the mythical ivory tower of the academic world. In this way, defining theology as a science misses the needed emphasis on living blessedly through theology and too much reflects Enlightenment thought.

The Neutrality of Theology One of the main theses of the Enlightenment was that every discipline of academic study should be studied from a neutral, non-religious perspective. J. Andrew Kirk, in his discussion of liberation theologians, makes this point: Since the Enlightenment, theology, like every other discipline, has sought to gain independence from the control of the church in order to pursue its studies according to its own canons and methods. To do this it unhesitatingly accepted the 19th-century emphasis on the inviolability of the scientific method. It isolated itself in the theological faculties of the state universities (especially in Germany) and insulated its work from the daily life and mission of the Christian community. Postmodernists today do not advocate neutrality, to be sure. Still the modernist idea that academic disciplines, including theology, should be approached from a neutral perspective has had long-lasting results.

The Professionalization of Theology

One result of the Enlightenment idea of academic neutrality was the professionalization of theology. The change to academic professionalization in America was dramatic around the end of the nineteenth century. As Mark Noll has shown, "as late as 1875, virtually every American who could be called an expert in the study of Scripture sustained some kind of a denominational connection and devoted the results of biblical scholarship primarily to the ongoing spirituality of the church. Change was dramatic." After the change to professionalization, by and large theologians no longer felt responsible to their religious

constituency, but looked to their academic pee rs for approval. In many instances, theology became an essential part of the academy rather than the church. The trend was therefore to divorce ethics from theology. Thus in the present era, "morality has come to be construed as independent of God, so much so that the majority of moral philosophers today would without hesitation affirm that even if God exists, morality can exist apart from God—an ontological critique—and, if the precepts or dictates of morality can be known at all, they can be known apart from religious orthodoxy or theological reflection—an epistemological critique.

The Education of Theologians

Accompanying the divorce of ethics from theology was a significant change in the education of pastors in America. 34 Before the Revolutionary War, young men prepared for the ministry by living in the homes of older ministers. Though this kind of pastoral training was somewhat successful, not all of the older ministers could provide the breadth of training the younger pastors needed. Gradually, therefore, church leaders turned to the college to provide the theological education. The change to the academy for theological education also increased the impact of theological liberalism. Professors in the colleges and seminaries were often enamored with the latest scholarship that came from the Continent, and the critical views taught in the classroom filtered down through the students to the churches. Eventually, many earnest Christians became disgusted with the attacks on the Bible and the fundamentals of the faith by those who called themselves Christian theologians. For these, theological seminaries were perceived as cemeteries, and theology was viewed as something significant only to the philosophers. The point of this survey is to clarify that it was the negative external influences that made theology irrelevant to ethics, not theology itself. As Allister McGrath says, "It is . . . important to appreciate that the tension is . . . not primarily between theology and spirituality, but between modern western concepts of theology and spirituality." Theology should be the foundation of all correct living. "Like Siamese

twins, ethics and doctrine are closely connected. How we should live and what we should believe are in fact inseparable.

3.3 APPROACHES

There are generally two approaches taken in applied ethics. The first is to apply ethical principles such as utilitarianism and deontological ethics to each issue or question; the second is to generate a situation-based discourse that uses multiple ethical theories.

There are basically two approaches in applied ethics: one is to approach ethical issues by applying the principles of ethical theories, and the other is to develop situation based discourses without presupposing the validity of any ethical theory.

Application of the principles of ethical theories

The first approach is to find ways to apply the principles of ethical theories. Philosophers attempt to revise classic formulations of ethical principles in order to apply them to current ethical questions. Two major ethical theories that are used today are utilitarianism and deontological ethics; other ethical theories include virtue ethics, such as Aristotelianism, Confucianism, and religion based ethical theories.

This approach, however, has its own difficulty. Each ethical theory is established upon distinct principles and has a certain plausibility, yet no one theory can comprehensively cover all aspects of a problem; at the same time, combining different theories requires a tremendous mind and is nearly impossible.

Situation based approach

One modern approach which attempts to overcome the seemingly impossible divide between deontology and utilitarianism is case-based reasoning, also known as casuistry. Casuistry does not begin with theory, rather it starts with the immediate facts of a real and concrete case. While casuistry makes use of ethical theory, it does not view ethical theory as the most important feature of moral reasoning. Casuists, like Albert Jonsen and Stephen Toulmin (The Abuse of Casuistry, 1988), challenge the principle based paradigm of ethics. Instead of starting from theory

and applying theory to a particular case, casuists start with the particular case itself and then ask what morally significant features (including both theory and practical considerations) ought to be considered for that particular case. In their observations of medical ethics committees, for example, Jonsen and Toulmin note that a consensus on particularly problematic moral cases often emerges when participants focus on the facts of the case, rather than on ideology or theory. Thus, a Rabbi, a Catholic priest, and an agnostic might agree that, in this particular case, the best approach is to withhold extraordinary medical care, while disagreeing on the reasons that support their individual positions. By focusing on cases and not on theory, those engaged in moral debate increase the possibility of agreement.

3.4 MAJOR SUBFIELDS

Applied ethics can be found in almost all kinds of professional fields or social practices. While medical ethics, environmental ethics, business ethics, and legal ethics are major subfields, applied ethics is found in human rights, war, media, communication, sports, academic research, publication, and other areas.

Business ethics

Business ethics examines ethical principles and moral or ethical problems that arise in a business environment or economic activities.

In the increasingly conscience-focused marketplaces of the twenty-first century, the demand for more ethical business processes and actions (known as ethicism) is increasing. Simultaneously, pressure is applied on industry to improve business ethics through new public initiatives and laws (e.g. higher UK road tax for higher-emission vehicles).

Business ethics can be both a normative and a descriptive discipline. As a corporate practice and a career specialization, the field is primarily normative. In academia, descriptive approaches are also taken. The range and quantity of business ethical issues reflects the degree to which business is perceived to be at odds with non-economic social values. Historically, interest in business ethics accelerated dramatically during the 1980s and 1990s, both within major corporations and within

academia. For example, today most major corporate websites lay emphasis on commitment to promoting non-economic social values under a variety of headings (e.g. ethics codes, social responsibility charters). In some cases, corporations have redefined their core values in the light of business ethical considerations (e.g. BP's "beyond petroleum" environmental tilt).

Business ethics also discusses ethical question in marketing, accounting, labor including child labor and abusive labor practices, human resource management, political contributions, business acquisitions such as hostile take-overs, production, use of toxic material, intellectual property, information management including information leak, and others.

Legal ethics

Legal ethics refers to an ethical code governing the conduct of people engaged in the practice of law. In the United States, for example, the American Bar Association has promulgated model rules that have been influential in many jurisdictions. The model rules address the client-lawyer relationship, duties of a lawyer as advocate in adversary proceedings, dealings with persons other than clients, law firms and associations, public service, advertising, and maintaining the integrity of the profession. Respect of client confidences, candor toward the tribunal, truthfulness in statements to others, and professional independence are some of the defining features of legal ethics.

American law schools are required to offer a course in professional responsibility, which encompasses both legal ethics and matters of professionalism that do not present ethical concerns.

Environmental ethics

Environmental ethics is the part of environmental philosophy which considers the ethical relationship between human beings and the natural environment. It exerts influence on a large range of disciplines including law, sociology, theology, economics, ecology and geography.

Some of the main topics are global warming, pollution, and issues are closely tied to those of poverty, sustainability, and economic and social justice. Furthermore, since environmental problems often affect beyond

the boundaries of nation-states, the issues are tied to the fields of international relations and global governance.

Medical ethics and Bioethics

Medical ethics deals with study of moral values and judgments as they apply to medicine. As a scholarly discipline, medical ethics encompasses its practical application in clinical settings as well as work on its history, philosophy, theology, and sociology. Medical ethics shares many principles with other branches of healthcare ethics, such as nursing ethics.

Medical ethics tends to be understood narrowly as an applied professional ethics, whereas bioethics appears to have worked more expansive concerns, touching upon the philosophy of science and the critique of biotechnology and life science. Still, the two fields often overlap and the distinction is more a matter of style than professional consensus. Some topics include abortion, cloning, euthanasia, eugenics, and others.

3.5 APPLIED ETHICS AS DISTINCT FROM NORMATIVE ETHICS AND METAETHICS

One way of categorizing the field of ethics (as a study of morality) is by distinguishing between its three branches, one of them being applied ethics. By contrasting applied ethics with the other branches, one can get a better understanding what exactly applied ethics is about. The three branches are metaethics, normative ethics (sometimes referred to as ethical theory), and applied ethics. Metaethics deals with whether morality exists. Normative ethics, usually assuming an affirmative answer to the existence question, deals with the reasoned construction of moral principles, and at its highest level, determines what the fundamental principle of morality is. Applied ethics, also usually assuming an affirmative answer to the existence question, addresses the moral permissibility of specific actions and practices.

Although there are many avenues of research in metaethics, one main avenue starts with the question of whether or not moral judgments are

truth-apt. The following will illuminate this question. Consider the following claims: '2+2=4', 'The volume of an organic cell expands at a greater rate than its surface area', 'AB=BA, for all A,B matrices', and 'Joel enjoys white wine.' All of these claims are either true or false; the first two are true, the latter two are false, and there are ways in which to determine the truth or falsity of them. But how about the claim 'Natalie's torturing of Nate's dog for the mere fun of it is morally wrong'? A large proportion of people, and perhaps cross-culturally, will say that this claim is true (and hence truth-apt). But it's not quite as obvious how this claim is truth-apt in the way that the other claims are truth-apt. There are axioms and observations (sometime through scientific instruments) which support the truth-aptness of the claims above, but it's not so clear that truth-aptness is gotten through these means with respect to the torturing judgment. So, it is the branch of metaethics that deals with this question, and not applied ethics.

Normative ethics is concerned with principles of morality. This branch itself can be divide into various sub-branches (and in various ways): consequentialist theories, deontological theories, and virtue-based theories. A consequentialist theory says that an action is morally permissible if and only if it maximizes overall goodness (relative to its alternatives). Consequentialist theories are specified according to what they take to be (intrinsically) good. For example, classical utilitarians considered intrinsic goodness to be happiness/pleasure. Modern utilitarians, on the other hand, define goodness in terms of things like preference-satisfaction, or even well-being. Other kinds of consequentialists will consider less subjective criteria for goodness. But, setting aside the issue of what constitutes goodness, there is a rhetorical argument supporting consequentialist theories: How could it ever be wrong to do what's best overall? (I take this straight from Robert N. Johnson.) Although intuitively the answer is that it couldn't be wrong to do what's best overall, there are a plentitude of purported counterexamples to consequentialism on this point – on what might be called "the maximizing component" of consequentialism. For example, consider the Transplant Problem, in which the only way to save five dying people is by killing one person for organ transplantation to the

five. Such counterexamples draw upon another kind of normative/ethical theory – namely, deontological theory. Such theories either place rights or duties as fundamental to morality. The idea is that there are certain constraints placed against persons/agents in maximizing overall goodness. One is not morally permitted to save five lives by cutting up another person for organ transplantation because the one person has a right against any person to be treated in this way. Similarly, there is a duty for all people to make sure that they do not treat others in a way that merely makes them a means to the end of maximizing overall goodness, whatever that may be. Finally, we have virtue theories. Such theories are motivated by the idea that what's fundamental to morality is not what one ought to do, but rather what one ought to be. But given that we live in a world of action, of doing, the question of what one ought to do creeps up. Therefore, according to such theories, what one ought to do is what the ideally virtuous person would do. What should I do? Well, suppose I've become the kind of person I want to be. Then whatever I do from there is what I should do now. This theory is initially appealing, but nevertheless, there are lots of problems with it, and we cannot get into them for an article like this.

Applied ethics, unlike the other two branches, deals with questions that started this article – for example, under what conditions is an abortion morally permissible? And, what obligations, if any, do we have toward the world's global poor? Notice the specificity compared to the other two branches. Already, though, one might wonder whether the way to handle these applied problems is by applying one of the branches. So, if it's the case that morality doesn't exist (or: moral judgments are not truth-apt), then we can just say that any claims about the permissibility of abortion or global duties to the poor are not true (in virtue of not being truth-apt), and there is therefore no problem; applied ethics is finished. It's absolutely crucial that we are able to show that morality exists (that moral judgments are truth-apt) in order for applied ethics to get off the ground.

Actually, this may be wrong. It might be the case that even if we are in error about morality existing, we can nevertheless give reasons which support our illusions in specified cases. More concretely, there really is

no truth of the matter about the moral permissibility of abortion, but that does not stop us from considering whether we should have legislation that places constraints on it. Perhaps there are other reasons which would support answers to this issue. The pursuit and discussion of these (purported) reasons would be an exercise in applied ethics. Similarly, suppose that there is no such thing as a fundamental principle of morality; this does not exclude, for one thing, the possibility of actions and practices from being morally permissible and impermissible/wrong. Furthermore, suppose we go with the idea that there is a finite list of principles that comprise a theory (with no principle being fundamental). There are those who think that we can determine, and explain, the rightness/wrongness of actions and practices without this list of non-fundamental principles. (We'll look at this later in this article) If this is the case, then we can do applied ethics without an explicit appeal to normative ethics.

In summary, we should consider whether or not the three branches are as distinct as we might think that they are. Of course, the principle questions of each are distinct, and as such, each branch is in fact distinct. But it appears that in doing applied ethics one must (or less strongly, may) endeavor into the other two branches. Suppose that one wants to come to the conclusion that our current treatment of non-human animals, more specifically our treatment of chickens in their mass production in chicken warehouses, is morally impermissible. Then, if one stayed away from consequentialist theories, they would have either a deontological or virtue-based theory to approach this issue. Supposing they dismissed virtue-theory (on normative ethical grounds), they would then approach the issue from deontology. Suppose further, they chose a rights-based theory. Then they would have to defend the existence of rights, or at least appeal to a defense of rights found within the literature. What reasons do we have to think that rights exist? This then looks like a metaethical question. As such, even before being able to appeal to the issue of whether we're doing right by chickens in our manufactured slaughtering of them, we have to do some normative ethics and metaethics. Yes, the three branches are distinct, but they are also related.

Check Your Progress 1

Note: a) Use the space provided for your answer

b) Check your answer with those provided at the end of the unit:

1. What do you know about the Ethics and other philosophical fields?

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2. Discuss the theological Approaches.

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3. What do you know about the Major subfields?

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4. Discuss about the Applied Ethics as Distinct from Normative Ethics and Metaethics.

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3.6 LET US SUM UP

According to postmodernism, standards of right and wrong are power issues. Rules and regulations have been invented by some power group, often the white European males, to maintain the power of their community over other communities. To cover up their power grab, the power group often pretends that their ethical system comes from a god. But, "if morality is rooted in a God who doesn't exist," writes David Baggtett, "then morality is largely illusory; . . . [M]orality is either purely conventional, or a way to keep the proletariat in line, or a repression of our best instincts, and the list goes on." In other words, if truth and values are free-floating, disconnected from God, people can create truth and values for preservation and self-promotion. This eventually will lead, not to toleration, but "warring factions and isolated depraved

individuals," 38 where everyone does what is right in his own eyes (cf. Judg 21:25). According to biblical Christianity, however, God decrees standards of right and wrong. The Creator God actually determines ethical values. "As the one who values truly, God is the standard for value, and this God calls us to value after the manner our Creator values." This answers the age-old question of the philosopher: Is "the . . . holy . . . beloved by the gods because it is holy, or holy because it is beloved of the gods."Robert Reymond replies, Now the Christian has a ready answer to this question. Not only is the God of Christian theism the Governor of the world; He is also the final Legislator. It is His will that establishes the rightness or wrongness of all human deportment. His will determines the norms of morality. Nothing is right or wrong in and of itself. An act is right if God says it is right, wrong if God says it is wrong. There is no law outside of or above God which distinguishes between piety and impiety. Hence, for the Christian the answer is obvious—a thing is holy because God loves (decrees) it as such.

3.7 KEY WORDS

Theology: As defined by Scholasticism, theology is constituted by a triple aspect: what is taught by God, teaches of God and leads to God. This indicates the three distinct areas of God as theophanic revelation, the systematic study of the nature of divine and, more generally, of religious belief, and the spiritual path.

Applied Ethics: Applied ethics refers to the practical application of moral considerations. It is ethics with respect to real-world actions and their moral considerations in the areas of private and public life, the professions, health, technology, law, and leadership.

3.8 QUESTIONS FOR REVIEW

1. Discuss the theological understanding of Applied Ethics.
2. How could you justify with ethics and Applied ethics in the light of theological background?

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3.10 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. See Section 3.2
2. See Section 3.3
3. See Section 3.3
4. See Section 3.5

UNIT 4: ANALYSIS OF THE CONCEPT OF PRIMA FACIE OBLIGATION

4.0 OBJECTIVES

After this unit, we can able to know:

1. To know about the Political Obligation in Historical Perspective
2. To discuss the Conceptual Matters
3. To understand the Anarchist Challenges to Political Obligation
4. To discuss about the Contemporary Theories of Political Obligation

4.1 INTRODUCTION

Many years ago I read a slim book by Scottish moral philosopher Sir William David Ross, usually cited as W. D. Ross, The Right and the Good. Ross published this book in 1930, during social work's early years and long before the emergence of the professional ethics field in the 1970s. Before the 1970s, the term "ethics" referred primarily to the relatively abstruse perspectives associated with Socrates, Plato, Aristotle, John Stuart Mill, Jeremy Bentham, Immanuel Kant, and Ross himself, among others. For centuries, these and other moral philosophers speculated about the meaning of ethical terms such as "good," "bad," "right," and "wrong" (known in philosophical circles as metaethics) and proffered various moral theories with complex names such as teleology, act utilitarianism, rule utilitarianism, deontology, and the categorical imperative (known in moral philosophy as theories of normative ethics).

Ross was born in Thurso, a small industrial, fishing, and tourist community in the county of Caithness on the northern coast of Scotland. In 1900 he was offered a lectureship at Oriel College, Oxford, a constituent college of the University of Oxford. Ross remained at Oxford for nearly 50 years, serving on the faculty and in various administrative positions, including Provost of Oriel College (from 1929 to 1947) and Vice-Chancellor of the University (from 1941 to 1944). In The Right and the Good—which I think has remarkable relevance to social work ethics—Ross distinguished between so-called prima facie and actual duties.

Prima Facie Duties

Prima facie is a Latin term that is commonly understood to mean "on the first appearance" or "based on the first impression." According to Ross, a prima facie duty is a duty that is binding or obligatory, other things being

equal. Common examples include the duty to tell the truth, obey the law, protect people from harm, and keep one's promises. For social workers this would mean that we should not lie to clients about the circumstances in their lives or falsify records about them. Further, social workers should comply with mandatory reporting laws, honor promises we have made to clients and colleagues to coordinate services, complete important paperwork, and so on. These are duties we ought to perform, in and of themselves.

Ethical challenges surface, however, when prima facie duties conflict, as they sometimes do. In social work, we sometimes encounter conflicts between the prima facie duty to protect client confidentiality and the prima facie duty to protect people, including clients and third parties, from harm. At times social workers must consider disclosing clients' confidential information, without their consent, in order to protect third parties from harm (for example, when an unstable and impulsive client makes comments in a confidential counseling session that lead his social worker to conclude that the client may seriously injure his estranged partner in the very near future). Or a social worker may feel caught between a client's prima facie right to self-determination and the social worker's prima facie duty to protect the client from engaging in self-harming behavior. Conflicts among prima facie duties constitute ethical dilemmas, that is, conflicts among one's moral duties and obligations.

Actual Duties

For Ross, ethical judgments boil down to decisions about which prima facie duties take priority or precedence when they conflict. Consider these examples:

• A social worker at a mental health center, Melanie L., provided counseling to a single parent, Emily M. Emily was required by a local judge to receive counseling services at a mental health center. Emily's case was in court because of allegations by the county child welfare agency that she neglected her 2-year-old child. For years Emily has struggled with depression and cocaine abuse. During one counseling session at the mental health center Emily disclosed to Melanie that the day before she left her child in the car while Emily visited a friend.

Emily shared her distress about her poor judgment, particularly since the friend she visited is someone with whom Emily once used cocaine on a regular basis. The social worker, Melanie, reminded Emily that as a social worker she was obligated to comply with the state's mandatory reporting law, which requires social workers to contact the county child welfare agency whenever they suspect child abuse or neglect. Emily pleaded with Melanie to not call child welfare officials. "You know how well I've been doing," Emily said. "This was just a slip. It won't happen again." Melanie was caught between her prima facie duty to protect her client, including her confidentiality, and her prima facie duty to obey the state's mandatory reporting law.

• Roberto C. was a social worker in a community outreach program sponsored by a large agency that serves homeless people in a prominent Midwestern city. His duties include contacting and offering social services to people who live on the streets and have no permanent residence. Late one snowy winter night, when the temperature had dropped far below freezing, Roberto drove his agency's van through a neighborhood and saw a man huddled in an alleyway for protection. Roberto approached the man, who was holding a large bottle of whiskey, and engaged him in conversation. Roberto, who has extensive training in engagement skills appropriate for this kind of situation, explained to the man that he was affiliated with a program that could arrange shelter and food. The man shooed Roberto away and muttered, "I don't need no one. I hate those shelters. Just leave me be." Based on his extensive experience, Roberto was concerned that the man might succumb to bitter weather and be seriously injured or die. Roberto felt caught between his prima facie duty to respect the man's right to self-determination and his prima facie duty to assist vulnerable people in need.

Prima facie duties are those duties social workers ought to perform, other things being equal. A principal challenge in social work, however, is that "other things" often are not equal. Moral philosophers refer to this as the ceteris paribus problem; ceteris paribus is Latin for "other things being equal." Ross's prescient conceptual framework anticipated these kinds of difficult moral choices faced by today's social workers. Using Ross's

language, among the most daunting challenges social workers face is choosing their actual duty from among competing prima facie duties.

In some instances choosing the morally right course of action is not difficult. Often, however, it is. And while we might yearn for formulaic algorithms that tell us what to do when prima facie duties conflict, and which option should take precedence, the hard reality is that very often reasonable minds can and do differ about the "right" course of action. What I have learned over the years is that hard moral choices resist easy solutions. That's the nature of the enterprise. Ross understood this well.

To have a political obligation is to have a moral duty to obey the laws of one's country or state. On that point there is almost complete agreement among political philosophers. But how does one acquire such an obligation, and how many people have really done what is necessary to acquire it? Or is political obligation more a matter of being than of doing — that is, of simply being a member of the country or state in question? To those questions many answers have been given, and none now commands widespread assent. Indeed, a number of contemporary political philosophers deny that a satisfactory theory of political obligation either has been or can be devised. Others, however, continue to believe that there is a solution to what is commonly called "the problem of political obligation," and they are presently engaged in lively debate not only with the skeptics but also with one another on the question of which theory, if any, provides the solution to the problem.

Whether political obligation is the central or fundamental problem of political philosophy, as some have maintained (e.g., McPherson), may well be doubted. There is no doubt, however, that the history of political thought is replete with attempts to provide a satisfactory account of political obligation, from the time of Socrates to the present. These attempts have become increasingly sophisticated in recent years, but they have brought us no closer to agreement on a solution to the problem of political obligation than the efforts of, say, Thomas Hobbes and John Locke in the seventeenth century. Nor have these sophisticated attempts made it unnecessary to look back to earlier efforts to resolve the problem. On the contrary, an appreciation of the troublesome nature of political

obligation seems to require some attention to its place in the history of political thought.

This essay begins, therefore, with a brief history of the problem of political obligation. It then turns, in Part II, to the conceptual questions raised by political obligation, such as what it means for an obligation to be political. In Part III the focus is on the skeptics, with particular attention to the self-proclaimed philosophical anarchists, who deny that political obligations exist yet do not want to abolish the state. Part IV surveys the leading contenders among the various theories of political obligation now on offer, and Part V concludes the essay with a brief consideration of recent proposals for pluralistic or "multiple principle" approaches.

4.2 POLITICAL OBLIGATION IN HISTORICAL PERSPECTIVE

The phrase "political obligation" is apparently no older than T. H. Green's Lectures on the Principles of Political Obligation, delivered at Oxford University in 1879–80 (D'Entrèves, p. 3). The two words from which Green formed the phrase are much older, of course, and he apparently thought that combining them required no elaborate explanation or defense. In any case, there was nothing novel about the problem Green addressed in his lectures: "to discover the true ground or justification for obedience to law" (Green 1986, p. 13). Sophocles raised this problem in his play Antigone, first performed around 440 BCE, and Plato's Crito recounts Socrates' philosophical response to the problem, in the face of his own death, some forty years later.

4.2.1 Socrates on Obeying the Law

In 399 BCE an Athenian jury found Socrates guilty of impiety and corrupting the morals of the youth, for which crimes the jury condemned him to death. According to Plato's account, Socrates' friends arranged his escape, but he chose to stay and drink the fatal hemlock, arguing that to defy the judgment against him would be to break his "agreements and commitments" and to "mistreat" his friends, his country, and the laws of Athens (Crito, 54c; Trial and Death, p. 54). Socrates' arguments are

sketchy, and Crito, his interlocutor, does little to challenge them, but they are nevertheless suggestive of the theories of political obligation that have emerged in the two and a half millennia since his death.

These arguments fall into four categories. First, Socrates maintains that his long residence in Athens shows that he has entered into an agreement with its laws and committed himself to obey them — an argument that anticipates the social contract or consent theory of political obligation. Second, he acknowledges that he owes his birth, nurture, and education, among other goods, to the laws of Athens, and he hints at the gratitude theory of obligation when he concludes that it would be wrong of him to disobey its laws now. Third, he appeals to what is now known as the argument from fairness or fair play when he suggests that disobedience would be a kind of mistreatment of his fellow citizens. As he asks Crito, "if we leave here without the city's permission, are we mistreating people whom we should least mistreat?" (50a) There is, finally, a trace of utilitarian reasoning, as when Socrates imagines "the laws and the state" confronting him with this challenge: "'do you think it possible for a city not to be destroyed if the verdicts of its courts have no force but are nullified and set at naught by private individuals?'" (50b). None of these arguments is fully developed, but their presence in the Crito is testimony to the staying power of intuitions and concepts — commitment and agreement, gratitude, fair play, and utility — that continue to figure in discussions of obligation and obedience.

Plato's Crito is noteworthy not only as the first philosophical exploration of political obligation but also as the last to appear for centuries. The Cynics and others did question the value of political life, and indirectly the existence of an obligation to obey the law, but they left no record of a discussion of the subject as sustained as even the five or six pages in the Crito. When the morality of obedience and disobedience next became a much discussed issue, it was a religious as much as a philosophical discussion.

4.2.2 Divine Command

Throughout history, the belief that political society and its rules are divinely ordained has been so strong as to keep many people, and

probably most, from considering the possibility that disobeying those rules might ever be justified. With the advent of Christianity, however, that possibility had to be taken seriously. For the Christian, the distinction Jesus draws (Matthew 22:15–22) between the tribute owed to Caesar and that owed to God makes it clear that what the rulers command may be at odds with what God wants done. That point became even clearer when the rulers tried to suppress Christianity. Nevertheless, Christian doctrine held that there is an obligation to obey the law grounded in divine command, with the most important text being Paul's Epistle to the Romans (13:1–2): "For there is no authority except from God, and those that exist have been instituted by God. Therefore he who resists the authorities resists what God has appointed, and those who resist will incur judgment."

As a theory of political obligation, divine command faces two general problems. First, it presupposes the existence of divinity of some sort; and second, the commands of the divine being(s) are not always clear. It is one thing to know that we should give to Caesar what is Caesar's and to God what is God's, for example, and quite another to know what exactly is Caesar's due. For Christians, however, the main challenge was to reconcile Paul's text with the uncomfortable fact that rulers were often hostile to Christianity — or, with the rise of Protestantism in the sixteenth century, hostile to what one took to be true Christianity. To this challenge, one response was simply to hold that hostile or vicious rulers must be endured, for God must have given them power as a sign of His displeasure with a wicked people. Other responses, though, made room for disobedience.

One such response was to distinguish the divinely ordained office from the officer who occupied it. That is, God ordains that political authority must exist, because the condition of human life since the fall from grace requires such authority; but God does not ordain that this or that particular person hold a position of authority, and He certainly does not want rulers to abuse their authority by ruling tyrannically. This distinction, employed as early as the fourth century by St. John Chrysostom, was invoked throughout the middle ages (McIlwain, pp. 152–53). A second response to the problem Romans 13 posed was to

distinguish disobedience from resistance. According to Martin Luther and others who drew this distinction, Christians may not actively resist their rulers, but they must disobey them when the rulers' commands are contrary to God's. Yet a third response was to note the possibility of conflict between two or more of one's rulers. In other words, if more than one person holds political authority over you, and if they issue conflicting commands, then you may satisfy Paul's injunction by obeying the authority whose commands are more congenial to your understanding of true Christianity, even when such obedience entails resisting the commands of others in authority.

These last two responses played an especially important part in the political disputes that accompanied the Protestant Reformation. Under the pressure of those disputes, however, another theory of political obligation became increasingly prominent, as Protestants came to rely on the belief that political authority derives from the consent of the governed (Skinner, vol. 2, chaps. 7–9).

4.2.3 The Social Contract

Although the idea of the social contract long antedates the modern era (Gough 1967), its full development occurred in the seventeenth century, when Thomas Hobbes and John Locke used the theory to rather different ends. Jean-Jacques Rousseau, Immanuel Kant, and other philosophers have also relied on social contract theory, but the classic expressions of the contract theory of political obligation remain Hobbes's Leviathan (1651) and Locke's Second Treatise of Government (1690).

For Hobbes, social contract theory established the authority of anyone who was able to wield and hold power. If we imagine ourselves in a state of nature, he argued, with no government and no law to guide us but the law of nature, we will recognize that everyone is naturally equal and independent. But we should also recognize that this state of nature will also be a state of war, for the "restlesse desire for Power after power" that drives all of us will lead to "a warre of every man against every man" (Hobbes, chaps. 11, 13). To escape so dreadful a condition, people surrender their independence by entering into a covenant to obey a sovereign power that will have the authority to make, enforce, and

interpret laws. This form of the social contract Hobbes called "sovereignty by institution." But he also insisted that conquerors acquire authority over those they subject to their rule — "sovereignty by acquisition" — when they allow those subjects to go about their business. In either case, Hobbes said, the subjects consent to obey those who have effective power over them, whether the subject has a choice in who holds power or not. Because they consent, they therefore have an obligation to obey the sovereign, whether sovereignty be instituted or acquired.

Exactly how much Locke differs from Hobbes in his conclusions is a matter of scholarly dispute, but there is no doubt that he puts the same concepts to work for what seem to be more limited ends. According to Locke, the free and equal individuals in the state of nature establish government as a way of overcoming the "inconveniencies" of that state. Moreover, Locke's social contract appears to have two stages. In the first stage the naturally free and equal individuals agree to form themselves into a political society, under law, and in the second they establish the government. This move allows Locke to argue, contrary to Hobbes, for a right of revolution on the ground that overthrowing the government will not immediately return the people to the state of nature. Nor does he hold, with Hobbes, that mere submission to a conqueror constitutes a form of consent to the conqueror's rule.

Locke does agree with Hobbes, of course, in deriving obligations to obey the law from the consent of the governed. In developing his argument, however, he reveals three problems that have bedeviled social contract theory. One problem has to do with the nature of the contract: is it historical or hypothetical? If the former, then the problem is to show that most people truly have entered into such a contract. If the contract is meant to be a device that illustrates how people would have given their consent, on the other hand, then the difficulty is that a hypothetical contract "is no contract at all" (Dworkin, 1977, p. 151). The second problem has to do with the way Hobbes and Locke rely on tacit consent. If only express or explicit statements of agreement or commitment count as genuine consent, then it appears that relatively few people have consented to obey the laws of their country; but if tacit or implied

consent is allowed, the concept of consent may be stretched too far. Hobbes does this when he counts submission to a conqueror as consent, but Locke also runs this risk when he states, in §119 of the Second Treatise, that the "very being of anyone within the territories" of a government amounts to tacit consent. Finally, it is not clear that consent is really the key to political obligation in these theories. The upshot of Hobbes's theory seems to be that we have an obligation to obey anyone who can maintain order, and in Locke's it seems that there are some things to which we cannot consent. In particular, we cannot consent to place ourselves under an absolute ruler, for doing so would defeat the very purposes for which we enter the social contract — to protect our lives, liberty, and property (Pitkin 1965).

One of the first to find fault with the argument from consent or contract was David Hume. In "Of the Original Contract," published in 1752, Hume takes particular exception to the appeal to tacit consent. To say, he protests, that most people have given their consent to obey the laws simply by remaining in their country of birth is tantamount to saying that someone tacitly consents to obey a ship's captain "though he was carried on board while asleep and must leap into the ocean and perish the moment he leaves her" (1953, p. 51). For Hume, it seems, the obligation to obey the law derives not from consent or contract but from the straightforward utility of a system of laws that enables people to pursue their interests peacefully and conveniently.

4.2.4 Utility and Obligation

For all its influence in other areas of legal, moral, and political philosophy, utilitarianism has found few adherents among those who believe that there is a general obligation to obey the laws of one's country. Part of the reason for this situation may be the fact that Jeremy Bentham, John Stuart Mill, and others who followed Hume's path had little to say about political obligation. A more powerful reason, though, is that utilitarians have trouble accounting for obligations of any kind. If one's guiding principle is always to act to maximize expected utility, or promote the greatest happiness of the greatest number, then obligations seem to have little or no binding force. After all, if I can do more good

by giving the money in my possession to charity than by paying my debts, then that is what I should do, notwithstanding my obligations to my creditors. By the same reasoning, whether I should obey or disobey the law is a matter to be settled by considering which will do more good, not by determining whether I have an obligation to obey.

Some utilitarian philosophers have struggled to overcome this problem, either by pointing to reasons to believe that respecting obligations serves to promote utility or by restricting calculations of utility to rules or norms rather than to individual acts (see the entry on "consequentialism" for details). Whether their efforts have been successful remains a matter of debate. There seems to be a consensus, however, that the most sophisticated attempts to provide a utilitarian grounding for political obligation, such as those of Rolf Sartorius (1975, chaps. 5 and 6) and R. M. Hare (1976), have proved unsuccessful (e.g., Simmons 1979, pp. 45–54; Horton 2010, pp. 60–69). As a result, utilitarianism seldom figures in the debates of those contemporary political philosophers who continue to believe that there is, in some political societies, a general obligation to obey the law.

4.2.5 Kant on Legitimacy and Obligation

In contrast to utilitarianism, the practical philosophy of an eighteenth-century German philosopher, Immanuel Kant, does play a major part in contemporary debates about political obligation. The proper direction of his influence, however, is not altogether settled. On the one hand, a leading "philosophical anarchist," Robert Paul Wolff, claims Kantian inspiration for his a priori rejection of the possibility of political obligation (see §3.1, below); on the other hand, important exponents of the "natural duty" approach to the obligation to obey the law also claim to derive their arguments from Kant (see §4.5, below). Kant may bear some responsibility for fostering such divergent responses, but it is safe to say that he himself was no anarchist, not even of the "philosophical" sort. Indeed, he seems to insist on an unqualified obligation to obey the law that goes well beyond what any political philosopher nowadays will countenance.

Kant's theory employs the same basic concepts as Hobbes's and Locke's — natural (or innate) rights, the state of nature, and the social contract — but he puts them to different use. In contrast to Hobbes, Kant looks upon the coercive force of the law not as a limitation on freedom but as the means of securing and extending it. In the state of nature, as he conceives of it, individuals may enjoy "wild, lawless freedom," but the threats and constraints imposed by others prevent them from freely acting on their choices (1991[1797], p. 127). Justified coercion under law provides a remedy by impeding those who would interfere with one's actions, thereby hindering the hindrances to freedom (Ripstein, pp. 54–55 et passim). Moreover, unlike Locke's justification of the social contract as the way to secure one's property and escape the "inconveniencies" of the state of nature, Kant takes the "civil condition" produced by the social contract to be the foundation that property rights and justice in general presuppose. The social contract is thus not a matter of collective consent but a moral imperative: "When you cannot avoid living side by side with all others, you ought to leave the state of nature and proceed with them into a rightful condition, that is a condition of distributive justice" (1991, pp. 121–22). "Properly speaking," Kant declares, the original contract is not an expression of consent to be governed; it is "the idea of this act, in terms of which alone we can think of the legitimacy of a state" (1991, p. 127).

The upshot, as noted above, is that everyone seems to have an absolute obligation to obey the laws of whoever is in authority; for even if the ruler "proceeds contrary to law … subjects may indeed oppose this injustice by complaints … but not by resistance" (1991, p. 130, emphasis in original; also pp. 176–77). Kant's comments on this point are not unqualified, though. Among other things, he states that "the spirit of the original contract … involves an obligation on the part of the constituting authority to make the kind of government suited to the idea of the original contract"; and he immediately adds that "the only constitution that accords with right" is "that of a pure republic" —that is, "the constitution in which law itself rules and depends on no particular person" (1991, p. 148, emphases in original; for further discussion, see Ripstein, chap. 11). In any case, it is not so much Kant's conclusions as

the foundations of his theory that have proved so important to contemporary discussions of political obligation.

4.3 CONCEPTUAL MATTERS

In the twentieth century political philosophers devoted themselves at least as much to the analysis of the problem of political obligation, and to the concepts it involves, as to full-scale attempts to devise theories of the obligation to obey the law. Some even argued that the existence of political obligations could be established by conceptual analysis alone — a point we return to in §3. More often philosophers working in this vein sought to clarify what was at issue in the assertion or denial of political obligations, or duties to obey the law.

4.3.1 Obligation and Duty

As the previous sentence suggests, obligations are also duties. That is true, at any rate, when the obligation in question is political obligation. To be sure, some philosophers have uncovered differences between obligations and duties, the most important of which is that obligations must be voluntarily undertaken or incurred, but duties need not be (e.g., Brandt 1964; Hart 1958). The obligation to keep a promise or fulfill a contract, for example, arises only when one has done something that generates the obligation — made a promise or signed a contract — but the duties of charity and truth telling supposedly fall on us regardless of what, if anything, we voluntarily commit to do. John Rawls relies on this distinction when he argues that most citizens of a reasonably just political society have no general obligation to obey its laws, even though they do have a "natural duty" to support just institutions — a duty that has the general effect of requiring them to obey (Rawls 1999, p. 97). For the most part, however, the distinction between obligation and duty has played no significant role in the debates over the supposed moral responsibility to obey the law. To invoke the distinction here would run counter to the tendency in both ordinary language and philosophical discussion to use the terms interchangeably, as when we speak of the "duty" to keep a promise or an "obligation" to tell the truth. This essay will proceed, then, like almost everything written on either side of the

question, on the understanding that a political obligation, if it exists, is a moral duty to obey the law.

4.3.2 Obligation: Political, Civil, and Legal

One question that immediately arises from this conception of political obligation is whether "political" is the appropriate modifer. If the obligation in question is a duty to obey the law, ceteris paribus, then why not call it a legal obligation? Or why not conclude, with Bhikhu Parekh (1993, p. 240), that the question of whether we have a duty to obey the law is really a matter of civil obligation — that is, "the obligation to respect and uphold the legitimately constituted civil authority" — that entails legal obligations "to obey the laws enacted by the civil authority" rather than political obligation? "Political" is the broader term, according to Parekh, and someone who has a truly political obligation will owe her polity more than mere obedience to its laws (see also Raz 2006, p. 1004). Such a person will have a positive duty to take steps to secure the safety and advance the interests of her country. Following Parekh's distinction, then, we may say that someone who pays taxes discharges a legal obligation, no matter how grudgingly she pays them, but someone who pays taxes and contributes voluntarily to public projects fulfills a truly political obligation.

Other philosophers also distinguish political from legal obligations, but not in the far-reaching way that Parekh does. Indeed, it seems that we already have a term, "civic duty," that does the work he wants to assign to "political obligation." Exhortations to do our civic duty typically urge us to do more than merely obey the law. These exhortations would have us vote in elections and be well-informed voters; buy government bonds; limit our use of water and other scarce resources; donate blood, service, or money (beyond what we owe in taxes) in times of crisis; and generally contribute in an active way to the common good. Whether we really have a civic duty to do any or all of these things may be a matter of dispute, but appeals to civic duty are certainly quite common, and it is hardly clear that there is something to be gained by reclassifying them as appeals to political obligation.

Rather than political obligation or Parekh's "civil obligation," why not call the duty to obey the law a legal obligation? The answer seems to be that "legal obligation" has a different kind of work to do. For many legal philosophers, the claim that a person has a legal obligation to do X is merely a descriptive claim, a statement of social fact. The fact that a person has a legal obligation to do X provides him with a moral reason to do X only if he has a moral duty to obey the law — that is, a political obligation. The value of this distinction is that it allows one to hold that a person may be subject to a legal obligation even though she has no political obligation to obey the laws of the regime in power. Suppose that the regime is tyrannical, inept, or simply so unjust that only a Hobbesian would maintain that those subject to its commands have a moral obligation to obey. Nevertheless, most theorists will agree that people in this unhappy country have legal obligations to pay taxes, refrain from certain types of conduct when driving, and do whatever the legal system that enjoys de facto jurisdiction over them requires; that is, claims to this effect are true descriptions of the world. But such descriptions are compatible with the belief that the people of unhappy countries have no moral duty to act as the law directs simply because the law so directs.

A closely related question is whether we should distinguish the concept of political obligation from that of a duty to obey the law. The answer may depend on whether we understand the term "political" to refer to the status in virtue of which a person has the obligation or to the entity or agent to whom she owes it. In the former case, political obligation refers to those obligations a person has as a member or citizen of a particular polity. So understood, a theory of political obligation will tell us nothing about the authority a state enjoys over non-members; for example, whether and why short-term visitors residing on its territory have a duty to obey its laws. That need not render it defective as an account of political obligation, but it does entail that we should not take the phrase "political obligation" to be synonymous with the phrase "a duty to obey the law simpliciter," but only with the phrase "a citizen's (or member's) duty to obey the law." In contrast, if "political" refers to the agent or entity to whom a person owes the obligation, then a theory of political obligation will be synonymous with a theory of the duty to obey the law,

since it will aspire to explain why those who are subject to a particular state's jurisdiction, be they citizens or foreigners, have a moral duty to act as it directs them to act. Arguably, certain solutions to the problem of political obligation fare better when "political" refers to the status in virtue of which a person has the obligation than when it refers to the entity to which she owes it, or vice versa. For example, membership (or associative) approaches to political obligation may have a leg up in justifying citizens' duties to obey the law but face a significant challenge in accounting for the obligation of foreigners to do so (see §4.4). Conversely, natural duty theories may be able to explain why anyone, citizen or not, has a duty to obey the law (i.e., the laws of one or another legal system) but struggle to explain why anyone has a duty to obey the laws of the particular state of which she is a member. Attention to the ambiguity in the referent of the term "political" may also support a pluralistic or multi–principle solution to the problem of political obligation; e.g., a membership justification for the duty of citizens to obey the law, and a consent justification for the duty of foreigners to do so.

4.3.3 Obligation, Morality, and Practical Reason

As in the five historically significant theories surveyed in the previous section, the presumption that the answer to the problem of political obligation must be stated in moral terms has continued to prevail. When T. H. Green set out in 1879 "to discover the true ground or justification for obedience to law," for example, he was looking for more than prudence alone can provide. "You ought to obey the law because you will suffer if you do not" may be a powerful reason for obedience, but it is not a reason that speaks to Green's concern with "the moral function or object served by law …" (1986, p. 13). For Green, and for almost everyone else who has pondered it, the problem of political obligation is a moral problem, and the obligation in question is a kind of moral obligation. To have a political obligation, then, is to have a moral duty to obey the law.

Margaret Gilbert has recently challenged this moralized characterization of political obligation (Gilbert 2006; Gilbert 2013). She maintains that a

political obligation is a genuine obligation, by which she means that it provides a person subject to it with a sufficient, though not necessarily conclusive, reason for action that trumps considerations of inclination or self-interest. However, Gilbert distinguishes between two kinds of genuine obligations, or two senses of the term "obligation," the first synonymous with being the subject of a moral requirement and the second with "owing" something to another (2013, pp. 391–92). Obligation in this second sense describes a normative relationship between two or more parties, one that can be created via a suitable act of will; for example, by what Gilbert calls an exercise of joint commitment. It is the second sense of obligation that Gilbert maintains we ought to employ in our analysis of the problem of political obligation, understood here as the challenge of accounting for the obligations people owe one another as co-members of a given polity. That does not preclude the development of a theory concerning when moral requirements outweigh or defeat people's political obligations, of course. As she sees it, though, the theory of political obligation itself ought to be de-moralized.

One upshot of Gilbert's account is that it entirely separates the existence of political obligations from the justice or injustice of the political society's institutions and laws. On her account, individuals can acquire genuine obligations in the sense of owing something to another even when their suitable act of willing is coerced or the content of what they agree to owe another is immoral. With respect to political obligations, then, neither state coercion (i.e., the absence of voluntary consent) nor the injustice of a state's laws or institutions precludes its citizens' acquisition of a genuine obligation to obey its laws. But why think that a promise extracted at gunpoint generates any reason to do that which one promised, or that a voluntary agreement to torture babies generates a genuine (albeit not conclusive) obligation to do so? Or, if coerced or immoral owing-obligations are genuine but always defeated or trumped by moral-requirement-obligations, one might wonder why we should posit their separate existence at all. One possibility is that doing so is necessary to render intelligible the response of the promisee when the coerced promisor reneges on her promise; we can understand why the promisee feels betrayed even if we do not think he is justified in feeling

that way. This response, however, treats Gilbert's account of political obligation as an explanatory theory, not a justificatory one (Lefkowitz 2007; for a response, see Gilbert 2013, pp. 406–07).

Gilbert aside, theorists of political obligation characterize it as a moral duty to obey the law. As such, it provides a person with a categorical reason for action, one that does not depend on her inclinations or self-interest. Political obligation is also typically understood to be content-independent; that is, to be a duty to obey the law as such, or simply because it is the law (Hart 1982, pp. 254–55). Where a person has a duty to obey the law, the judgment that the law requires her to X suffices to provide her with a reason to X, independent of any judgment she may make regarding the merits of performing X. The problem of political obligation, then, is not simply the question of whether a person has a reason to do that which the law would have her do. Often a person will have prudential reasons to do so, and she may have moral obligations to perform or not perform specific acts independent of their being legally required or proscribed, as in the case of forbearing from murder. Rather, the question concerns the conditions, if any, in which the fact that the law requires a person to act thus-and-so imposes a moral obligation on her to act as the law directs. The content-independence of political obligation reflects the fact that what stands in need of justification is the polity's right to its subjects' obedience — to their acting as it directs because it so directs them.

How can the state's mere willing that a person be required to perform a certain act create a moral obligation to do so? Though a few theorists have attempted to address this challenge head on, Gilbert being the most recent, most construe claims to authority not as the creation of moral obligations ex nihilo but as a moral obligation to defer to the state's judgment regarding what they have independent reason to do (but compare Klosko 2011). The characterization of this deference within a person's deliberation is a matter of some dispute. H. L. A. Hart and Joseph Raz, for example, argue that law is preemptive; law does not merely offer a consideration for or against a potential course of action, to be weighed against any and all other relevant considerations. Rather, law aims to exclude from an agent's deliberation at least some of the

considerations favoring or opposing the conduct at issue, considerations that in the absence of the law it would be permissible to take into account (Raz 1979, chaps. 1 and 2). Rival views of the manner in which political obligation functions in a person's deliberation reject the exclusionary element of Raz's account of the duty to obey the law, arguing that political obligations are simply weighty moral reasons that are balanced against all of the other reasons a person has to perform or not perform a given act (Perry 1989). On neither account, though, is a person's political obligation taken to provide her with an absolute duty to obey the law. Raz, for example, notes that law need not exclude all of the first–order reasons a person might have for performing a given act (Raz 1986, p. 46). Nor does he claim that the first-order reason the law provides for not performing a given act will always outweigh or defeat non-excluded first-order reasons a person has to perform that act. In other words, the duty to obey the law is a prima facie or pro tanto reason for action, from which it follows that the bearer of a political obligation may not always have a conclusive or all-things-considered reason to act as the law demands.

Theorists of political obligation typically ascribe two further features to the moral duty they seek to defend. First, the duty to obey the law is general both in the sense that it is a duty to obey the entire body of law in a given jurisdiction and in the sense that the duty is borne by all those living within that jurisdiction. Note that a general moral duty to obey the law is consistent with variation in the legal obligations different subjects bear. For example, a given state may impose on all and only its male citizens a duty to register for a military draft, in which case the full set of legal obligations borne by men in this state will differ from the full set borne by women. Nevertheless, citizens of both sexes may be subject to a general political obligation, meaning that they have a moral duty to fulfill all of their legal obligations. Raz, however, denies that the subjects of any existing state or indeed anything remotely like it have a general duty to obey the law; rather, law's authority is piecemeal, both with respect to who has a moral duty to obey a particular law and with respect to the number of laws within a given legal system that enjoy authority over anyone.

The second feature commonly ascribed to political obligations is that they are owed only to the particular political/legal society that claims primary or exclusive jurisdiction over a person. Following John Simmons's influential analysis, this has come to be known as "the particularity requirement." Political obligation, Simmons maintains, carries an implicit connection to citizenship, which means that those who are engaged in the political obligation debate "are only interested in those moral requirements [including obligations and duties] which bind an individual to one particular political community, set of institutions, etc." (1979, p. 31, emphasis in original; but cf. Edmundson 2004, p. 232, and Walton 2013).

4.4 ANARCHIST CHALLENGES TO POLITICAL OBLIGATION

According to the foregoing analysis, a political obligation, if it exists at all, is at least a systemic, prima facie or pro tanto moral duty to obey the laws of one's polity. But does such an obligation exist or obtain in any general or widespread sense? Most political philosophers have assumed that the answer is yes. In the middle years of the twentieth century some philosophers even asserted, on conceptual grounds, that political obligation needs no justification. As one of them put the point, "to ask why I should obey any laws is to ask whether there might be a political society without political obligations, which is absurd. For we mean by political society, groups of people organized according to rules enforced by some of their number" (Macdonald, p. 192; also McPherson, p. 64, and, more subtly, Pitkin 1966; but cf. Pateman 1973, and Horton 2010, pp. 138–46). This view did not long prevail, but it testifies to the strength of the tendency to believe that citizens surely have an obligation to obey the laws of their country, at least if it is reasonably just.

There have been dissenters, however, and in recent years they have come to occupy a prominent place among political philosophers. As they see it, there is no general obligation to obey the law, not even on the part of the citizens of a reasonably just polity. The most thorough-going of these dissenters have been anarchists proper — that is, those persons who insist that states and governments are wickedly coercive institutions that

ought to be abolished. Yet other skeptics or dissenters have concluded that the anarchist proper is wrong about the need for the state but right about the obligation to obey the law. Like the anarchist proper, these "philosophical anarchists" hold that the state is illegitimate, but they deny that its illegitimacy entails "a strong moral imperative to oppose or eliminate states; rather they typically take state illegitimacy simply to remove any strong moral presumption in favor of obedience to, compliance with, or support for our own or other existing states" (Simmons 2001, p. 104; but note Huemer 2013, who regards philosophical anarchism as a second-best alternative that could prepare the way for anarchism proper).

4.4.1 Philosophical Anarchism

The arguments of these philosophical anarchists take either an "a priori" or an "a posteriori" form (Simmons 2001, pp. 104–106). Arguments of the first kind maintain that it is impossible to provide a satisfactory account of a general obligation to obey the law. According to Robert Paul Wolff, the principal advocate of this view, there can be no general obligation to obey the law because any such obligation would violate the "primary obligation" of autonomy, which is "the refusal to be ruled" (1998 [1970], p. 18). As Wolff defines it, autonomy combines freedom with responsibility. To be autonomous, someone must have the capacity for choice, and therefore for freedom; but the person who has this capacity also has the responsibility to exercise it — to act autonomously. Failing to do so is to fail to fulfill this "primary obligation" of autonomy. This primary obligation dooms any attempt to develop a theory of political obligation, Wolff argues, except in the highly unlikely case of a direct democracy in which every law has the unanimous approval of the citizenry. Under any other form of government, autonomy and authority are simply incompatible. Authority is "the right to command, and correlatively, the right to be obeyed" (p. 4), which entails that anyone subject to authority has an obligation to obey those who have the right to be obeyed. But if we acknowledge such an authority, we allow someone else to rule us, thereby violating our fundamental obligation to act autonomously. We must therefore reject the claim that we have an

obligation to obey the orders of those who purport to hold authority over us and conclude that there can be no general obligation to obey the laws of any polity that falls short of a unanimous direct democracy.

Arguments of the second, a posteriori form are more modest in their aims but no less devastating in their conclusions. In this case the aim is not to show that a satisfactory defense of political obligation is impossible but that no defense has proven satisfactory, despite the efforts of some of the best minds in the history of philosophy. All such attempts have failed, according to those who take this line, so we must conclude that only those relatively few people who have explicitly committed themselves to obey the law, perhaps by swearing allegiance as part of an oath of citizenship, have anything like a general obligation to obey the laws under which they live (e.g., Smith 1973; Raz 1979, chap. 12; Simmons 1979 and 2001, chap. 6, and 2005; Green 1988, pp. 220–47, and 1996).

4.4.2 Against Philosophical Anarchism

Whether a priori or a posteriori, the arguments of the philosophical anarchists pose a serious challenge to those who continue to believe in a general obligation to obey the law. This challenge is made especially difficult by the powerful objections that Simmons and other a posteriori anarchists have brought against the existing theories of political obligation. The most effective response, of course, would be to demonstrate that one's favored theory does not succumb to these objections, and we shall briefly consider attempts to respond in this fashion in the following section. Some general attempts to refute philosophical anarchism ought to be noted first, however.

Some of these attempts apply specifically to Wolff's a priori attack on political authority and obligation, while others apply to philosophical anarchism in general. The arguments against Wolff usually concentrate on his conception of autonomy and its relation to authority. In brief, Wolff's critics argue that he is wrong to insist that moral autonomy is our "primary" or "fundamental obligation," for it "is, in fact, highly implausible to think that autonomy should invariably override all other values " (Horton 2010, p. 129). Moreover, there is no reason to accept Wolff's claim that autonomy and authority are necessarily incompatible.

Insofar as autonomy is a capacity, as Wolff says, it will need to be developed before it can be exercised, and various kinds of authority — including political authority — will foster its development and make its continued exercise possible (Dagger 1997, pp. 66–68). Nor is it clear how Wolff can reject political authority without also rejecting promises and contracts as illegitimate constraints on one's autonomy — a problem that leads even Simmons to judge Wolff's a priori philosophical anarchism a "failed attempt" (2001, p. 111).

In the face of these problems, Matthew Noah Smith has recently tried to rescue the a priori skepticism of Wolff's theory by substituting the overriding importance of "the moral status of the subject's self" (2011, p. 2) for Wolff's reliance on the fundamental duty of autonomy. According to Smith, preserving the status of the self is incompatible with the law's claim to authority, because "the obligation to obey the law would morally require otherwise morally upstanding subjects to undergo a radical form of self-effacement in favor of recreating themselves in the image of foreign values" (p. 2; see p. 9 for an admittedly "florid" way of making this point). Whether the law is properly understood as an "alien force" that threatens "to fix who one is " (p. 14), however, is a point that critics of a priori anarchism are not likely to concede. Indeed, the radically individualistic conception of the self that underpins Smith's argument is one that proponents of the membership or associative theory of political obligation (see §4.4, below) will dismiss from the outset. It seems unlikely, then, that Smith's adaptation will develop the "traction" that, on his account, Wolff's has failed to gain.

With regard to philosophical anarchism in general, critics have responded in various ways, including the disparate complaints that it is a kind of false or hypocritical radicalism (Gans) and that it is all too genuine a threat to political order (Senor). The latter complaint has both an ontological and a conceptual aspect. That is, the critics argue that philosophical anarchists fail to appreciate the social or embedded nature of human beings, which leads the anarchists to conceive of obligation in excessively individualistic or voluntaristic terms — which leads, in turn, to their denial of a general obligation to obey the law. The problem, however, is that it is a mistake to think "that political life is left more or

less unchanged by dispensing with some conception of political obligation and adopting the perspective of philosophical anarchism. Unless it can be shown that we can continue to talk intelligibly and credibly of our government or our state, then a radical rethinking of our political relations is an unavoidable consequence" (Horton 2010, p. 133). Whether the philosophical anarchists are willing to accept that consequence — and perhaps to become anarchists proper — or whether they can find a way to stop short of it thus becomes a major point of contention.

In the end, of course, the best response to philosophical anarchists, especially those of the a posteriori kind, will be to produce or defend a theory of political obligation that proves to be immune to their objections. At present, though, no single theory has the support of all of those who continue to believe in political obligation, let alone the assent of philosophical anarchists. Several theories remain in contention, however, as the following section will attest.

4.5 CONTEMPORARY THEORIES OF POLITICAL OBLIGATION

Although the lines that separate one theory from another are not always distinct, philosophical justifications of political obligation nowadays usually take the form of arguments from consent, gratitude, fair play, membership, or natural duty. Some philosophers advance a hybrid of two or more of these approaches, and others hold, as the concluding section shows, that a pluralistic theory is necessary. For the most part, though, attempts to justify a general obligation to obey the law will rely on one of these five lines of argument.

4.5.1 Consent

Most people who believe they have an obligation to obey the law probably think that this putative obligation is grounded in their consent. Political philosophers are less inclined to think this way, however, in light of the withering criticism to which Hume and more recent writers — notably Simmons (1979, chaps. 3 and 4) — have subjected consent theory. The critics' claim is not that consent cannot be a source of

obligations, for they typically believe it can. Their claim, instead, is that too few people have either expressly or tacitly given the kind of actual consent that can ground a general obligation to obey the law, and hypothetical consent cannot supply the defect, for reasons already noted. Nevertheless, consent theory still has its adherents among political philosophers. Their versions of consent theory vary considerably, however, with two main approaches emerging in response to the criticisms. One, advanced by Harry Beran (1987), accepts the claim that only express consent can generate a political obligation, but calls for political societies to establish formal procedures for evoking such consent. That is, states should require their members openly to undertake an obligation to obey the law or to refuse to do so. Those who decline the obligation will then have the options of leaving the state, seceding to form a new state with like-minded people, or taking residence in a territory within the state reserved for dissenters. In the absence of such procedures, it seems that Beran's position is roughly the same as that of the a posteriori philosophical anarchist. Were these procedures in place, though, it is far from clear that the options available to the members will make their "consent" truly voluntary (Horton 2010, pp. 34–36; Klosko 2005, pp. 123–29).

The second line of response to criticisms of consent theory is to argue in one way or another that the critics construe "consent" too narrowly. Thus John Plamenatz (1968, Postscript) and Peter Steinberger (2004, p. 218) have maintained that voting or otherwise participating in elections should count as consent; and Steinberger produces a lengthy list of fairly ordinary activities — calling the police or fire department for help, sending children to a public school, using a public library, and more — that constitute "active participation in the institutions of the state" (2004, pp. 219–20). Mark Murphy and Margaret Gilbert have sounded variations on this theme by arguing, in Murphy's case, that "surrender of judgment is a kind of consent" (in Edmundson 1999, p. 320), or, in Gilbert's, that "joint commitment" is an important source of obligations, including political obligations (1993, 2006, 2013). For Murphy, surrender of judgment is consent in the usual sense of voluntary agreement or acceptance. As he says, "One consents to another in a

certain sphere of conduct in the acceptance sense of consent when one allows the other's practical judgments to take the place of his or her own with regard to that sphere of conduct. (This consent may be either to a person or to a set of rules: both of these can be authoritative)" (1999, p. 330). As the earlier discussion of her views indicates §2.3, Gilbert differs from Murphy, and others, in taking a joint commitment to be something that need not arise voluntarily. According to her theory, "an understanding of joint commitment and a readiness to be jointly committed are necessary if one is to accrue political obligations, as is common knowledge of these in the population in question. One can, however, fulfill these conditions without prior deliberation or decision, and if one has deliberated, one may have had little choice but to incur them" (2006, p. 290). Indeed, membership in a "plural subject" formed through nonvoluntary joint commitments plays such a large part in Gilbert's theory that it may be better to place her with those who advocate an associative or membership theory of political obligation than with the adherents of consent theory.

David Estlund (2008, pp. 117–58) has recently offered a new twist on consent theory. Most theorists, he observes, maintain that putative acts of consent are void if it would be wrong to consent to someone's authority. For example, consent to be another person's slave generates no obligation even if it genuinely expresses a person's will. Estlund argues on grounds of symmetry that we ought to draw the same conclusion in cases where it would be wrong not to consent to another person's authority. Such failures are void, and so a person who morally ought to have consented to another's authority has a duty to obey her. If subjects of a given state ought to consent to obey its laws, say because the state performs morally necessary tasks, then their failure to do so is void and no barrier to concluding that they are under a political obligation to that state. Estlund's defense of what he labels normative consent is subtle and sophisticated in ways we cannot indicate here. Still, in cases where non-consent is void, one might wonder whether the duty to submit to another's authority follows directly from the consideration in virtue of which it is wrong for someone not to consent (see Sreenivasan 2009). It is also unclear whether there is enough of a connection between the

agent's will and her coming to be subject to another's authority to warrant classifying Estlund's account as an example of consent theory (for responses to both concerns, see Estlund 2008, pp. 127–31; 2009).

At this time there is little reason to believe that the critics of consent theory will be won over by these attempts to revive the theory by broadening our understanding of what counts as consent. There is even less reason, however, to believe that appeals to consent will simply wither away, at least among those who continue to believe in the existence of a general obligation to obey the law.

4.5.2 Gratitude

Appeals to gratitude in debates about political obligation are as old as Plato's *Crito*, as we have seen, and they remain popular today. They are rarely, though, the sole or even primary basis for an attempt to justify the obligation to obey the law. Plato's account of Socrates' reasoning is typical in this regard, with gratitude being but one of at least four considerations Socrates relies on in explaining why he will not disobey the ruling of the jury that sentenced him to death. (For more recent examples, see Simmons 1979, pp. 162–63.) When Simmons included a chapter on the weakness of gratitude as a foundation for political obligation in his influential *Moral Principles and Political Obligations* (1979), in fact, there was no gratitude *theory* on which to concentrate his criticism.

That situation changed within a decade when A. D. M. Walker sketched such a theory in "Political Obligation and the Argument from Gratitude." Walker's argument takes the following form (1988, p. 205):

1. The person who benefits from *X* has an obligation of gratitude not to act contrary to *X*'s interests.
2. Every citizen has received benefits from the state.
3. Every citizen has an obligation of gratitude not to act in ways that are contrary to the state's interests.
4. Noncompliance with the law is contrary to the state's interests.
5. Every citizen has an obligation of gratitude to comply with the law.

Whether this argument does indeed provide the basis for a satisfactory theory of political obligation seems to turn on two points. First, are obligations of gratitude at all pertinent where political *institutions* are concerned? Walker holds that one may have an obligation of gratitude not only to other persons but also to institutions, including the state or polity; but critics such as Simmons disagree (1979, pp. 187–88; 2005, pp. 119–20). Gratitude is owed only to those who intentionally and at significant cost to themselves provide us with benefits, according to Simmons, and institutions cannot satisfy these conditions. The second point concerns the strength of obligations of gratitude. That is, one may grant that we can have obligations to institutions, including the state, yet hold that these obligations are "too weak to function as prima facie political obligations in the usual sense," for they "would be overridden frequently, not just in unusual circumstances" (Klosko 1989, p. 355). Walker, in response, points to Socrates as someone who obviously thought his obligation of gratitude was very strong indeed, and concludes that we "can afford to acknowledge that the extent of our indebtedness to the state is less than his, while still insisting that it grounds a strong, though not absolute, obligation of gratitude to comply with the law" (1989, p. 364; see also McConnell 1993, pp. 180–208, and, more critically, Wellman 1999).

4.5.3 Fair Play

Although earlier philosophers, including Socrates, appealed to something resembling the principle of fairness (or fair play), the classic formulation of the principle is the one H. L. A. Hart gave it in "Are There Any Natural Rights?" As Hart there says, "when a number of persons conduct any joint enterprise according to rules and thus restrict their liberty, those who have submitted to these restrictions when required have a right to a similar submission from those who have benefited by their submission" (1955, p. 185). John Rawls subsequently adopted this principle in an influential essay of his own, referring to the duty derived from the principle as the "duty of fair play" (1964). What the principle of fair play holds, then, is that everyone who participates in a reasonably just, mutually beneficial cooperative practice — Hart's "joint enterprise

according to rules" — has an obligation to bear a fair share of the burdens of the practice. This obligation is owed to the others who cooperate in the enterprise, for cooperation is what makes it possible for any individual to enjoy the benefits of the practice. Anyone who acts as a free rider is acting wrongly, then, even if his or her shirking does not directly threaten the existence or success of the endeavor. Those who participate in the practice thus have rights against as well as obligations to one another: a right to require others to bear their share of the burdens and an obligation to bear one's share in turn.

The principle of fair play applies to a political society only if its members can reasonably regard it as a cooperative enterprise. If they can, the members have an obligation of fair play to do their part in maintaining the enterprise. Because the rule of law is necessary to the maintenance of such a polity — and perhaps even constitutive of it — the principal form of cooperation is abiding by the law. In the absence of overriding considerations, then, the members of the polity qua cooperative practice must honor their obligation to one another to obey the laws. In this way the principle of fair play provides the grounding for a general obligation to obey the law, at least on the part of those whose polity they can reasonably regard as a cooperative enterprise.

The argument from fair play has met with serious criticism, however, including that of Rawls, who abandoned fair play as an account of political obligation for citizens generally in A Theory of Justice (p. 97, p. 308). The most sweeping criticism is that of Robert Nozick, who objects that the principle of fair play would allow others to place us under an obligation to them simply by conferring benefits on us (1974, pp. 90–95). To make his point, Nozick imagines a group of neighbors creating a public entertainment system and assigning every adult in the neighborhood a day on which he or she is responsible for planning and broadcasting the program. As a resident of the neighborhood, you occasionally hear and enjoy the programs, but you never consent to take part in this scheme. When your assigned day arrives, are you obligated to take a turn? The principle of fair play says yes, according to Nozick, but the correct answer is "surely not."

A second objection, raised by M. B. E. Smith, is that "the obligation of fair play governs a man's actions only when some benefit or harm turns on whether he obeys" (in Edmundson 1999, p. 81). This implies that the principle of fair play will generate an obligation to cooperate only when the cooperative enterprise is small enough that any participant's failure to obey the rules could reasonably be expected to damage the enterprise. Political societies are not small, cooperative enterprises, however, and we can readily think of cases in which someone's disobedience neither deprives anyone of any benefits nor harms the polity in any noticeable way. It follows, then, that the principle of fair play cannot ground a general obligation to obey the law, however useful it may be in other circumstances.

According to a third objection, fair play considerations apply only to cooperative schemes that produce benefits one may refuse. If it produces nonexcludable goods, which everyone receives regardless of whether she contributed to their production or even wants them, then there can be no fair-play obligation to bear a share of the burdens of the enterprise. But this is typically the case in political societies, which produce goods such as public order and national defense that one cannot meaningfully refuse to accept. As Simmons puts it (1979, p. 129), there is a difference between receiving and accepting benefits, and merely receiving them is not enough to place someone under an obligation. If there is a political obligation, therefore, it does not follow directly from the existence of the kind of nonexcludable goods that states provide. To be sure, Simmons does acknowledge that some people may acquire fair-play obligations by enjoying nonexcludable benefits that they take to be "worth the price [they] pay for them" if they do so in full awareness that "the benefits are provided by a cooperative scheme" (1979, p. 132, emphasis in original). But he also maintains that few people will satisfy both of these conditions, with the second proving especially troublesome for advocates of fair–play theory; for "even in democratic political communities, these benefits are commonly regarded as purchased (with taxes) from a central authority rather than as accepted from the cooperative efforts of our fellow citizens" (1979, p. 139).

As one might expect, advocates of the fair-play account have not remained silent in the face of these criticisms. The leading advocate, George Klosko, has written two books elaborating and defending the principle of fairness as the foundation of political obligation (2004 [1992], 2005), and it sometimes seems that every fresh attack on fair play provokes a swift response (e.g., Carr 2002 and Lefkowitz 2004). And the attacks have certainly continued (e.g., Simmons 2001, chap. 2; McDermott 2004), as we shall indicate shortly. First, though, it is necessary to see how fair-play advocates have responded to the three criticisms sketched above.

With regard to Nozick's objection, the response is usually to hold that his example of the neighborhood entertainment system is beside the point (Bell 1978). That is, Nozick is probably right to say that one would have no obligation to operate the system on his or her assigned day, but he is wrong to think fair play would require one to do so. There is no fair play obligation in cases such as this, either because the passive receipt of benefits is not enough to show that one is a participant in a cooperative practice (Dagger 1997, pp. 69–70) or because the benefits are "of relatively little value" (Klosko 2004, pp. 38–39). To Smith's objection, the response is that fairness is not a consideration only when harm or benefit to some person or practice is involved. To fail to do one's part in a cooperative enterprise is to wrong those who cooperate even when it does not clearly harm either them or the enterprise as such (Dagger 1997, p. 71).

Responses to Simmons' objection have taken two directions. One is to say that Simmons has drawn too sharp a distinction between the acceptance and receipt of benefits. Between the person who passively receives the benefits of a cooperative practice and the one who knowingly and willingly accepts them is the person — very many people, in fact — who actively participates in the practice without being fully aware, in the ordinary course of life, that he or she is undertaking an obligation to do his or her part by participating in a cooperative practice (Dagger 1997, pp. 73–78; Besson 2005, pp. 487–89). Like Michael Hardimon and other proponents of the associative theory of political obligation (see §4.4, below), in other words, those who take this position

believe that there is no straightforward dichotomy between what is fully voluntary and what is altogether involuntary. In the middle ground, they hold, there is room for the voluntary — but not deliberate or completely conscious — acceptance of obligations. Others respond to Simmons' criticism by denying that fair-play obligations must be incurred voluntarily (Arneson 1982; Klosko 2004, 39–57). What matters is not that one accepts the benefits of the practice, according to Klosko's influential account, but that three conditions are met: "Goods supplied must be (i) worth the recipients' effort in providing them; (ii) 'presumptively beneficial'; and (iii) have benefits and burdens that are fairly distributed" (2004, p. 39). If, in sum, a state qualifies as a cooperative enterprise, and if it provides its members with goods that are presumptively beneficial — or "indispensable for satisfactory lives" (Klosko 2005, p. 6) — then its members have an obligation grounded in fairness to obey its laws.

Whether these responses have swayed philosophical opinion in the direction of fair–play theory is difficult to say, but they clearly have not settled the debate in its favor. Simmons, for one, continues to hold that modern political societies are too large and impersonal to count as cooperative enterprises (2001, pp. 38–42). He also contends that Klosko's theory is "not really a fairness theory at all," but a "disguised Natural Duty theory, resting on an unstated moral duty to help supply essential goods locally …" (2005, p. 190, emphasis in original; also 2007, pp. 22–23). Others complain that fair-play theory is not suitably sensitive to the possible alternatives there may have been to the cooperative practices that have emerged. We may admit, on this view, that people receive benefits from a cooperative practice, and even net benefits, but we should also notice that they might have benefited more from the establishment of a different practice. To say, in these circumstances, that those who are engaged in a cooperative practice have an obligation to do their part is to accept the principle of fairness as "a powerfully conservative principle" (Normore 2010, p. 231). In the political context, according to another critic, the proper comparison is between a state of affairs in which benefits follow from other people's obeying the laws in the sense of mere compliance, on the one hand, and a situation in which benefits follow

from others' obeying specifically "because the law says to do it" (Durning 2003, p. 255). If the benefits are the same in both cases, then there is no reason to think that true cooperation, rather than mere compliance, is producing the benefits, and hence no reason to think that those who receive the benefits have a fair-play obligation to obey the laws.

Arguments such as these seem more likely to prolong than to settle the debate over the principle of fair play. For conservatives, in fact, the claim that fair play is "a powerfully conservative principle" is hardly a reason to reject the principle. Others may note that having a fair–play obligation to the members of an ongoing enterprise does not bar anyone from trying to transform that enterprise, perhaps even by means of civil disobedience. As for the argument that compliance rather than cooperation is all that is necessary to provide the benefits ordinarily associated with political societies, it seems likely to do no more than renew controversies about the nature of such societies and the viability of philosophical anarchism. The question, in other words, is whether we can expect a polity to survive if its "members" regard one another not as cooperators in a common enterprise but exclusively as purchasers of governmental services who comply with the law under the threat of coercion. For these reasons, fair-play theory is likely to remain a live but much disputed option for those who believe in political obligation.

4.5.4 Membership or Association

According to proponents of a theory that has emerged in the last thirty years or so, political obligation is best understood as an "associative" obligation grounded in membership. If we are members of a group, they argue, then we are under an obligation, *ceteris paribus*, to comply with the norms that govern it. Nor does this obligation follow from our consenting to become members, for it holds even in the case of groups or associations, such as families and polities, that people typically do not consent to join. Voluntary or not, membership entails obligation. Anyone who acknowledges membership in a particular polity must therefore acknowledge that he or she has a general obligation to obey its laws.

At the core of the associative approach is the idea that political obligation is a form of non-voluntary obligation on a par with familial obligations. In Ronald Dworkin's words, "Political association, like family and friendship and other forms of association more local and intimate, is in itself pregnant of obligation" (1986, p. 206). The same idea, with an explicit analogy between family and polity, is at work in John Horton's account of political obligation:

My claim is that a polity is, like the family, a relationship into which we are mostly born: and that the obligations which are constitutive of the relationship do not stand in need of moral justification in terms of a set of basic moral principles or some comprehensive moral theory. Furthermore, both the family and the political community figure prominently in our sense of who we are: our self-identity and our understanding of our place in the world (1992, pp. 150–51).

As members of families and political communities, on this view, we are subject to what Michael Hardimon calls "noncontractual role obligations" — that is, obligations that simply flow from "roles into which we are born" (1994, p. 347).

The associative account of political obligation has at least three attractive features. The first is the refusal of its proponents to treat 'voluntary' and 'involuntary' as two parts of a dichotomy. It is true, they say, that most people do not voluntarily undertake to become members of a polity, but that hardly means that membership has been forced or imposed on them. There is a middle ground, and it is fertile soil for a theory of political obligation, just as it is for those who believe that being a member of a family entails obligations that we have neither chosen, on the one hand, nor incurred against our will, on the other. A second attraction of the associative account is that it squares with a common intuition, as a great many people apparently do think of themselves as members of political societies who have an obligation to obey their polities' laws. This intuition, moreover, points to the third attractive feature, which is the way in which the obligation to obey the laws grows out of the sense of *identity* that members of a polity commonly share. If this is *my* polity, and I find myself thinking of its concerns as something that *we* members share, and its government as *our* government, then it will be easy to think

also that I have an obligation to obey its laws. For Yael Tamir, in fact, "the true essence of associative obligations" is that they "are not grounded on consent, reciprocity, or gratitude, but rather on a feeling of belonging or connectedness" (Tamir, p, 137; see also Scheffler 2001, esp. p. 64).

Like the other theories of political obligation, however, the membership account has met with considerable criticism, with three main objections being raised (Simmons 1996; Wellman 1997; Dagger 2000). First, the critics maintain that the analogy between the polity and the family is neither persuasive nor attractive. It is unpersuasive because the members of the modern polity lack the close and intimate relationships with one another that family members typically share; and it is unattractive because it raises the possibility that the paternalism appropriate within the family may be extended to the polity. Second, the critics object that the associative account conflates the *sense* of obligation with obligation itself. As Wolff and other philosophical anarchists have argued, the fact that many people feel a sense of identity with and obligation to their countries does not mean that they really have such an obligation; nor need one be a philosophical anarchist to share this conclusion. Finally, there is the problem of what may be called group character. All groups have members, including groups that are not decent, fair, or morally praiseworthy; but if membership is sufficient to generate an obligation to obey, then the members of unjust and exploitative groups will have an obligation to obey the rules. In the case of the polity, this leads to the unpalatable and counter-intuitive conclusion that the routinely exploited and oppressed "members" of an unjust polity are under an obligation to obey its laws.

Whether the proponents of the associative theory can overcome these objections remains, not surprisingly, a matter of debate. In some cases the proponents attempt to meet the critics head on, as Horton does in the second edition of his *Political Obligation* (2010). There Horton develops a two-pronged account of political obligation according to which the polity in question must supply the "generic good of order and security" and its members must identify with it and acknowledge its political authority (2010, p. 177, p. 184). In other cases, proponents attempt to

bolster the associative theory by incorporating elements of other theories, as in Massimo Renzo's "quasi-voluntarist reformulation of the associative model," with its claim that we voluntarily occupy our roles even in families and polities as long as "we could have stepped out of them if we had wanted" (2012, p. 109, p. 120). To others, however, appeals to membership may be valuable "as conceptual explorations of the hermeneutics or the phenomenology of political association," but they "will not generate political obligations unless the communities they describe can be legitimated in accordance with one or more of the standard repertory of arguments …" (Knowles 2010, p. 190).

4.5.5 Natural Duty

The final contenders in the political obligation debates are natural duty accounts. In this context, natural duties are understood to be ones people have simply in virtue of their status as moral agents; they need do nothing to acquire them, nor does their bearing such duties depend on their occupying some role in a socially salient relationship. Natural duties are also universal in scope; they are owed to all members of a class defined in terms of possession of some feature, such as sentience or rationality. John Rawls first broached such an argument for political obligation when he asserted in A Theory of Justice that everyone is subject to a natural duty of justice that "requires us to support and to comply with just institutions that exist and apply to us" (1999 [1971], p. 99). More recently, Jeremy Waldron (1993, 1999), Thomas Christiano (2008), Christopher Heath Wellman (2005), Anna Stilz (2009), and, arguably, David Estlund (2008; see §4.1, above) have refined and expanded upon Rawls's somewhat vague contention, some of them in ways reminiscent of or even explicitly modeled on Kant's defense of political obligation (see §1.5, above).

Contemporary natural duty theorists differ over the natural duty that provides the basis for political obligation. Christiano grounds his account in a fundamental principle of justice requiring the equal advancement of people's interests, Wellman in a Samaritan duty of easy rescue, and Stilz in a Kantian duty of respect for others's freedom-as-independence, understood as a secure sphere of self-determination defined by a person's

rights. These theorists agree, however, that moral agents can discharge their natural duty to others only through submission to the authority of a common legal order. This is so for several reasons: the demands of justice are sometimes underdetermined; its achievement requires the resolution of coordination problems; and most important, people reasonably disagree over the demands of justice. Christiano traces this disagreement to what he calls the facts of judgment: diversity in people's natural talents and cultural surroundings, cognitive biases in their interpretation of people's interests and the value assigned to their own interests relative to the value assigned to the interests of others, and fallibility in both moral and non-moral judgment. In light of these facts, even those who make a good faith effort to discern what justice requires of them in their interaction with others will fail to reach a consensus. Agents who act on their own, private, judgment of justice will be perceived by others to be acting unjustly. If some are able to unilaterally impose their conception of justice on others, the latter will not enjoy freedom-as-independence (Stilz 2009), or will suffer the violation of their fundamental interests in being at home in the world, in correcting for others' cognitive biases, and in being treated by one's fellows as a person with equal moral standing (Christiano). Only submission to a common legal order can provide a solution to this problem of domination and conflict, argue the natural duty proponents of political obligation. "There is no way other than general compliance with a single authoritative set of rules to secure peace and protect basic moral rights" (Wellman 2005, p. 45); law "settle[s] for practical purposes what justice consists in by promulgating public rules for the guidance of individual behavior" (Christiano, p. 53); or in Stilz's Kantian terms, law replaces the unilateral imposition of obligations on others with the omnilateral imposition of obligations on all.

Not just any legal order will do, though. Rather, many natural duty theorists of political obligation argue either that the law must crafted according to democratic procedures or that it must not violate certain individual rights, or both, if those it addresses are to have a duty to obey it. Christiano, for instance, argues that against a background constituted by diversity, cognitive bias, and fallibility, agents can be sure that their

fundamental interest in judgment will not be unjustifiably set back only if political power is exercised within institutions that publicly realize equality, i.e., democratic ones. Likewise, Waldron defends the authority of a majority-rule decision procedure on the basis of its "commitment to equality — a determination that when we, who need to settle on a single course of action, disagree about what to do, there is no reasonable basis for us in designing our decision-procedures to accord greater weight to one side than to the other in the disagreement" (Waldron 1999, p. 117; see also Lefkowitz 2005a). Even if a person does not believe that the particular scheme of distributive justice realized in the law treats her justly, she can recognize that the process whereby that scheme was created, and can be modified or eliminated, does treat her as an equal. Stilz argues that law omnilaterally imposes obligations on all only if it expresses a general will. It does the latter if and only if it "first, defines rights (protected interests) that apply equally to all; second, it defines these rights via a procedure that considers everyone's interests equally; and third, everyone who is coerced to obey the law has a voice in the procedure" (Stilz 2009, p. 78). The latter two conditions, she maintains, can only be met by a democratic procedure.

Whatever its details, many natural duty theorists also argue that the conception of the person that grounds their accounts of political obligation also limits the scope of legitimate law. Reasonable disagreement over freedom-as-independence does not extend to torture, for example, and at some perhaps indeterminate point the denial of freedom of conscience clearly conflicts with a person's fundamental interests in correcting for cognitive bias and being at home in the world. Most natural duty theorists conclude that subjects of a legal order that recognizes no rights on the part of some or all of its subjects against such treatment lacks legitimate authority, even if it is democratic.

Recall that natural duty accounts of political obligation begin with duties that all moral agents owe to all other moral persons as such. Simmons argues that this commitment renders natural duty accounts unable to justify the particularity of political obligations; that is, the fact that people have political obligations in virtue of their citizenship or residence in particular states, and that they owe those obligations to that

particular state (or to their fellow citizens) (Simmons 1979, pp. 31–35; 2005, pp. 166–79). Even if we have a natural duty "to support and comply with just institutions," as Rawls claims, why must we discharge that duty by supporting and complying with the just institutions that comprise the state in which we are citizens or residents? True, those are the institutions that "apply to us," in the sense that they claim jurisdiction over us. But why think that this social fact has any moral import, particularly if we think the political institutions of other states more worthy of our support because they better promote justice, or are in greater need of support?

Some natural duty theorists point to the intensity and frequency of interaction among those who live in close proximity to one another as a justification for the duty to obey the laws of the particular jurisdiction in which one resides (Waldron 1993, 1996). Others emphasize that a person who free-rides on his fellow citizens' support for and compliance with the law to act on his own judgment of how he can best discharge his natural duty of justice unfairly takes advantage of them. Absent their good-faith sacrifice of the liberty to act on their private judgments regarding what justice requires, the free-rider would likely be unable to act as he does (Wellman 2005, pp. 44–45). Finally, some natural duty theorists argue that Simmons misconstrues the natural duty of justice. Justice is not an outcome or state of affairs that agents have a duty to promote via whatever means they judge to be most effective or efficient, be it the political institutions of their state or those of another. Rather, justice characterizes a particular manner of interacting with others, such as with respect for their freedom-as-independence or their fundamental interests, including but not limited to their interests in judgment. At least for a citizen of a liberal democratic state, the latter construal of justice entails that she can only treat her fellow citizens justly if she guides her conduct according to its law.

Simmons has recently rebutted this second line of argument (Simmons 2013; but cf. Stilz 2013). The argument entails, he claims, that citizens of one liberal-democratic state who are forcibly subjected to the rule of another liberal-democratic state immediately acquire political obligations to the second state as long as they are accorded full citizenship rights.

Simmons treats this implication as a reductio ad absurdum of the democratic Kantian justification for political obligation, a demonstration that it cannot properly account for the particularity of such obligations. In part, this latest rejoinder by Simmons evidences and gives further impetus to a shift in the debate over political obligation from the question of what gives states a right to rule particular people, to which correlates their duty to obey the law, to the question of what gives states a right to rule over a particular territory. But it also points to the need for natural duty theorists to elaborate upon their so far brief discussions of the contribution that a legitimate international legal order makes to the legitimacy of domestic legal orders.

Check Your Progress 1

Note: a) Use the space provided for your answer

b) Check your answer with those provided at the end of the unit:

1. What do you know about the Political Obligation in Historical Perspective?

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2. Discuss the Conceptual Matters.

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3. How do you understand about the Anarchist Challenges to Political Obligation?

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4. Discuss about the Contemporary Theories of Political Obligation.

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4.6 LET US SUM UP

The five theories of political obligation sketched above do not exhaust the possibilities — Dorota Mokrosinska, for instance, has recently advanced a "civil justice" theory in her Rethinking Political Obligation — but they seem to represent the main lines of argument. Indeed, even Mokrosinska acknowledges that her "argument from civil justice combines elements of both natural duty accounts and associative theories" (2012, p. 174). In fact, the search for a hybrid theory is something a number of philosophers have undertaken, either implicitly or explicitly, in recent years. Gilbert (2006) and Steinberger (2004), for example, seem to have developed hybrid theories without ever advertising them as such. Gilbert's theory fuses the consent and associative approaches through her reliance on joint commitments to a plural subject, or group. For his part, Steinberger combines the consent and natural-duty approaches, arguing that any "generalized attempt to divorce obligations from natural duties, to find justifications for the former that are entirely independent of the latter, is … doomed to fail" (2004, p. 211). Wellman evidently agrees with this point, but he explicitly acknowledges the hybrid nature of his theory, which combines an appeal to the natural duty of Samaritanism with reliance on the argument from fair play (2005, esp. chap. 2).

Others, notably Klosko (2005), Jonathan Wolff (1995, 2000), and Dudley Knowles (2010), have explicitly called for a pluralistic or multiple-principle approach to political obligation. There is no single answer to the problem of political obligation, as they see it, because the problem has more than one aspect. Not every "member" of a polity will stand in the same relation to its laws, for instance, which means that it is a mistake to think that everyone must have the same general obligation to obey. Nor is every obligation of equal force. Some are weak, such as the notorious obligation to stop at a traffic signal when no one else is around, and others are quite strong. Klosko thus thinks it necessary to rely on the principle of fairness to supply the core of a justification, but to supplement it with appeals to natural duty and the common good (2006, chap. 5).

As yet there has been little reaction to these attempts to fuse approaches and draw on multiple principles in the attempt to provide a satisfactory theory of political obligation (but see Edmundson 2004, pp. 250–52). Those who doubt that such a theory can be constructed, however, are likely to say that combining principles, whether in hybrid or pluralist fashion, will not help, for combining a set of principles that are unsatisfactory individually will hardly produce a strong and satisfying theory (Simmons 2007, n. 17). On the other hand, those who believe that political obligation is fundamentally a problem of showing that those who live in a polity governed by the rule of law do indeed have a general obligation to obey its laws, rather than a bundle of obligations to obey its laws severally, in piecemeal fashion (e.g., Mapel 2005), are likely to see no need for a plurality of principles. Whether a plurality of principles is necessary or even desirable, in sum, remains one of many open questions with regard to the vexing problem of political obligation.

4.7 KEY WORDS

Fairness: impartial and just treatment or behaviour without favouritism or discrimination.

Obligation: An obligation is a course of action that someone is required to take, whether legal or moral. Obligations are constraints; they limit our freedom. We can choose however, to freely act under obligations. Obligation exists when there is a choice to do what is morally good and what is morally unacceptable.

4.8 QUESTIONS FOR REVIEW

1. How do you analysis of the concept of prima facie obligation?
2. Discuss in details about the political obligation.

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4.10 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. See Section 4.2
2. See Section 4.3
3. See Section 4.4
4. See Section 4.5

UNIT 5: DEONTOLOGICAL AND TELEOLOGICAL APPROACHES TO MORAL ACTION

STRUCTURE

5.0   OBJECTIVES

In this unit, we shall study one of the important schools of Normative Ethics, namely deontology. Since Immanuel Kant was the major protagonist of this theory, we shall explain this theory as he has progressively developed starting the good will leading to Freedom and Responsibility through his categorical Imperative. We shall briefly dwell on the debate between determinism and indeterminism to show the relation between freedom and moral responsibility. Finally we shall discuss the relevance of Levinas' ethics in our discussion on responsibility.

5.1   INTRODUCTION

Immanuel Kant is a landmark in the history not only of Philosophy in general but also of Ethics in particular. He deserves a detailed study. Moral knowledge, Kant insists, is of what should be, and not of what is.

Therefore, it does not depend, at least exclusively, on experience, but it must contain at least some a-priori elements. In fact, necessity and universality which are included in the moral precepts are marks of a-priority. The primary task of the moral philosopher, according to Kant, is to isolate these a-priori elements and to show how they originate in the practical reason (Verstand). This is the task Kant sets to himself as he has previously set himself the task to isolate the a-priori elements in theoretical knowledge and shown their origin in pure reason (Vernunft). By practical reason Kant understands pure reason itself but as directed not simply towards Knowledge but towards choice in accordance with moral law. (Sometimes Kant seems to identify it with the will; sometimes he distinguishes it from the latter. But, in any case, the will for Kant is not a blind force, but a rational power. The will chooses in accordance with known moral principles.) It is important to understand what this set purpose of Kant is. Kant's intention is not to try and derive the whole moral law, in all its determinations, from the concept of practical reason. Kant does not even think that this could be done. In fact, he does not deny that in the moral judgment there are also included a-posteriori elements derived from experience. His intention is to discover in practical reason the nature of the moral obligation as such, that is the a-priori condition of every empirically given moral precept. He is concerned, therefore, with 'metaphysics of morals.' But he acknowledges the importance of what he calls 'anthropology' for an understanding of human nature and consequently for application of the general a-priori elements to particular concrete cases (this would be 'applied ethics'). Kant rejects all theories which try to find the ultimate basis of the moral law in human nature as such, or in any of its features, or in human life and society. For him, the ultimate basis of the moral law cannot be anything else but pure practical reason itself. Hence Kant's 'rationalism.' Teleological ethics, (teleological from Greek telos, "end"; logos, "science"), theory of morality that derives duty or moral obligation from what is good or desirable as an end to be achieved. Also known as consequentialist ethics, it is opposed to deontological ethics (from the Greek deon, "duty"), which holds that the basic standards for an action's being morally right are independent of the good or evil generated.

Notes

Modern ethics, especially since the 18th-century German deontological philosophy of Immanuel Kant, has been deeply divided between a form of teleological ethics (utilitarianism) and deontological theories.

Teleological theories differ on the nature of the end that actions ought to promote. Eudaemonist theories (Greek eudaimonia, "happiness"), which hold that ethics consists in some function or activity appropriate to man as a human being, tend to emphasize the cultivation of virtue or excellence in the agent as the end of all action. These could be the classical virtues—courage, temperance, justice, and wisdom—that promoted the Greek ideal of man as the "rational animal"; or the theological virtues—faith, hope, and love—that distinguished the Christian ideal of man as a being created in the image of God.

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Utilitarian-type theories hold that the end consists in an experience or feeling produced by the action. Hedonism, for example, teaches that this feeling is pleasure—either one's own, as in egoism (the 17th-century English philosopher Thomas Hobbes), or everyone's, as in universalistic hedonism, or utilitarianism (the 19th-century English philosophers Jeremy Bentham, John Stuart Mill, and Henry Sidgwick), with its formula the "greatest happiness [pleasure] of the greatest number." Other teleological or utilitarian-type views include the claims that the end of action is survival and growth, as in evolutionary ethics (the 19th-century English philosopher Herbert Spencer); the experience of power, as in despotism (the 16th-century Italian political philosopher Niccolò Machiavelli and the 19th-century German Friedrich Nietzsche); satisfaction and adjustment, as in pragmatism (20th-century American philosophers Ralph Barton Perry and John Dewey); and freedom, as in existentialism (the 20th-century French philosopher Jean-Paul Sartre).

The chief problem for eudaemonist theories is to show that leading a life of virtue will also be attended by happiness—by the winning of the goods regarded as the chief end of action. That Job should suffer and Socrates and Jesus die while the wicked prosper, as the Psalmist (73) points out, then seems unjust. Eudaemonists generally reply that the

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universe is moral and that, in Socrates' words, "No evil can happen to a good man, either in life or after death," or, in Jesus' words, "But he who endures to the end will be saved."

Utilitarian theories, on the other hand, must answer the charge that ends do not justify the means. The problem arises in these theories because they tend to separate the achieved ends from the action by which these ends were produced. One implication of utilitarianism is that one's intention in performing an act may include all of its foreseen consequences. The goodness of the intention then reflects the balance of the good and evil of these consequences, with no limits imposed upon it by the nature of the act itself—even if it be, say, the breaking of a promise or the execution of an innocent man. Utilitarianism, in answering this charge, must show either that what is apparently immoral is not really so or that, if it really is so, then closer examination of the consequences will bring this fact to light. Ideal utilitarianism (G.E. Moore and Hastings Rashdall) tries to meet the difficulty by advocating a plurality of ends and including among them the attainment of virtue itself, which, as Mill affirmed, "may be felt a good in itself, and desired as such with as great intensity as any other good."

5.2 GOOD WILL

He starts by analysing the idea of 'good will' – the only thing which we can call 'good' without qualification. In fact, it is the only thing which cannot really be misused and which is good in itself and not because of any beneficial results which may accrue from it. Now, Kant discovers that a 'good will' is a will which acts for the sake of duty alone. In other words a 'good' will acts not merely in accordance with, but out of 'reverence' for the moral law as such. A 'good will' does not act for self-interest or because it is impelled by some natural inclination, but it acts because duty (moral 'obligation') is duty. This 'rigorist' attitude of Kant is to be rightly understood. He does not mean to say that to act because of a legitimate self-interest is immoral. Nor does he undervalue good inclinations. On the contrary. What he does mean, however, is that the ultimate basis of the moral law as such – the source of the moral

obligation – is the moral law itself. This is, according to Kant, the salient feature of moral consciousness.

5.3   CATEGORICAL IMPERATIVE

Now, since universality is the 'form' of the moral law, Kant proceeds to analyse what this universal form of the moral law is and to translate it into terms of the concrete moral life. In other words, he proceeds to try and formulate this universal form as a principle to serve as a criterion for the moral judgment. And Kant formulates it thus: "I am never to act otherwise so that I can also will that my maxim should become a universal law." Kant gives other formulations, but points out that all his different formulations are intended to bring this universal form of the moral law closer to intuition and therefore to feeling. Kant calls this universal form of moral law the 'categorical imperative'. It is 'categorical' because it is distinguishable from the 'hypothetical' which lays down a condition upon one only if one wants to attain some end – whether this end is in fact sought by all, for example, happiness (and in this case, the hypothetical is 'assertoric'), or sought only by an individual, for example, wealthy (and in this case, the hypothetical is "problematic') it is ' imperative' because it necessitates or obliges unconditionally the will (while leaving it physically free). When Kant comes to prove the existence of such a 'categorical imperative' he remarks that if it does exist, there must be a 'synthetic a-priori' connection between the concept of the will of rational being as such and the categorical imperative. It must be 'synthetic' in the sense that it cannot be deduced from a mere analysis of the terms, and 'a- priori' in the sense that it cannot be derived from experience either. Here, Kant's line of thought is not easy to follow. But what he seems to drive at is to show that the only possible ground of the categorical imperative must be an end which is absolute and not relative (therefore valid for all humans) and posited by reason alone and not by subjective desire (which can give rise only to the 'hypothetical'). Now this end can only be human person as such. A person, therefore, is an end in oneself and the only possible ground for the categorical imperative.

Hence another formulation of the universal form of the moral law would be this: "So act as to treat humanity, whether in your own person or in that of any other, always and at the same time as an end and never merely as means. " Notice the word 'merely.' Kant is aware that we cannot help making use of the services of other men and therefore using them as means to some extent. This leads Kant to posit human person (or the practical reason) as the source of the moral law. Human person's will is autonomous in the sense that it gives itself the moral law which it obeys. It is not at the mercy of desires and inclinations forming part of a causally determined series.

5.4 FREEDOM AS ONE OF THE THREE POSTULATES

Kant turns to the question as to how this practical synthetic a-priori imperative is possible. Kant finds it possible in the ideal of freedom. We must remember that in the critique of Pure Reason, Kant had tried to show that freedom cannot be proved: it can only be said to be negatively possible in the sense that it does not involve a logical contradiction. But here, in the Critique of Practical Reason, Kant arrives at positing assumption of freedom is a practical; necessity for the moral agent. Freedom is a 'condition of possibility' of the categorical imperative. Even though freedom cannot be 'theoretically proved', this practical assumption is for Kant sufficient for concrete moral action and for Ethics. But this means too that, according to Kant, human person does not belong only to the 'phenomenal world', the world of determined causality, but also to the 'noumenal world'. For Kant the 'supreme good' is virtue that is the making of one's will accord perfectly with the moral law. Still, virtue is not the totality of human's actual desire. Human person also desires happiness. So the 'supreme good' must contain two features: virtue and happiness. Here again the connection between the two must be synthetic and a-priori. But Kant observes that empirical experience does not warrant the connection between virtue and happiness. This leads Kant to posit two other postulates: the immortality of the soul and the existence of God. It is to be well understood, however, that for Kant the acceptance of the three postulates is not

simply pragmatically useful. On the contrary, he goes as far as to maintain that this knowledge of the practical reason regarding the super-sensible compels theoretical reason to admit the objects of the postulates, leads it to think of them by means of the 'categories' and to give the 'ideas' (which in the first Critique are merely 'regulative') a definite form and shape. So, starting form moral consciousness, Kant establishes a 'metaphysics of morals' which finally leads to Religion that is to 'the recognition of all duties as divine commands Not as arbitrary commands, contingent in themselves, imposed on human person as if it were by an alien will, but as "essential laws of every free will in itself". Still, these essential laws must be looked on, according to Kant, as commands of the Supreme Being, because it is only from a morally perfect and at the same time all-powerful will – and on our part, only form acting in harmony with this will – that we can hope to obtain the highest good which the moral law enjoins us to make the supreme object of our endeavour. There is no need for us to speak any further about Kant's ideas about Religion. But, for completeness' sake, we add a few remarks. Kant tries to interpret Religion 'within the bounds of pure reason'. For him, religion consists in leading a moral life. He understands the Christian Dogmas in the light of his moral philosophy. (He has interesting things to say. For example, 'original sin' is understood as the fundamental propensity to act out of self-love.) Similarly, he 4 looks at the Church as an approximation to an ideal spiritual union among human persons leading a life of virtue and of moral service to God. In his last book, published posthumously; Kant is inclined to the idea that awareness of our moral freedom and of our moral obligation is an awareness of the Divine Presence. Kant's Moral Philosophy is often labelled as formalistic, abstract, a-aprioristic, rationalistic. But a painstaking study of Kant will show that these terms are highly misleading. Such study is indeed rewarding. Perhaps no philosopher has brought out, better than he, the nature of the moral obligation (its formal element), its independence of empirical experience (its a-priori character) and its foundation in reason (its rational aspect). One must not criticize him for what he left undeveloped but which he admitted (e.g. our having to take into account an empirical experience of

human nature to apply the universal categorical imperative to concrete situations).

As one of three postulates of morality, freedom is the 'condition of possibility' of the categorical imperative. Though, it cannot be proved theoretically by pure reason yet it is a necessary assumption for moral action. Through this ideal of freedom, Kant's concept of synthetic a priori imperative is possible. Its negative interpretation is this that it does not involve any logical contradiction. From the point of view of practical reason, freedom is a necessity for any moral agent.

According to Kant, being a noumenal entity, human person is not confined to the phenomenal world which is determined by causality. One has to conform to the moral law in order to achieve the virtue which is supreme good. But being a bit lenient Kant allows happiness also as part of supreme good. Virtue along with happiness is the 'supreme good'. The two are related with each other as synthetic a priori factors. But, since experience does not prove the connection between virtue and happiness, Kant accepts two other postulates: the immortality of soul and existence of God.

In the realm of morality in contemporary western thought, Kant stands supreme. His 'Critique of Practical Reason' is the masterpiece in the field of ethics. According to him, there is nothing like 'heteronomous' norm in the field of morality. A person who rejects this norm then he may not be declared a moral person. He says that there are some a-priori principles of speculative knowledge as well as similar principles of practical knowledge. These a-priori principles of speculative knowledge constitute the 'autonomous principles'.

For Kant "good will" is a will that wills nothing. It is not meant for the sake of any other thing but for itself. It is not relative to any other achievement. All other achievements are for the sake of some other things like, health, wealth, longevity etc. All these are bad ends, according to Kant. 'Good will' is a duty which is for duty's sake only. "Good will" does not act out of self-interest. This tough condition brought Kant the epithet of 'rigorist' and his philosophy is called 'rigourism'.

Not being meant for any other thing but for itself, it is called 'categorical imperative'. Being rooted in the moral law, which is universal, 'good will' is of universal appeal. "I must act such that my way of acting could become a universal procedure" is the general formula for categorical imperative. Another important formula with universal appeal is, "never treat a person merely as a means". Human freedom, immortality of the soul and existence of God, are the three postulates derived by him, out of this categorical imperative. Though, he had denied the knowability of these noumenal realities and never gave any proof for it, yet he accepted all these three as postulates of morality in the 'Critique of Practical Reason'. According to him, all these three are beyond the realm of pure reason.

Good Will: 'Good will' is good without any qualification. It is good in itself not as a means to achieve something else. So, it cannot be misused for other purposes. Good will is mearly a duty for duty's sake not for the sake of any beneficial results which may accrue from it. Reverence for the moral law is the reason for good will, activities. Neither self-interest nor natural inclination is the driving force behind good will. The only inspiration is the sense of duty for it. Though, he allows legitimate self-interest and good inclinations, his only intention is to assert the importance of moral law as the source of moral obligation. Moral obligation to moral law is the main feature of moral consciousness.

Deontology: 'Deontology' is the word coined by British moralist Jeremy Bentham. Derived from the Greek word, 'deon', it means that which is binding. According to deontological ethics doing one's duty is morally good. So, deontology may be defined as the science of moral duties. It is different from 'teleology' in the sense that teleological approach decides the criterion of morality on the basis of this that , whether an action fulfils an end or not.

Human Freedom and Moral Responsibility:

Freedom of will is the criterion of moral responsibility. It is the pre-supposition of any moral act. Though, ultimately it is a metaphysical question, its relevance to ethics cannot be denied. If the doer is not free in choosing his options or left with no option at all, then there is no

question of his being rewarded or punished for that work. In fact, the realm of morality will end with the end of the scope of freedom of will.

The question of human freedom is related to the norm of morality. Whether we should appreciate or criticize someone for his act will depend on, which normative theory, we are going to accept. Whether it is teleological or deontological?

Any meta-ethicist will ask the question that whether this term 'right' implies the term 'free' or not? For example, if someone commits murder under the circumstances of threat to his life and the term 'wrong' connotes free, then we cannot declare that the person in question has committed crime. So, there will be a question of the meaning of the word freedom. Are human beings morally free?

Determinism versus indeterminism

Though our subconscious plays a major role in our decision procedure yet by being determined we can overcome the influence of subconscious, as well.

LEVINAS' PHILOSOPHY OF RESPONSIBILITY FOR THE OTHER:

Levinas' contribution in the domain of philosophy is to propound the philosophy of the other and declaring ethics as the first philosophy at the cost of ontology. He is dead against the general conception of the individual described by ontology. He says that by classifying and categorizing someone, we miss the individuality in him. He says that Plato's theory of recollection is detrimental for the otherness of the other. Merely to recall the concepts, whatever one already has, is to remain in one's own world.

Levinas is, also against Edmund Husserl for abolishing the otherness of others. He is also opposed to Heidegger for his view about the relationship with other. Heidegger has given the secondary state to the relationship with other, in comparison to the relation with 'Being- in-general'. For Heidegger " the fear of dying is greater than that of being a murderer". His prime matter of concern is his being. He is afraid of losing his existence. Nothing is more precious for him than his life, for

which he should sacrifice it. It shows the egoism involved in existentialist thinkers. That is the only matter of concern for them. For Heidegger , death indicates his individuality because of its being his own. While according to Levinas his relations with others individualizes him. A human person's existence and individuality is determined by responding to the other in the uniqueness occasioned by the other. Men have to be responsible to others.

Levinas says that being responsible is also possible only with reference to others, As he writes in his book, Ethics and Infinity, "Responsibility in fact is not a simple attribute of subjectivity, as if the latter already existed in itself, before the ethical relationship. Subjectivity is not for itself; it is, once again, initially for another".

That's why he says that since the self is itself accounted for by ethics, by the relation to the other, ethics is prior to ontology.

Teleological: Consequentialism	Deontological: Non-consequentialism
Examples: (1) Utilitarianism (2) Hedonism (3) Egoism	Examples (1) Varnashram dharma (2) law of Karma (3) religious scripture
Focus on "End/Goals/Consequences"	• Focus on "means/methods/actions" • Also known as Duty based ethics
We'd have gained independence sooner, had we used violence against the British, and sooner we gained independence, faster we'd have become a 1st world country, so, use of violence is right, because end goal is noble.	**Gandhi**: We don't want to gain independence through the use of violence. Because even though self-rule is a noble goal, violence is not the right 'mean/instrument' to achieve it.
1. It may justify robbing a	**Kant**: 'Piracy' as a 'process' is

bank, IF the looted money is to be used for charity. 2. It may justify pirating coaching class material, because it'll lead to greatest good for greatest number of people. In both 1 and 2, we are focusing on the 'end'.	wrong. Because it violates the 'right to property'. Anyways, we'll discuss Kant in detail, in separate lecture on Syllabus topic #5: Moral Thinkers.
It's ok to lie, to save someone's life.	Difficult to justify because by lying we're violating the other person's 'right to knowledge'.
—	Gives motivation to work, even when the result is uncertain or far away. e.g. Lord Krishna advising Arjun to fight in the war against the Kaurav.

Check Your Progress 1

Note: Use the space provided for your answer

1) What is 'good will' according to Kant?

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2) Why does Kant call the moral law as the 'Categorical Imperative'?

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3) According to Kant, Is the practical synthetic a-priori imperative possible?

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5.5 HUMAN FREEDOM AND MORAL RESPONSIBILITY.

One of 'immediate data' of moral consciousness is the sense of 'satisfaction' or 'guilt'. We find ourselves holding ourselves and other responsible for our and their actions. Now, when we hold ourselves or others morally responsible for our or their actions, we assume that the action was done knowingly and willing in other words freely. We can hardly hold somebody responsible for his action, unless his action was done freely. The idea of responsibility would seem then to connote and presuppose that of freedom.

The question whether or not, and human person is free is not ethical question. Still, since this question is, obviously, extremely pertinent to Ethics, and especially contemporary Ethics, we simply cannot overlook it. How is this question pertinent to Ethics? On the practical level, if it is proved that human person is not free, but that all his actions are determined by causes which are beyond his wilful control, then it would be pointless for one to ask what one should do on such and such an occasion: indeed all study of morality would be done away with. Even without going to such extremes, a human person who finds himself 'compelled' to perform certain actions which he/she thinks or is told that they are bad, may come to the conclusion, on learning that human actions are not free, either that his actions are after all not bad, or that there is nothing he/she can do about it. He/she is 'made that way,' it is therefore 'natural' for him/her to act the way he/she does, and there is nothing to worry about. Hence on this practical level, the question of human freedom has a philosophical relevance for the very meaningfulness of ethical theory depends on its answer. It is mostly on the normative ethical level that the question of human freedom is asked. The question will then be this; is it morally justified to praise or blame, reward or punish somebody for his/her acts? The answer to this question does not depend, strictly speaking, on whether human actions are determined or

undetermined but rather on the normative ethical theory one holds ('teleological' or 'deontological'). On the meta-ethical level, the question of human freedom is still different. The question here will be this: Does the term 'right' logically connote 'free'? Suppose a human person commits an act of murder, can I logically say that he/she has committed a 'wrong' action? If I cannot prove that his/her action was free or undetermined by other causes, and if (depending here on the meta-ethical theory I hold) 'wrong' does connote 'free', I simply cannot say that he has committed a 'wrong' action. So, we must squarely face the question: what is the meaning of human (and Moral) freedom? Is human person morally free?

5.6 DETERMINISM VERSUS INDETERMINISM

Determinism is that philosophical theory which holds that everything and every event, and therefore too human person and his actions, are irresistibly caused by some other preceding thing or event (or sets of things or events). One is reminded of the theory of David Hume in this respect. But the discovery of the 'unconscious' and of its influence on the human conduct would seem to confirm the thesis of determinism. There would seem to be no reason to exclude human behaviour from the rigid determinism governing all physical reality. If it is so, one cannot speak of 'free' human actions and no one is justified in attributing responsibility to anyone for his actions. Two contemporary authors who hold such a deterministic position seem to be C. Darrow and P. Edwards. Other determinists, however, use the utilitarian view that is 'morally good. Accordingly it is that what is conducive to the greatest happiness of the greatest number. They maintain that even though reward or punishment for their actions will result, or tend to result in their own good or society as a whole. This is particularly the case for whom such blame or punishment is conceived in terms of a retributive justice. Notice that determinism in not the same as fatalism. On the contrary, the theory of the former is incompatible with the theory of the latter. Whereas for determinism everything or event is explainable by preceding causes and therefore predictable, for fatalism nothing can be said to be the cause of

anything else. Things and events just happen and are therefore unpredictable. There 6 is a milder sort of determinism. Admitting the deterministic principle that everything or event necessarily has a cause, mitigated determinism asserts that as far as human actions are concerned, it is enough that this cause be internal to the subject (e.g. his/her beliefs, character, desires, and heredity) for them to be called free and responsible. Indeed only if actions are so internally determined by the subject, can they be called his/hers? If they were completely undermined, how could they be responsible? Not only then this kind of determinism is compatible with moral responsibility, but only it is. Some authors would however not go as far as to say that if one's beliefs, character, etc. were different, one could have chosen to act on a different way than one did. For them such a question belongs to Metaphysics. But as Ethicists, they say that it is impossible to claim that one's choice of action in such and such a way is not determined by this internal cause. And this for the simple reason that all we know is that one has chosen to act in such a way and there is no way for us to know what would he have chosen to do had he been other than he in fact is. Attributing moral responsibility to human persons for their actions (and therefore praise or blame, reward or punishment) is morally justified in terms of 'consequential justice', namely the good educative, reformative preventive results enduing from such an attribution. Indeterminism (or as it is today called 'libertarianism') upholds the freedom of the human will against all kinds of determinism and rejects all kinds of 'causes,' external or internal, of human actions. A human person cannot said to be responsible for his/her actions unless he/she not only could have done otherwise if he/she had chosen but also could have chosen otherwise. But indeterminism would mean her 'self-determination'. The self or the human person is a unique kind of agent which itself determines its own choices, desired and purposes. 'Reasons' or 'motives' are to be distinguished from 'causes'. One can act for (or because of) a reason but not from causes. If it is objected that it is difficult to see how a motive can be translated into action, it is pointed out that non-human causation is no less 'mysterious' than human causation (which is 'immanent' as distinct from non-human or 'transit causation') Such a position is taken by all upholders of human

freedom. We have seen how Kant 'postulated' human freedom of morality. But as far as we know, no philosopher has insisted on human freedom so much as Sartre among contemporary ethicists.

5.7 EXISTENTIAL SITUATION AND HUMAN FREEDOM

According to the existentialists, morality must be defined by each autonomous individual. The individual and the world are entirely without meaning, literally "absurd." Any meaning that gets into the world must be put in it by the individual, and that meaning or value will hold only for that individual. A person's world is what that person chooses it to be. Each individual lives in his/her own world and what one is what one chooses to be. Jean-Paul Sartre is the major protagonist of this view. Sartre holds that human person is condemned to be free. This is so because Sartre denies anything called human essence. If there is something of a human essence independent of what one makes out of one's own existence, it presupposes that there is someone transcendent called God who gives essence to the human person. But Sartre out-rightly rejects the existence of God and hence human person is condemned to be free. Thus the individual self must create his/her own value. Just as the world is defined by the choices regarding knowledge that an individual makes, so the individual must express his/her own preferences about things. In making choices, or defining values, the individual self becomes responsible for those choices.

Hence responsibility becomes a hallmark of Sartrean philosophy. Anyone who fails to assume responsibility is, according to Sartre, in bad faith, that is to say, that the individual is being false to self. It is a breaking of one's personal law. An Existentialist is not necessarily a non-conformist, but if an Existentialist conforms to the values of a group it will be because that person has freely chosen to do so - not because that person has been pressured to do so by the group. Individual choice and responsibility are thus primary concerns for the Existentialist. Existentialism is not necessarily a "selfish" type of philosophy. It is not so much concerned with one's own interests but rather with one's own conscience freely formed and assumes responsibility.

5.8 LEVINAS' ETHICS OF RESPONSIBILITY FOR THE OTHER

Levinas is a contemporary French Philosopher and a Jew by origin. He is known for his philosophy of the other and for making ethics as the first philosophy by critiquing ontology. In his masterpiece Totality and Infinity he holds that "the work of ontology consists in apprehending the individual not in its individuality but in its generality. The relation with the other is here accomplished through a third term [the concept] which I find in myself." We grasp the other, not as individual, but by classifying and categorizing him/her. In doing so, we miss the ethical relation, whose focus is the individual. Levinas calls into question Plato's doctrine of recollection because it does harm to the otherness of the other. According to his doctrine of recollection, to know is to recall what is already within the self. The "ideal of Socratic truth" implied by this is to remain within the concepts one already has. Levinas equally criticizes his professor Edmund Husserl for doing violence to the otherness of the other. Though Husserl does not recognize the other as an object, his doctrine of inter-subjective recognition falls within the traditional metaphysical framework. Through the inter-subjective recognition, I recognize the other as an embodied subject insofar as he/she is like me, that is, interprets a situation as I would and behaves accordingly. Thus, it is in terms of my categories that I accept that another person is also a subject. Hence Levinas affirms that philosophy has been egology because I know through concepts that I have generated by my activity of contrasting and comparing depriving the other of his/her deprived of its otherness. Levinas calls this totalization. The tie between war and totalization is evident. War "establishes an order from which no one can keep his distance; nothing henceforth is exterior. War does not manifest exteriority and the other as other." In a situation of war, we want to know everything and we can do this only through concepts that keep away the otherness of the other. We thus conceal the ethical relation to the other. Levinas vehemently criticizes Heideggerian ontology, which subordinates the relationship with the Other to the relation with Being in general inevitably leading to imperialist domination and tyranny. The inner distance for Heidegger is caused by my being ahead of myself. For

Levinas, however, its cause is the absenting other. For Heidegger, my futurity is grounded in my being ahead of myself in my projects and plans. For Levinas, the authentic future is what is not grasped, but rather constantly escapes the being present that we do grasp, we have to say that "the other is the future." For Heidegger, we are able to confront ourselves, because we are ahead of ourselves. We are there awaiting ourselves at our goals. Identity here is like Nietzsche's definition: we are over time the promises we make to ourselves and keep. For Levinas, it is the 8 other who gives us the inner distance that allows us to confront ourselves. We are forced to regard ourselves from his perspective, his interpretation. He calls us to respond to him. In doing so, we achieve our self-identity. For Heidegger, "the fear of dying is greater than that of being a murderer" ("la crainte d'être assassin n'arrive pas à dépasser la crainte de mourir"). It then follows that for Heidegger my obligations concern my being. My anxiety revolves around its loss. Given that my being is the locus of my obligations, there is nothing for which I would sacrifice my life. Therefore I cannot get out of egotism, that makes myself the primary focus of my concern. This egotism characterizes the whole of the West: We gain mastery through conceptual schemes, but lose the other and the ethical relation to the other. For Heidegger, death, which is uniquely my own, individualizes me. For Levinas, it is my relation to the Other that individualizes me. I can be a for-itself only by responding to the Other in the uniqueness occasioned by the Other. The other who calls on me to respond places my "I in question." The face of the other calls me to be responsible for the other. The ambiguity of the face is that it both calls forth and tears itself away from presence and objectivity. The calling forth occurs in the fact that I can "see" the face of the Other. Synthesizing my experiences, I can describe and represent its physical features. The face, however, is not a catalogue of such features. Insofar as it is grasped as the face of another person, it is grasped as exceeding this. There is a certain absence or non-presence in my grasp of the other as other. The result is that the conscious subject liberates himself/herself from himself/herself. Another result is the awakening of the for-itself (l'éveil du pour-soi) by the non-absorbable otherness of the other. But one cannot be responsible, even self-responsible, without the

other. This is why, Levinas in his another famous work Ethics and Infinity says, "Responsibility in fact is not a simple attribute of subjectivity, as if the latter already existed in itself, before the ethical relationship. Subjectivity is not for itself; it is, once again, initially for another." The fact that the Dasein (Self) is itself accounted for by ethics, by the relation to the other, ethics is prior to ontology.

Check Your Progress 2

Note: Use the space provided for your answer

1) What is determinism?

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2) Give the importance of Freedom in Sartre's view.

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5.9   LET US SUM UP

Deontology basically deals with our moral obligations. Moral obligation or human duty presupposes human freedom. Hence along with our discussion on categorical imperative of Kant, we have also brought into discussion the philosophical views of the existential thinkers regarding freedom especially those of the champion of freedom Jean-Paul Sartre. Such a freedom paves way to responsibility not only for oneself but also for the other as is conceived by Emmanuel Levinas.

Deontological ethics, in philosophy, ethical theories that place special emphasis on the relationship between duty and the morality of human actions. The term deontology is derived from the Greek deon, "duty," and logos, "science."

In deontological ethics an action is considered morally good because of some characteristic of the action itself, not because the product of the action is good. Deontological ethics holds that at least some acts are morally obligatory regardless of their consequences for human welfare.

Descriptive of such ethics are such expressions as "Duty for duty's sake," "Virtue is its own reward," and "Let justice be done though the heavens fall."

By contrast, teleological ethics (also called consequentialist ethics or consequentialism) holds that the basic standard of morality is precisely the value of what an action brings into being. Deontological theories have been termed formalistic, because their central principle lies in the conformity of an action to some rule or law.

5.10 KEY WORDS

Indeterminism: the philosophical theory that upholds the freedom of the human will and rejects all kinds of 'causes,' external or internal, of human actions.

Categorical Imperative: In the ethical system of Immanuel Kant, an unconditional moral law that applies to all rational beings and is independent of any personal motive or desire.

Egology: A term used by Levinas to denote the philosophy which privileges the self to the detriment of the otherness of the other. Deontology: Ethical theory concerned with duties and rights.

Postulate: Something assumed without proof as being self-evident or generally accepted, especially when used as a basis for an argument.

5.11 QUESTIONS FOR REVIEW

1. Discuss about Good Will.
2. Write about Categorical Imperative
3. Discuss the Freedom as One of the Three Postulates
4. Write about Human Freedom and Moral Responsibility.
5. Compare Determinism versus Indeterminism
6. Discuss about Existential Situation and Human Freedom
7. Describe Levinas' Ethics of Responsibility for the Other

5.12 SUGGESTED READINGS AND REFERENCES

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5.13 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. See Section 5.2
2. See Section 5.3
3. See Section 5.4

Check Your Progress 2

1. See Section 5.6
2. See Section 5.7

UNIT 6: VALUES

6.0 OBJECTIVES

This unit aims at introducing the students to the understanding of moral values and to the contemporary debates of objective and anti-objective schools on the metaphysical aspects of ethics. The debate is mainly centered on the question if values are objective or determined by subjective factors like culture and society. While presenting the different views, this unit adopts a critical attitude to these schools and points out the lacunae in their arguments.

6.1 INTRODUCTION

The question that we will pose now is to know if there are objective morals values. Those who say 'yes' are moral objectivists. Those who say 'no' are the anti-objectivists or subjectivists. But what do we understand by "objective" values? In order to understand this, it is useful

to make a distinction, concerning values, between the model of perception and the model of the taste. According to the model of perception defended by the objectivists, something is desired or approved, because it has a value. There are things in the world which have values and it is of this fact that we desire them. According to the model of taste upheld the subjectivists is the good, a thing has a value because it is desired. "It is desire that gives foundation to value". Indeed, the partisans of these two models agree on the fact that there is a logical equivalence between desires and values: it is commonsense to say that we prefer good to evil, that we do not like that which has a negative but like that which has a positive value. If something is desired, it has a positive value for the one who desires it and if something has a positive value; it is desired by the one who apprehends it. It would then be conceptually inconsistent to say that one desires something that has a negative value. (To the idea that some people can wish evil deliberately, it is always possible to answer that those people attribute a positive value to evil and for them, evil is good). If one admits this equivalence between desire and value, then the task is to know which of the two is most fundamental. For the partisans of the model of perception, value is more fundamental than desire, while for the partisans of the model taste, desire is more fundamental than value. It is to be noted that desire should not be understood in a very narrow sense of the term, but it should be understood largely so as to include preference, approval, appreciation, emotion, etc. The idea is that we have a pro-attitude in relation to something if and only if we attribute a positive value to it. Let us then try to define objective value: A value is objective if it is more fundamental than the pro-attitudes in relation to it, i.e., if it exists independently of our desires, preferences, emotions etc. A moral objectivist adopts the model of perception. In this sense, a moral objectivist is a moral realist. One is objectivist or realist about a thing, if he/she accepts that a thing exists independently of our mind, the way in which we represent it or desire it. (This thesis has to be distinguished from a more extensive thesis called cognitivism which upholds that the evaluative statements have values of truth : This is more extensive, for it includes certain versions of relativism upholding that all evaluative statements are either true or false

(Mackie). Objectivism implies cognitivism, but not the other way). (We will thus hold here moral objectivism and moral realism as synonymous). (It is useful to adopt a narrow definition of objectivism: A value is objective not because it is independent of all attitudes in relation to it, but only of pro-attitudes.

Thus, a value that would depend on our beliefs, but not on our desires could be considered as objective in a limited sense of the term.) On the contrary, the anti-objectivists support a model of the taste: values do not exist independently of our attitudes of desires, preferences, approvals, etc. Had we no desires, there would be no values. If we consider the distinction between the noun "value" and the verb "to value", we can say that the objectivists think that the noun comes first (it is because X has a value that we value it), whereas the subjectivists think that the verb comes first (it is because we value X that it has a value). Anti-objectivist approach to ethics denies that there are objective values or norms. We tend to think that infanticide is bad placing it on equal parlance with "snow is white". This is precisely what the anti-objectivists reject: not that they hold infanticide as good. For them, infanticide in itself is neither good; it is not independent of our pro-attitudes. Anti-objectivism adopts a position which may be called relativism, in a large sense of the term. Relativism is a thesis which holds that values depend on individual or collective attitude towards them. We have already seen that values are often classified into three types: epistemic values (true, false), aesthetic values (beautiful, ugly) and ethical values (good, bad). There are also three corresponding types of relativism. Epistemic relativism holds that the claim of truth value of statements depend on individuals or group. Aesthetic relativism holds that what is beautiful or ugly depends on people or cultures. Moral relativism, which is of interest to us here, supports that what is good or badly depends on individuals or cultural groups.

6.2   VALUE AND DISVALUE

The term "value theory" is used in at least three different ways in philosophy. In its broadest sense, "value theory" is a catch-all label used to encompass all branches of moral philosophy, social and political

philosophy, aesthetics, and sometimes feminist philosophy and the philosophy of religion — whatever areas of philosophy are deemed to encompass some "evaluative" aspect. In its narrowest sense, "value theory" is used for a relatively narrow area of normative ethical theory particularly, but not exclusively, of concern to consequentialists. In this narrow sense, "value theory" is roughly synonymous with "axiology". Axiology can be thought of as primarily concerned with classifying what things are good, and how good they are. For instance, a traditional question of axiology concerns whether the objects of value are subjective psychological states, or objective states of the world.

But in a more useful sense, "value theory" designates the area of moral philosophy that is concerned with theoretical questions about value and goodness of all varieties — the theory of value. The theory of value, so construed, encompasses axiology, but also includes many other questions about the nature of value and its relation to other moral categories. The division of moral theory into the theory of value, as contrasting with other areas of investigation, cross-cuts the traditional classification of moral theory into normative and metaethical inquiry, but is a worthy distinction in its own right; theoretical questions about value constitute a core domain of interest in moral theory, often cross the boundaries between the normative and the metaethical, and have a distinguished history of investigation. This article surveys a range of the questions which come up in the theory of value, and attempts to impose some structure on the terrain by including some observations about how they are related to one another.

Of course, the central question philosophers have been interested in, is that of what is of intrinsic value, which is taken to contrast with instrumental value. Paradigmatically, money is supposed to be good, but not intrinsically good: it is supposed to be good because it leads to other good things: HD TV's and houses in desirable school districts and vanilla lattes, for example. These things, in turn, may only be good for what they lead to: exciting NFL Sundays and adequate educations and caffeine highs, for example. And those things, in turn, may be good only for what they lead to, but eventually, it is argued, something must be good, and not just for what it leads to. Such things are said to be intrinsically good.

Philosophers' adoption of the term "intrinsic" for this distinction reflects a common theory, according to which whatever is non-instrumentally good must be good in virtue of its intrinsic properties. This idea is supported by a natural argument: if something is good only because it is related to something else, the argument goes, then it must be its relation to the other thing that is non-instrumentally good, and the thing itself is good only because it is needed in order to obtain this relation. The premise in this argument is highly controversial (Schroeder [2005]), and in fact many philosophers believe that something can be non-instrumentally good in virtue of its relation to something else. Consequently, sometimes the term "intrinsic" is reserved for what is good in virtue of its intrinsic properties, or for the view that goodness itself is an intrinsic property, and non-instrumental value is instead called "telic" or "final" (Korsgaard [1983]). I'll stick to "intrinsic", but keep in mind that intrinsic goodness may not be an intrinsic property, and that what is intrinsically good may turn out not to be so in virtue of its intrinsic properties.

6.3   VALUE NEUTRALITY

When Value-Neutrality Matters

A reporter travels to a distant, war-torn land to cover the fate of civilians caught in the middle. A scientist performs a genetic experiment to discover whether intelligence has a genetic basis. A philosopher listens to a colleague give a detailed counter-argument regarding a recent publication. These three examples, and others, are situations in which value-neutrality are important. This lesson will discuss value-neutrality and explain its significance to some varying fields.

Value-Neutrality Defined

As the name suggests, value-neutrality is a principle that directs us to keep our emotions and biases in check when dealing with certain situations. Like our examples illustrate, these situations include times when our emotions can get in the way of observing and reporting facts. Value-neutrality is important in a variety of professions, and each such profession has a specific reason for requiring it.

In terms of the reason for value-neutrality, it often comes down to recognizing the difference between fact and emotion or between logical and illogical arguments. Though the specific means and limits vary by profession, value-laden thinking, or thinking that relies heavily on our own personal values, can interfere with observing, reporting, or discussing the truth. This is the reason doctors are not supposed to work with members of their own family. Their emotional attachment to the patient can prove dangerous and may cause them to make mistakes.

As human beings, many of the things we observe and experience in life tend to draw some sort of emotional response. At the level of a person's biochemistry, a truly value-neutral attitude is difficult to maintain. Our tendency as people when we observe something is to think either 'that's good' or 'that's bad.' This does not mean, however, that value-neutrality is impossible, merely that it often takes practice and intentional adherence to a variety of specific guidelines.

Practical Value-Neutrality

Let's go back to our reporter from the beginning of the lesson. Value-neutrality is similar to a number of journalistic principles, such as their obligation to the truth, the need to retain some professional distance, and the need to verify sources. A journalist should maintain some degree of professional, emotional distance from what he or she is observing. In many cases, excessive emotion can get in the way of relating what is going on, especially in forms of media like radio or television where the audience can see or hear the reporter. Some passion is allowed, as long as this passion does not interfere with the truthfulness of their reports.

6.4 CULTURE-SPECIFIC VALUES

What Are Cultural Values?

A hungry Hindu man will let himself starve rather than slaughter and eat a cow, despite the fact that there are old cows roaming all over his village, blocking the streets for cars to pass. To the average adult American man, who eats over 50 pounds of beef each year, this seems illogical. If you have been hungry for months, then you should eat the cow! There are old cows roaming all over India, no one else owns the

cows, and you know how to slaughter a cow! What's stopping the Hindu man from killing the cow?

Sacred Cows Blocking Traffic

The answer to that question is simple, if you understand his cultural values. The Hindus, who make up over 80% of India's population, believe that cows are sacred and should not be slaughtered. From the outside, a group's cultural values are often difficult to understand. For members inside the group, cultural values are the core principles and ideals upon which the entire community exists.

Values, Customs, and Culture

While the terms 'culture,' 'values,' and 'customs' are often used interchangeably, each is actually a distinct piece of the bigger picture. A custom is a ritual or other tradition that is an outward sign of the group's cultural values. The group's values aren't always obvious right away - they run deep! Cultural values can be pieced together by observing the various customs that the people have passed down for generations. Culture is defined as all of a group's guiding values and outward signs and symbols taken together as one big whole.

In our example, the cultural value that the Hindu man believes is to respect your ancestors and your gods. One of the customs that acts as an outward sign of this value is to allow cows to have a natural death, rather than slaughtering them. This custom, taken with all of the other customs that his community practices, represents a larger picture of Hindu culture.

Do Cultural Values Change?

Culture adapts and evolves along with the group members' needs, wants, and opportunities. Change can be the result of the group moving to a new geographic location or simply be due to the passage of time. Technological advances have commonly been the driving forces behind changes in daily practices, shifting the framework inside which humans operate.

Historically, many cultural values changed in response to the Agricultural Revolution, when human groups became sedentary farmers, and the Industrial Revolution, when we moved from the farm to the city.

No matter what school district you teach in or how diverse it looks on paper, students in every school and classroom across America are unique. After learning about cultural values, students will reflect on and write about what they value.

Begin by giving each student a piece of copy paper and coloring materials. In the center of the paper, each student should draw an image of himself. Encourage them to do their best work, but even a student who can only draw a stick figure will get value from this.

After drawing the person, they will surround that image with things that they identify with for their culture. They will want to put things near the body part related to it (or symbolically related). Some ideas include:

Near the heart: Images/ descriptions of their belief systems, traditions important to their family, etc.

Near the mouth: Images/ descriptions of the language they speak, their heritage

Near the legs: Images/ descriptions of what they like to do for fun and how it ties into their culture

For older students, the assignment can be completed on a computer using the same basic criteria. As appropriate, older students should also include a reflective paragraph that describes their cultural values and how this makes them unique.

Students can include additional things as they see fit.

Prior to teaching this lesson, you may want to create an example so that students have an idea of what they are looking to create.

6.5 SUBJECTIVISM

Simple subjectivism claims that all moral statements are true. Truth is what I approve of. It is a relativist position which means what I hold is true for me and what you hold is true for you. It differs from person to person, so it is called modal of taste. They accept both the ontological version and semantic version. Ontological version means that no objective value can exist independent of the subject – this version is also

known as Meta physical version. For e.g.: when I say smoking is bad, it depends on me (subject). Semantic version means that we give meaning to every truth claim. Each statement made by each person is true according to each one. According to them no statement is false because truth is relative. This is called infallibility. Therefore all moral statements are true.

Subjectivism goes against contextual sensibility. For instance let us imagine Ram and Sharma are walking the river side, suddenly a boy fell into the river and was drowning seeing this Sharma asked Ram to jump into the river and save him but Ram does not know swimming so he refused to jump into the river and save the boy. In this case, from the subjectivist position if we look at what Ram did was right, because he thought that if he jumps in he will also lose his life for he does not know swimming. But at the same time he is ignoring the objective value that life is precious. Subjectivists claim that all moral statements made by all are true, so they respect the difference of opinion among the statements that in turn becomes an objective value. There is a possibility of contradiction in this school of thought, for each one claim that what he holds on to is true according to him. There is no line of demarcation in simple subjectivism. But in general what you like may or may not be good. For example: you may like smoking but smoking is bad to health. There are intrapersonal conflicts that are ideas change over a period of time, what I hold on to be true at present need not remain true at all times. Preferences are subjected to change and in this change of preference there is a claim of objective value. Subjectivists hold that no objective value can exist independent of the subject, but then there is an objective value exists independent of the subject. If there is no objective value how can one say that the present preference is better than the past. For example: once I thought that Marshall was bad but now I changed my opinion about him and realized that he is a good fellow. Interpersonal conflicts: since everyone has his/her own opinion on every matter, there arises conflicts between two or more persons in their view of claims on a specific matter, but which is true we do not know unless there is an objective value, which subjectivists reject to be independent of the subject. These moral conflicts (intrapersonal and interpersonal) cannot be

solved if we look at the problem from the subjective point of view, because they claim that there are no objective value existing independent of the subject but there are objective values existing independent of the subject. Therefore there is an impossibility of the moral dissent.

6.6 SUBJECTIVISM OF MACKIE

Mackie accepts the ontological version that no objective value can exist independent of the subject, but he rejects the semantic version of subjectivism and so all moral statements are false. There is no objectivity existing but every time we make a statement we are pretending or claiming to have objectivity in all our statements when there is no objectivity in all our claims. This argument is called argument from queerness; that is consciousness does not exist, but when we speak about consciousness we speak as though it really exists, there is no way in which we can prove it. When we say that a table exists one can prove it, for one can see it, touch it but we cannot see or touch consciousness. Every value should lead one to action. Moral judgments are good that give reason for actions. If moral judgments are good that give reason for actions then moral judgments should give categorical (there should not be any conditions like if's and but's) reason. But the problem with this is that there are no categorical reasons. Therefore all moral judgments are necessarily false. What then is of interest in Mackie's theory compared to simple subjectivism? Firstly, it is closer to common sense than is simple subjectivism: We have observed that there are some reasons to think that common sense tends towards objectivism in terms of values (descriptive form of 4 evaluative statements, common beliefs in a good response to moral dilemmas). Simple subjectivism has to attribute to common sense a thesis which is not its own. Does Mackie's theory of the error address the problems of infallibility and the impossibility of moral conflict? With regard to infallibility, Mackie's idea is that in matters of morality, far from being right, we are always mistaken. But does this change in approach lead us to any gain? We would probably like to accept that while we can be right sometimes, we can be wrong at other times, for if we are always mistaken, we would never have any means of making intra-subjective or inter-subjective evaluations: the judgments of Martin

Luther King are as false as those of Caligula. That is not different from simple subjectivism. With regard to the impossibility of moral conflict, Mackie's theory does make an attempt to resolve: in so far as our judgments claim to speak about the external objective things, two judgments made on a same thing can be contradictory. In the case of simple subjectivism, we do not even claim to speak about the same thing, therefore dissension is impossible. But in the case of Mackie's theory of error, we do claim to speak about the same thing, Barack Obama, Bush and myself, when we discuss partial abortion, dissension is possible. But it is not that one of us is right, but both are wrong. However, the objection that we cannot account for inter-subjective or intra-subjective comparisons still remains. Such comparisons cannot be founded.

6.7 CULTURAL RELATIVISM

This school of thought on one hand accepts both the ontological and semantic version and says that all moral statements are true. On the other hand they accept the ontological version and reject the semantic version and say that all moral statements are false. Therefore all moral statements may be true or false. This school takes a relativist position in which each group claims what they hold is true according to them. Since they claim the subjectivist position they also have the same advantages of the subjectivism that is respect for difference in cultural context. Since there are diversities of culture there is respect for difference that brings out the notion of tolerance. But indirectly they are holding on to objectivity. There are diversities of moral norms and practices according to different cultures which are fundamental and derived. If so there are no objective values. Therefore cultural relativism is true. These diversities and differences are out of superficial beliefs but everywhere in all most all the cultures the same objective values exist. The same objective value can be executed in different ways in different cultures. For example, in one of the African countries, Fathers of the families are killed when they are in their 50's or 60's. They believe that if their fathers die early with good health, and when they are reborn, they will be healthy. So as a sign of more love and respect towards to their fathers, they kill them early that before they become attacked by the diseases of the old age. But for the

people of the other cultures, when they look at this kind of above mentioned practice, they will see it as an act of asininity (foolishness). In all the cultures we have great respect for our parents but we show it to them in different ways. Therefore whatever people of all the culture do is right according to them but they act on a particular objective value indirectly. Here the tolerance as an objective value is held by all the cultures. Moreover, each individual is a member of various groups at the same time like cultural, ethnic, linguistic, and religious and so on. The values that exist in each of these groups can conflict with each other. It is up to each individual's choice to resolve the conflicts.

6.8 RATIONAL CONSTRUCTIVISM

According to this school of thought moral truths do exist in so for as they are constructed. They do not exist if you do not construct it. We can construct moral truths through rational agreement. Something is morally good because we agree through reason. This can be questioned saying who decides something as morally good or what is rational or non-rational? The answer is that there is an ideal observer who does not exist but an imaginative figure. This ideal observer is well informed and impartial. There is no special faculty except reason that you can make comparative judgments. For example: Adolf Hitler's action is wrong and Martin Luther King's action is right. Whatever is decided is coherent (rational).

Check Your Progress 1

Note: Use the space provided for your answer

1) Define Simple subjectivism.

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2) What is meant by Ontologial version of subjectivism?

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3) What are the intrapersonal and interpersonal conflicts in Simple subjectivism? Can it be resolved? Why?

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4) What does Mackie object against the simple subjectivists? Or State theory of Error.

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5) Clarify the position that cultural relativists hold.

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6) What is the fallacy of argument?

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7) What is 'Rational Constructivism'?

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6.9 EMOTIVISM OF AYER

The argument of Ayer in favor of Emotivism is related to its adhesion to logical positivism, an influential philosophical current at the beginning of the century which sought to apply in philosophy the same methods as in science. The logical positivists proposed the principle known as "verifiability criterion of meaning" to test if a claim is cognitively meaningful (in the sense of being true or false): A claim is cognitively meaningful if and only if it is either analytic (true because of logical connections and the meaning of the terms) or empirically verifiable (some conceivable set of experiences could test whether it was true or false). An analytic statement is one that is true because of logical connections and the meaning of terms. An example would be "All

bachelors are single". We know that this is true, not by doing an empirical investigation, but by understanding the terms and logical connections. Since "bachelor" means "single man", the statement means "All single men are single". Ayer recognizes that analytic statements don't have to be empirically verifiable in order to make truth claims. For a statement to be empirically verifiable, some possible observations must be able to make it highly probable. Ayer's famous example was "there are mountains on the other side of the moon". Even though during the life time of Ayer, this statement could not be tested, it was still was in principle verifiable, since descriptions of possible observations made the statement probable. The positivists thought that "God exists", for example, fails the test since it is neither analytic nor empirically verifiable. So they thought that "God exists" is neither true nor false; it lacks cognitive meaning and has only emotive meaning. So they called "God" a pseudo-concept. This view was popular once, but it is no longer popular today partly because this view itself is neither analytic nor empirically verifiable, so is meaningless on its own terms. Ayer's logical positivism implies that moral judgments are cognitively meaningful if and only if they are either analytic or empirically verifiable. Ayer was sure that moral judgments are not analytic. Following Moore, he also rejects naturalistic definitions (for example, "good" = "approved by the society") because they conflict with how we use language (for example, in ordinary speech it is not contradictory to say "some things approved by the society are not good"). Naturalistic definitions fail also because they try to define an emotive term (like "good") using non-emotive terms (like "approved by the society"). It follows that moral judgments are not cognitively meaningful; they only have emotive meaning. Ethical truths are impossible. Emotivism is a form of non-cognitivism, the view that there are no moral truths. Ayer reasoned this way: Truth claims (except for analytic ones) must be empirically verifiable. But moral judgments are not empirically verifiable since "good" is not definable in empirical terms. And moral judgments are not analytic (since they are not true by definition). Since moral statements are neither empirical nor analytical, moral statements are neither true nor false. It follows that moral judgments are not truth claims. But then they must be emotive. Ayer thus

concludes that moral judgments are neither true nor false, but are merely expressions of feelings. "X is good" means something like "Hurrah for X." What is advantageous of emotivism over simple subjectivism is that it avoids affirmation that all moral judgments are true. If a person says "It is a good thing to kill homosexuals and gypsies", subjectivist must show that it is a true judgment (since the statement itself only expresses a particular attitude of this person). For Ayer, on the contrary, this statement is not true. But the problem is that it is not false either. Still worse is that we cannot favor the champions of human rights over this person. Comparative moral judgments remain impossible. As in the case of Mackie's theory of the error, we are left to wonder if there is any progress at all in Ayer's emotive theory. Another objection to emotivism consists in calling into question the first premise of its argument: the positivist premise according to which a true or false statement is either empirical or analytical. The problem is that this first premise seems to refute itself: this premise itself, as we have just shown above, is neither analytical nor empirically verifiable. Generally, those who hold that "Any thesis must be verifiable by experience" rally up against the objection that this thesis itself is not verifiable. The majority of the logical positivists reformulated their thesis when they noticed this contradiction. The third objection is that not all moral statements can be translated into emotive expressions. "Do what is good" does not correspond to "Do what is hurrah.", nor can "Hurrah for good people." be rendered as "Hurrah for hurrah people." We do not see how emotivism can account for the difference between moral statements and moral imperatives. The fourth difficulty is that we do not seem to be speaking of our emotions when we make moral judgments. In conclusion, we can say that the sophisticated developments of Ayer, while helping us to avoid certain difficulties imbedded in simple subjectivism, run into the same basic problems. The common problem is to account for comparative moral judgments, which would presuppose that some moral judgments are more correct than others. If all moral judgments are equally true (simple subjectivism), equally false (theory of the error), neither truth nor false (emotivism), claiming that some moral judgments are truer than others will necessarily be false.

6.10 REALISM

Let us recall that there are two models: model of taste and model of perception. According to the former, values are derived from the desire of the subject (individual). Therefore desire comes first and then values proceed from it. This is also known as subjectivism. According to the latter, values exist first and something is desired based on the values. This is also known as objectivism. According to Realism, objective values really exist and they are not creation of individuals as subjectivists claim to be. They exist independent of the subject. Realism is confronted with different challenges. According to Mackie there is no objective value exist independent of the subject, but the subject is necessary to internalize these values and to produce norms. Here he challenges the objectivists claim that objective value can exist independent of the subject. What is the faculty through which you can see the objective value if it exists independently, how can you know them without the subjects. David Hume an empiricist talks about two faculties that are desire and reason. Desire is something that ought to be. It is about your desire of what should be an ideal thing. It cannot be judged as true. Reason describes what is of the case. Reason can be further divided into beliefs and facts. Beliefs can be said true or false with what is the fact. Faculty of reason involves beliefs and facts. Reason is given priority than desire. This faculty of reason represents the world as it is, with the help of reason we can make judgments whether something is true or false. Reason is extrinsically related to action and conforms to the society. Here the self gets adjusted to the world. Faculty of desire involves desire and passions. It represents the world as it should be. It cannot make judgments that can be said true or false. It is intrinsically related to the action and conforms to the individual. Here the world gets adjusted to the self. Here David Hume holds that moral convictions resulting from values are motivating factors that lead us to an action (moral internalism). Moral beliefs are not the motivating factors for action. Moral convictions cannot be beliefs but objectivism claims that convictions belong to beliefs (moral value). Therefore moral objectivism is false. Logical problem in objectivism is that there is no necessary connection between reason to desire and values to norms. This

connection cannot be possible. For instance, from the fact that society is unequal we cannot say that the society must be unequal.

6.11 INTUITIONISM

Intuitionism is like mathematical truth, that only by a matured mind it can be known. The argument from intuition holds that happiness is a fundamental or intrinsic value that cannot be known except through intuition. It cannot be explained in other values. Intuition is non-natural. Why so? It is because "good" cannot be reduced to natural properties. For example, subjectivists claim that good is what I approve of and the constructivists would claim that good is what is agreed upon rationally and cultural relativists would hold that good is what the group approves of. Here good can be reduced to natural properties. But for Thomas Moore good is something that which cannot be reduced into natural properties. In his opinion good is non-natural and it cannot be defined. It is a primitive and a simple concept. If at all it has to be defined, it can be defined only in analytical properties. For example, bachelors are unmarried. The predicate is already contained in the subject. There are two types of reduction: conceptual and metaphysical. Conceptual reduction is what it signifies. For example, a doctor means somebody at service, but in reality it is not necessary that they should be at service all the time. Metaphysical reduction deals with what it is. For example, Prathap is my cousin, water is H2O. When I say "good," it cannot be metaphysical but conceptual. Good does not contain the value in its very being. Not all metaphysical things can be explained in analytical properties. In the example given to the metaphysical reduction, cousin is not contained in the being of Prathap, but in the example of conceptual reduction the predicate is already contained in the subject, so it is analytical properties. So only through analytical properties (in relation to the other) good can be defined.

Check Your Progress 2

Note: Use the space provided for your answer

1) State Moore's position on Non-Naturalism.

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2) Clarify the stand point of Realism.

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3) What is the argument from intuition?

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6.12 LET US SUM UP

Each one of these theses has an advantage which is also the principal difficulty of the other. The advantage of objectivism is that it makes it possible to make judgments owing to the fact that as regards morals, one is right or wrong. It is a point to which we seem to hold when it comes to morals and is in agreement with some of our intuitions of common sense. We do ask ourselves what our moral decisions should be in such and such situation. We wonder if we should lie or not in a given situation, what should we do with our money, time, life etc. By raising these questions, we assume that they have answers. If we hesitate between two actions and wonder which one is morally better to choose, we presume that one of them is indeed morally better than the other. This means that we generally tend to think that there are actions that are objectively better than 10 others. Retrospectively, we often wonder "did I make the right choice?" Lastly, we sometimes discuss ethical issues with others with the presumption that we are right. We seek to convince others by rational means with the assumption that our opinions are good. Therefore, in a general way, we suppose that in matters of ethics, we can be right or wrong. Moral objectivism thus makes it possible to account for our actions: we are right when our evaluative judgments are true, and they are true when they correspond to objective values. In other words, moral objectivists can apply to ethics the same criteria of objectivity as scientists who apply it in science: Our statements are true by virtue of

objective facts of the world. Just as the statement "it rains" is true if and only if it rains, the statement "it is bad to lie" is true if and only if it is in fact, bad to lie. The objectivists argue the value judgments, as we have seen, are expressed not in imperative form like in normative judgments, but in indicative form. The evaluative statements have a classical descriptive form. "Romeo is generous" or "Othello is rancorous", have the same form as "Julie is blond" or "the earth is round". Apparently these are statements that describe the factual state of affairs, which can be true or false. The fact that the evaluative statements seem to aspire for truth, there is a reason in favor of objectivism. Inversely, the anti-objectivists do not find sufficient grounds to explain why in matter of ethics, some can be right while others are wrong. For them, ethics is a matter of taste, of appreciation, and as goes the proverb "taste and colors are of personal preference". Ethics, therefore, is not an affair of beliefs, of true or false, but an affair of desire: things have values or not depending on if we like them or not. And our desires and preferences are beyond dispute: they are neither true nor false. There is no such thing as a "false desire" or a "false" preference, because we cannot evaluate desires with the ell of what is in the world: most of the time, it can even be necessary, we desire what do not exist. Desire is on the same equal footing as truth. If ethics is all about all our desires, how do we account for moral judgments which presuppose that we can either be right or be wrong? But anti-objectivists argue from the practical aspect of ethics. An essential aspect of ethics is that our morals convictions make impact on our actions. Ethics is not purely a theoretical activity disconnected from action. What we believe to be morally good or bad determines (at least partly) what we are willing to do. Ethics is not purely contemplative, if so we would be satisfied only to know what true values are. It intends to have a practical impact. However, objectivists precisely seem to reduce ethics to an enterprise of knowledge by neglecting its practical aspect. While insisting on beliefs over desires, on truth over action, on the world as it is over the world as it should be, objectivists make of ethics a purely contemplative discipline. As opposed to this, the anti-objectivists, while insisting on the role of individual preferences and desires in matters of ethics, help us connect better our preferences to actions and better

understand why ethics leads us to act in one way rather than another way. Ethics is not a subject matter of contemplation, but of action. If there are objective values, we can at best contemplate them. The contrary, that is, to proceed to values from our desires enables us to explain the motivating nature of the latter. To resume, if objectivism can well explain the possibility of error in ethics, it cannot sufficiently explain the relation between morals and actions. On the contrary, the anti-objectivists explain this relation better, but do not sound convincing when it comes to the discussion of if one can be right or wrong in ethical issues. Ethics is related both to truth and to action. We would like to be able to hold on to both ends of the string. But apparently, insisting on truth leads to the loss of its relation to action and it is also true of the opposite. This tension constitutes a constant background of our presentation of debates between objectivists and anti-objectivists. This debate, in the last analysis, concerns meta-ethics. Our preoccupation is not to know what true values are, but to know if objective values exist (whatever these values may be). If we succeed to defend the existence of objective moral values, then we can wonder which values are objective. In other words, the meta-ethical objectivism seems to be a necessary precondition to the study of normative ethics: if there are no objective values, it is useless to ask if abortion is good or bad.

6.13 KEY WORDS

Truisms: a statement that is clearly true and does not therefore add anything interesting or important to a discussion.

Intrinsic: belonging to or part of the real nature of something or somebody.

Extrinsic: not belonging naturally to somebody or something; coming from or existing outside somebody or something rather than within them.

Consequentialism: school of thought that gives importance to judgment on actions of a person and not to the person. Action is judged not the person.

Cognitivism: represents schools of thought which say whether all moral judgments or statements are true or false.

Notes

6.14 QUESTIONS FOR REVIEW

1. Discuss about Value and disvalue.
2. Write about the Value neutrality.
3. Discuss the Culture-specific values.

6.15 SUGGESTED READINGS AND REFERENCES

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Timmons, Mark. Moral Theory: An Introduction, New York: Rowman & Littlefield, 2002.

6.16 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1
1. See Section 6.5
2. See Section 6.5
3. See Section 6.5
4. See Section 6.6
5. See Section 6.7
6. See Section 6.7
7. See Section 6.8

Check Your Progress 2
1. See Section 6.9
2. See Section 6.10
3. See Section 6.11

UNIT 7: PRIVATE AND PUBLIC MORALITY

STRUCTURE

7.0   OBJECTIVES

After going through this unit, you should be able to:

- discuss the socio-political scenario existing in India, showing the
- inconsistencies and contradictions in values enshrined and values practised,
- discuss the need for value orientation in the process of education,
- illustrate the misconceptions involved in linking morality with religion,

- identify the difficulties h accepting objective theory of morality, . distinguish with examples between "form" and "content" of moral education or morality,

- illustrate with examples the role and criteria of rationality and

- intentionality, which provide form to morality,

- distinguish between moral education on the one hand and moral training,

- instruction, conditioning and indoctrination on the other hand,

- describe a morally educated person,

- explain the Kohlberg-Gilligan controversy as ethic of justice and ethic of care, and

- indicate the sex differences in orientation to morality.

7.1 INTRODUCTION

Public morality refers to moral and ethical standards enforced in a society, by law or police work or social pressure, and applied to public life, to the content of the media, and to conduct in public places. A famous remark of Mrs Patrick Campbell, that she did not care what people did as long as they "didn't frighten the horses" shows that in some sense even high tolerance expects a public limitation on behaviour (sexual conduct is implied here). At the opposite extreme a theocracy may equate public morality with religious instruction, and give both the equal force of law.

Public morality often means regulation of sexual matters, including prostitution and homosexuality, but also matters of dress and nudity, pornography, acceptability in social terms of cohabitation before marriage, and the protection of children. It is a main justification for censorship; it can lead to campaigns against profanity, and so be at odds with freedom of speech. Gambling is generally controlled: casinos have been considered much more of a threat than large-scale lotteries or football pools. Public drunkenness is quite unacceptable in some societies, and legal control of consumption of alcohol is often justified in terms of public morality, just as much as for medical reasons or to limit alcohol-related crime. Drug legislation, historically speaking, has sometimes followed on similar reasoning. Abortion is sometimes treated

as an aspect of public morality, even if it is legally defined, regulated by medical professionals, and almost entirely hidden from public view. AIDS as a health policy issue is linked to public morality in a complicated manner.

Views on public morality do change over time. For example, there have been proscriptions against eating in the street or allowing women to smoke in public.[citation needed] These examples show that public views on which things which are acceptable often move towards wider tolerance. Rapid shifts the other way are often characterised by moral panics, as in the shutting down of theatres a generation after Shakespeare's death by the English Puritans.

It may also be applied to the morals of public life. Political corruption, or the telling of lies in public statements, tarnish not only individual politicians, but the entire conduct of political life, whether at local or national level. These are fairly universally regarded as blots on reputations, though in some cases there is a grey area between corruption and legitimate fund-raising. Whether the private lives of politicians are a public morals issue is not a matter of agreement, internationally speaking; the existence of an extramarital relationship of a Prime Minister would in some countries be considered a revelation well within the sphere of the public interest, while in other countries it would be considered quite irrelevant.

Humanity today stands at a critical juncture. Hope and despair, pride and pessimism, comfort and confusion fill human hearts in unequal and unstable measure. Whereas the peaks of material progreqs scaled by some countries enthrall humanity as a whole, the depth of social degeneration in most parts of the world sometimes make thinking people wonder if mankind can receive the light of recovery at all (Kireet Joshi, 1994). t It is for this reason that dedicated educationists all over the world are concerned about the dimension of education that is related to the vertical upliftment of human personality. They feel rightly that exploration of human - motivation to control impulses by higher pursuits of cognitive, conative and affective drives has become imperative and urgent. The theme of value education, especially moral education, has thus begun to occupy a dominant t position in contemporary educational

thought and practice. The National Policy on Education (NPE), 1986 reiterated the need for value education or moral education, conceiving it as ground on which the tree of education can grow and develop. Moral education in fact constitutes the core of the concept of education qua education. Without inclusion of this core, no process of education can rightly be called educational in the true sense of the term. It would be a contradiction in terms if a person is highly educated but does not recognize the value structure in hislher thoughts and actions. The misfortune is that education being imparted in schools, colleges, and universities today, in most cases is, an example of such contradiction and inconsistencies. It is apt to I quote the message of an unknown author who somehow survived Hitler's concentration camp: "Dear teacher, I am a survivor of a concentration camp. My eyes saw what no man should witness: gas chambers built by learned engineers, infants killed by trained nurses, women and babies shot and burnt by high school and college graduates. So, I am suspicious of education. My request is: help your students become human. Your efforts must never produce learned monsters, skilled psychopaths, educated Eichmanns. Reading, writing and arithmetic are important only if they serve to make our children more human." The present unit has been written with a view to make clear the meaning of the concept of moral education and its relationship to the content and process of education. If we can understand moral and moral education in the right perspective, only then can we direct the process of education to achieve its desired end as conceived in the above observation.

Though related, political, public and private morality are not identical. They may come from the same source, but are distinct. This point has been noted in the Western tradition since at least Machiavelli. But its lineage in India is ancient.

Ethics in three domains

Take, for example, Asoka who spoke of Dhamma (ethics) in three distinct domains. First, interpersonal morality. Each of us has special obligations to our children, spouse, parents, teachers and relatives. We have a duty towards those under our special care, including the aged,

'servants', animals and, occasionally, strangers. Asoka distinguished this private ethic from what might be called inter-group morality in public life. Crucial here is harmony between different religious-philosophical groups generated by the exercise of sayamam (self-restraint). He particularly emphasised the importance of vacaguti — controlling one's tongue to be critical of other groups only if there is good reason to, only on appropriate occasions and always moderately; also, to praise one's own group, only when there is good reason to, only on appropriate occasions and always moderately. Neither hate speech nor speech glorifying oneself was acceptable as part of public morality — a point very relevant in our times.

Asoka then distinguished private and public morality from power-related political morality specifying what rulers and the ruled owe one another. Subjects owe obedience to their king. But the ruler too owed something to his subjects: to ensure janahita, the good of all (including all living species), and janasukham, happiness not only in this life but also in the afterlife. To achieve this, rulers and their officials must display damdasamata and viyohalasamata (impartiality in meting out punishment and in politico-legal acts more generally). This sums up the core of Asoka's political morality: a commitment to justice, to impartiality.

What then is the difference between private/public morality and political morality? While in one's personal life, in our dealings with those with whom we have close daily encounters such as our family, friends or 'servants', we can't help but be partial, and while in the larger public domain, where we face people with different religio-philosophical sensibilities, we can't entirely escape some degree of partiality to our own world view, the political domain requires the impartial or just use of power for the good of all.

Family, civil society and state

Two thousand years later, the German philosopher Friedrich Hegel made similar points, although in a different way and in an entirely different context. He distinguished three spheres of human life: family, civil society and the state. The family, Hegel claimed, was the smallest community in which its members do not even distinguish themselves

from one another. Their identities are fused. A family is bound by emotional ties, by mutual love and affection. Members take pride in each other's achievements and feel a strong sense of shame at the other's wrongdoing. Morality here is guided by unarticulated feelings.

The family is different from another sphere of life that Hegel designated civil society but should more appropriately be called 'market society'. Here, each person acts as an individual with a sharply defined sense of her own interests which are distinct from, compete and may even clash with the interests of others. No one is tied to the other by bonds of love or affection. Since there is no community but only an aggregate of individual interests, there is no commonly held ethic either. Competitive life is governed by coercive legal rules to regulate the pursuit of self-interest. At best, each individual devises her own personal, subjective moral maxims.

Finally, Hegel spoke about a third domain where people once again see themselves as members of a large political community, as citizens of a state. Citizens in a political community must be bound together neither by feelings nor by self-interest but by a commitment to common values discovered by public reason — values such as political freedom, solidarity, shared traditions and cultural heritage. Morality in this domain requires that we overcome our loyalty to blood relations, not pursue only our private interests, and commit instead to using power grounded in shared principles. Love and hate are largely imposters in this domain where consensus is forged by the use of public reason. Its democratic version requires that, guided by values of openness, equal respect and justice, we deliberate and help each other arrive at impartial laws and public policies, acceptable in principle to everyone in the polity.

Furthermore, those who wield political power must realise that what they do has enduring consequences affecting the lives of an incalculably large number of people. This brings with it enormous public responsibility which derives in no small part from the fact that they have at least temporary legitimacy to use force against ordinary citizens. They have, at their disposal, an apparatus of violence simply unavailable to heads of families or members of civil society. Powerful politicians, therefore,

must show great care and sensitivity to the appropriate use of force and violence.

Private and political morality

One important implication of the difference between private and political morality is this: it is sometimes believed that moral scrupulousness in one's private life automatically guarantees high moral stature in political life. This simply does not follow. Those wielding public power may refuse to enrich themselves, their family or friends, and resist from obtaining sexual favours. But such 'cleanliness' need not entail scrupulous political morality. What use is personal incorruptibility if the politician is partial to or discriminates against one particular community, abandons public reason, smashes dissent to concentrate power in his own hands, makes arbitrary use of force, and lives in the illusion that he is greater than all the institutions that surround him? What if he begins to believe that he alone possesses the truth or knows the good of the entire community? And precisely because of the moral restrictions he has placed on his personal life, feels released from any restriction on the use of power in the political arena? In short, a person who is profoundly moral in his private life may brazenly violate all norms of political morality — undermine justice and public reason. Conversely, it is entirely possible that a person who has morally slipped in his private life (cheated on one's spouse, enriched himself) respects the integrity of public institutions, is acutely sensitive to the moral costs of violence, shows a deep commitment to justice, and upholds reason-based democratic norms.

Don't get me wrong. I am not suggesting that politicians are free to abandon private morality. But we often find comfort in the illusion that there is one simple, seamless morality, reflected equally in private and in public. In fact, most humans are complex moral agents. It would be wonderful if our private and political moralities were perfectly aligned and we achieved the highest moral standards in both. But in a non-ideal world we can only hope that when people choose to lead a life in politics, they will at least follow minimum norms of political morality even as they fail to be scrupulously moral in their private lives.

7.2 NEED FOR MORAL EDUCATION

Erosion of human values is a phenomenon which is easy to observe in our lives today. We all are aware of the mindless pursuit of wealth, power and status. Though we are very proud of our rich ancient culture, in practice it remains shrouded in the pages of scriptures. The Upanisads taught us the ideal of Vasudhaiva Kutumbkam (i.e. the entire world is my family), yet today we fight in the namk of religion, region or caste. Mosgues, temples and other religious structures are sought to be made far too significant and focus of attention by vested interests, instead of the grinding poverty of the Indian people, hbysmal standards of nutrition, social injustice and natural calamities. we remain unmoved by the acute sufferings resulting from exploitation, corruption, hunger, disease, etc. Jainism and yoga taught us the ideal of Aparigraha (non- Understanding Morality hoarding) but we find even the so-called sadhus and swamis accumulating and Moral Education wealth, and even political power. Our religions teach us the doctrine of Ahimsa (non-violence), yet most of the violence is perpetrated in the name of religion itself. We have no compassion for millions of destitute people who sleep on pavements in metropolitan cities, and even die there. We advocate rational theories of human behaviour in our public life but are guided by blind rituals, superstitions and orthodoxy in the name of religion. We theorize and proclaim social equality and yet, shamefully, a large section of our people continue to be treated as untouchables. We profess democratic values but exploit caste for our personal as well as political gains. While we preach lofty ideals of social justice, our actions betray a basic form of duplicity and hypocrisy. In a way, we serve our expediency rather than our policy. Thus, we face a value crisis resulting in a deep social and spiritual vacuum. ' If at all we have to realize the truth whichJlas remained the hallmark of our identity as a nation, such contradictions will have to be removed or. eradicated. Education rightly conceived and properly practised is the only answer to it. It is through education alone that we can initiate our children with something that is worthwhile. And no process or activity can truly be called worthwhile, and hence educational, if it is not rooted in human values. Only when people are

able to think on heir-own, can they be called truly educated. It is with this basic faith that the *author has made this humble effort.

7.3 NATURE OF MORALITY

Moral development of an individual is a sine-quo-non of being educated, without which education is relegated to mere literacy and proves to be not only harmful but dangerous to the individual as also to society. Richard Livingstone 'wrote: "Uneducated people are a danger to the world, but they &e not as dagerous as the half-educated who have learnt enough to express an opinion 1. , on subjects which they do not really know, but have never learnt to be aware of their ignorance". "Education", as Ruskin puts it, "does not mean teaching people to know what they do not know, it means teaching them to behave as they do not behave". Today's social scenario, which is marked by violence, greed, thefts, rapes, bank robberies, bank scams, drug addition, terrorism etc., is the product of our ill-conceived educational theory and practice of child rearing. The moral context in education, therefore, needs to be brought back. It has been devalued as a result of a mad race wherein people derive satisfaction in leaving others behind, where growth is defined not in terms of growth of the self but in competing with others and defeating them. This negative conception of growth is probably the major source of man's anguish, frastration and anxiety. In pursuit of the superficial, peripheral and the physical, man has lost the essential, the subtle and spiritual. What is needed is to raise the moral consciousness in man. We must, therefore, as teachers, obtain 4 right perspective of morality, moral consciousness and moral education. These terms, however, are often misconceived.

7.3.1 Moral Education as Distinct from Religious Education

Moral education is often mistaken for religious education. Value Oriented Education The first misconception arises from relating morality with religion. Is there really any linkage between morality and religion? Let us discuss it.. To attempt a distinction between moral education and religion or religious education, we can say to ourselves that it is possible

to live without a religion but it is unthinkable to live without a set of values to guide our behaviour and human choice. This proposition casts doubts on the validity and linkage between the two. In fact there is no logical coqnection between them; and if there is any, it is only contingent, not necessary. ' Secondly, a moral education derived .from ,or linked with religion must, of necessity, be authoritarian, whereas education rightly conceived must enable one to think on one" oh and to make independent choice. We can say that education by virtue of its very nature is anti-autl~oritarian. For example, if I believe on grounds other than religious ones, that I should keep my promises or should perform my duty, then this is not a religious morality. Thirdly, linking of morality with religion is unacceptable on other grounds also. It denies the individual the right to choose the principle of morality according to one's own thinking. It also puts an end to any evolution or growth of moral knowledge. The fact remains that moral understanding and howledge grows to enable us to adjust our behaviour to the changing social circumstances, to meet new moral problems, and to modify our principles to deal with them. For example, there is in India today a common social problem of birth control about which religion is ambivalent. This is a moral problem, solution of which is dependent on man's thinking. Otherwise the resulting problem of over population will devour us all. If population is allowed to increase as it does, we shall be deprived of even the basic needs required for existence. In such a situation, no morality, no religion worth the name will stand. So, we have to leave solution of such problems to the independent decision of man. All this implies that religion can provide no firm basis for moral decisions and, therefore, proper morality has to be seen independent of religion. If there is any connection, it is not that morality is dependent on religious beliefs or doctrines, rather it is much more likely that man's religious belief in God is grounded in his moral consc~ousness; rather than moral law on belief in God. So we can examine every question of mordity independent of religion on grounds that make it universally acceptable.

7.3.2 Unacceptability of Objective Theory of Morality

If morality cannot be linked with religion, a question arises: what is the ground of our understanding or knowing that some particular action is morally good? In ethics different theories are put forth and discussed in this regard. One of these theories is objective theory of morality. According to such a theory moral precepts are seen as objectively valid, which means, that moral truth is not the subjective opinion of an individual or relative to the context or circumstances. , There are good reasons why we should not bring up children in accordance with the objective theory of morality. One such reason is grounded in or associated with van's freedom. We all accept that man's freedom of thoughtj his right to his own beliefs cannot be denied. The concept of moral freedom entails the notion of man as an active agent responsible for his own actions and deeds. Such a hotion of man's freedom is central thesis of existentialism which Unc!a1rst.?r..2ing liar;:. believes in the individual's autonomy and freedom to choose. But it obviously inlid hlor .il ~duc;~s. means that if I have the right to choose freely and to act or to protect my ontological freedom, for the same reason I have no right to .encroach upon such interests of others too. This provides the essence of equity and justice, in a way the central thesis of morality. It also implies that man's values must be his own, for one loses one's freedom when one acts in accordance with values that . ire imposed from without. Obviously, moral education or, for that matter, value education cannot be taken in terms of telling children what to do or believe, and what not to. It is clear, therefore, that the question 'what is morality', is to be a response to constantly changing demand of society suited to man as a free and autonomous being. In turn, we must recognize this as a demand for freedom and autonomy of the self and a respect for the freedom and autonomy of others. If we believe that we should live in a society comprising free and autonomous individuals, we should feel an i,,,---xed need for moral education - a kind of education that must enable students to do their own moral thinking rather than make them conform to externally imposed moral codes.

7.4 LANGUAGE OF MORALS

$or philosophers and other thinkers in the field of ethicithere has ever remained a fundamental question. This is the question of reaching a summum bonum, something which may be termed as good in itself or essentially good. In fact, different theories of ethics have corns up in the manner this question has been answered. According to objectivists, what we call good is some quality of the objects being called good. It is essentially present in the objects. It is for this reason that the 'idealist' thinkers assign intrinsic or ultimate value to truth. Subjectivists, on the other hand, would hold that what we call good, is not the essential quality of the object/situation/action, but rather a subjective experience of the perception. Esse est percipi as Berkley would call it. The hedonists or the utilitarians, taking a slightly different view, hold that a good! act is the act which will actually or potentially produce the greatest amount of happiness or pleasure in maximum number of people or the world at large. But for thinkers like the existentialists, freedom and autonomy of the' individual are at the heart of the concept of morality and hence, inherently: good or good in itself. Reflection would show that all the views expressed aboJe seem to be true in their own right, but none of these presents a view which is wholly true. That is they all have partial truths and, therefore, none of the views can be said to be true always, under all circumstances.

7.4.1 Form and Content of Morality

According to Downey and Kelly (1 982) and Peters (1987), the difficulties we encounter to set up some particular universal principles or criteria in searching for some value substance or substances which would have some intrinsic worth arise because of our basic confusion in understanding the distinction between the "form and content"; "language and literature" or the "manner and matter" of moral behaviour. Moral behaviour, as a matter of fact, has both form and content. Our mistake in defining moral worth of some action, etc., is that we take cognizance of the content (i.e. the action done) and lose sight of Value Oriented Education its form, that is, the reason that leads to the particular action.

R.S. Peters also seems to lose sight of this distinction. He, in an attempt to set up higher order principles of moral behaviour, went back to the area of content, telling us that' there are a limited number of principles which are fundamental and nonarbitrary in the sense that they are pre-suppositions of the form of (moral) discourse. These principles may be: impartiality, consideration for others' interests, freedom, respect for persons and probably truthfulness. But a question may be put: are these principles unconditionally good, that is, always good, and under all circumsta~~ces? Reflection would reveal that they need not necessarily always hold good. Though we can generalize such principles of behaviour and conduct, they are virtues like many others such as non-violence, truthfulness, not stealing or hoarding, and respecting and obeying parents. We can go on adding to the list of virtues.'NCERT, for example, has tried to idelltify a list containing virtues. Similarly open school organization and other institutions or individual investigators are concerned with value education. But Kohlberg (1966) calls such an approach as a "bag of virtues" approach and criticizes it as untenable and an impropkr approach to moral education on grounds as have been argued earlier in this unit while dealing with objective theory of morality. All virtues in the ultimate analysis constitute "matter" of morality and not its "manner" or "form". But in order to determine the moral worth of an action or behaviour consideration of both matter and manner, or form and content, is essential. The form of the moral behav'iour is named by* . Peters as its language. Among other forms, "rationality" conaitutes one of its most basic forms. It will be quite safe to maintain that no human behaviour cak be said to be good if it cannot be proved rational in the full sense of the term, despite the fact that it involves highest virtue conceived. For example, even telling the truth may not always be good, though in almost all cultures truth is regarded as a high virtue and a truthful person is always respected. Similarly, another such form of morality is intentionality or the .purpose with which some moral act is done. Any action done with a go~d intention or goodwill is to be considered good without any regard to the consequences or results. The third condition for an action to be designed as normally good is what Immanual Kant and the Gita describe as action done 'for thesake of duty'

and not action dorle 'in accordance with duty'. A brief explanations of each of these conditions of judging a moral worth of an action is attempted as follows:

7.4.2 Rationality

According to this condition any behaviour to be worthwhile and hence good, should be rational and as a corollary to it any behaviour which is not rational cannot be termed as morally good behaviour. But the question is: what is the criterion to judge an action to be rational? In Hegalian dialectics there ark four criteria for rationality. These are: i) logical coherence ' or consistency, ii) universality of generalizations, iii) empirical evidence in support of such generalizations or good reasons to support the same, and iv) public intelligibility or acceptability. The first criterion entails that the set of moral beliefs, in, order to be called rational, must bd internally consistent and coherent, and that consistency must be reflected while accepting them or acting on them. xis, for example, not ' rational for me to believe that others should co-operate with me or should take care of my interests, if I do not, at the same time, co-operate with them, or give any regard to their interests. Conversely, it will be equally rational or coherent if I believe that others need not give regard to my interests just as I do not respect theirs. Many people'in this world live life according to the latter principle; we may not like their value but we shall not call them irrational. Such behaviour is internally consistent or coherent. For a behaviour to be , called rational it must be coherent and consistent. The second criterion of rationality is concerned with generation of universals or general principles. That is, I r lust not own a principle today and another tomorrow unless there are valid reasons for that change. To be rational, our behaviour should be in accordance with certain principles, whatever our moral codes. Third criterion of rationality requires that we should be able to provide good reasons for what we do or for the principle we follow. The fourth criterion states that for a behaviour or action to be called rational, the evidence given dr reasons put forth- should be publicly intelligible or acceptable. If, on the other hand, we tend to produce same evidence or give some reasons, which are idiosyncratic, the whole point of rationality

is lost. In Freudian terminology it is termed as rationalization, which is not truly rational but appears to be so. The reasons given appear to be valid, but they are not the true reasons. The "sour grapes" and "sweet lemon" paradigms explain the concept of rationalism which is distinct and separate from rationality. Rationalizations are unconscious mental processes aiming at protecting the ego from being defeated. In such processes, a person tries (unconsciously) to justify one's behaviour by selective use of evidence. (For further details of rationalisation, you can refer to the psychology of defence mechanisms.) In essence we can hold that though rationality does not provide us with any set of moral principles to guide our moral conduct, it can tell us a good deal about the form, the manner or langusge of moral code, showing that whatever, be our moral code, it should be coherent and consistent, based on principles or generalisations, and subject to evidence of a -public kind. It does not tell anything about what to believe.

7.4.3 Intentionality

Kant in one of his Categorical Imperatives stated that nothing in this world, or out of it, is good without conditions except the "good will". Actions done with + good intention or good will are always considered worthwhile. To explain the - full meaning of intentionality, we take into consideration two aspects related to it. One, action cannot be moral or immoral unless we establish that the individual has so acted of his own free Will. It should be an act that the individual, id full sense, is responsit!e for. If the individual performs an act as being directed by others - (forces beyond his control and had it been left to his own free choice, he might not have done it), the individual in such a situation cannot be held responsible for the act. Such a~ts done under coercion do not possess any moraVimmora1 significance. A servant, for example, cannot be held responsible for anything he (she) does under the direction or orders of the master.

Then comes the question of motive or the intention of the doer. Two further points can be considered to explain the motive or intention of the doer. These can be put as: "did the moral agent perform the act because'he thought it was right?" Or, "did he perform it because he

thought that the action is overtly in the interest of the people but covertly advantageous to him personally". It is, in fact, not the results or the consequences of the action done which should be counted towards judging the moral worth of the action. It is the "will" with which the action is done. If the intention for doing an act is good, but somehow the consequences are otherwise, the doer of the act will not be criminally culpable. Kant clarifies this point still fu'rther using phrases: action done for. the sake of duty and actions done in accordance with duty. Actions done merely in accordance with dutjf and not for the sake of duty have no moral worth; it is deceiving to the self as well as others. Most of our politicians today, particularly just before elections announce many populist schemes for their own ulterior motives. Similarly, some businessmen or traders, and even doctors, announce free check-up of vehicles and the like, free health check-up or even free operations camps. Obviously such actions, though manifestly beneficial to the public; are in fact a mode of advertisement. They serve only as a bait. Such kinds of free service are always actions done in accordance with duty, and not for the sake of duty.

Check Your Progress 1

Note: Use the space provided for your answer

1. What is the Need for Moral Education?

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2. Discuss the Nature of Morality.

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3. Discuss the Language of Morals.

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7.5 MORAL EDUCATION VS. MORAL INSTRUCTION AND MORAL TRAINING

We have seen that moral education is not a matter of instruction in.certain moral principles or tenants, nor is it a matter to knowllearn certain moral values (virtues) which are. objective, fixed, and unquestionable. It is rather a process of learning to "think for ourselves" on moral issues, of becoming morally autonomous. To describe the act of teaching we use tqnns like instruction, training, conditioning or even indoctrination and sometimes education. Each of these terms has a specific meaning and context in which each one is used; and we cannot use them interchangeably. According to R.S. Peters (1966), the concept of education is concerned with developing autonomy of the individual being. educated, whereas other processes do not have any such aim. For example, when we wish to train somebody or impart instruction, we do not have any consideration of autonomy in view. On the contrary, consideration of autonomy may just be irrelevant and inappropriate in certain cases (as in training body" to learn to dnve a car). The processes of conditioning and indoctrination are still more irrelevant to individual's autonomy, rather there may be a definite attempt to stifle an individual's autonomy while indoctrinating or conditioning an individual. An individual who is indoctrinated or conditioned stops thinking for himselflherself. Attempts made to indoctrinate people into some particular socio-political systems in certain religions are deliberate in nature and aim at preventing people to question the validity of these systems/religions, etc. In the process of education, on the other hand, what is important is developn~ent of knowledge and understanding - a kind of cognitive perspective - and also development of critical evaluative awareness. To be educated, therefore, not only means the acquisition of autonomy but also the capacity to use that autonomy effectively. Mere acquisition of.freedom of thought does not necessarily qualify a person to be called educated unless one, is adequately informed on the subject. In other words, it not only means an attempt to form their own opinions but also to improve the quality of those opinions. Another feature of education is that t3e activities, in which the students are engaged, are worthy of being pursued for their own sake, whereas in the

case of other activities like training, this is not the case. For example, we can train somebody in the development of certain skills without any regard to whether he values them or not. It is illogical to think of a person as educated and at the same time asserting that he places no value at all to the knowledge, understanding or skill that he has acquired while being educated. In the process of education, there is still another element which is very vital to it. This is the element of developing desirable human eplbtions, especially a consideration for others' feelings or caring for them. If we do not consider other people's relations we miss something significant in education. Could we dispense with the element of emotions or human relations, probably computers would have been the best instrument to decode what ought to be done in a situation. 'AS autonomous moral beings we must develop the capacity to look into other people's hearts and empathetically feel for them.' This is the perspective which in the Western thinking has been specially highlighted by Carol Gilligan. According to Gilligan morality comprises two kinds of orientation: one, that Kohlberg and others called the justice orientation, and the second, what Gilligan called 'care' orientation. We shall discuss these two orientations to morality later.

7.6 PORTRAIT OF A MORALLY EDUCATED PERSON

On the basis af what we have understood of the concept of morality and moral education we can safely attempt a personality profile of a person who can b really be said to be morally educated. I Thus far we have analysed the meaning of morality and moral education, first by showing that moral consciousness is an essential condition of being educated; second, by delineating the connotation of moral educatioq, distinguishing it .from moral training or moral instruction, condidoning or indoctrination.

Who is not a Morally Educated Person? On the basis of this distinction we can safely hold that we would not like to call a person morally educated who has a traditional mora upbnnging, that is, a man who has been taught what to believe and why to believe or why not.to believe. This is, as indicated earlier, a bag of virtues approach based more or less

on objective 'theory of morality. Nature of values according to such a theory is fixed and unchangeable, and values are instilled in children by methods of rewards and punishment using cbnditioning or indoctrination. ~"derstandin~ Morality and Moral Education Value Oriented Education Such children or individuals are exposed to character training but certainly not to moral education. A person who is not capable of reaching his autonomous moral decision or reaches such decisions without giving due consideration or thought to the factors that determine the particular situation, will not be described as a morally educated person.

7.6.1 Personality Characteristics of a Morally educated Person

Most succinotly put, we can hold that a really educated person is a morally educated person. Helshe is a person who has a proper, balanced and coordinated development of the cognitive, affective and psychomotor domains of personality. A morally educated person is the one who can make right moral choices by sizing up the situation impartially and accurately and has the courage to act accordingly. The positive characterization of a n~orally educated person can be more explicitly grasped or understood by making reference to a' beautiful story quoted in Hersh et. al. (1 980) and is being paraphrased here. Slotin, a nuclear physicist, was experimenting upon the development of atomic bomb which required assembling pieces of plutonium. In this experiment he was pushing one piece towards another in order to ensure that their total mass would be large enough to start a chain reaction. The screw driver with which he was pushing the pieces together, slipped and consequently the pieces of plutonium came too close together. Uncontrollably, the chain reactizn started and radio-activity started filling the room. There were seven co-workers who were watching the change on their instruments. Seeing this, Slotin immediately moved and pulled the pieces of plutonium apart using his bare hands. This act, he knew well, was virtually ari act of suicide, for this could expose him to the largest dose of radio-activity. But still he did it. Immediately after the incident, Slotin calmly asked his co-workers to mark their precise positions at the time of accident in order that the degree of exposure of

each of them to radio-activity could be determined. Having done ' this and calling for the doctors, Slotin apologized to his colleagues and said what later exactly came out to be true: he would die and they would survive. ' ' An analysis of Slotin's tale displays heroic proportion of morality. He performed the most courageous and moral act in separating the plutonium pieces with his bare hands. Slightest delay in his action cbuld have been simply devastating to life and property all around. It was his uncompromising sense that 'people matter; he showed an unconditional concern for preserving or saving life and for the welfare of people, sacrificing his own life. In addition to this concern for life, he had the sharp ability to judge the consequences, to size up the situation and also indenting courage to-act accordingly. , This analysis further reveals that morality consists of human caring or a . concern for life and welfare of people and efforts made to actualize such concern. But mere concern for people may not be sufficient until we are well aware of -what A.J. Ayer (1964) called non-moral facts of the case. The relevanee of such awareness is not that one logically deduces the ultimate choices or decisions from the factual premises, rather it enables one to understand the likely consequences of certain alternative courses of actions. It i helps in sizing up the situation. In the absence of proper and scientific Unders!:ludiil, "loralif knowledge of such facts, one may base one's choices on misinformation. And ao" 'lorat ' ilucatr+< I action taken on wrong knowledge may result in devastating consequences. In such a situation, no good motive, a concern for human welfare or justice, will be of any avail. With the best of intentions and sincerity of purpose the moral, i agent will not be able to achieve the goal. So a morally educated person needs 1 to be fully and accurately informed of the non-formal facts of each situation; only then can one make right moral choices. t L For achieving one's goals as a moral agent, knowledge of the non-nioral facts of the case, as we have seen, are important for making right moral choices. It is so because actual morality consists in bringing the desired changes in society. For effecting such .changes the moral agent should also possess skills, especially the social skills. Helshe must, for example, need to understand how I to relate to people, get on with them, or even communicate with then,. Some people generally feel incompetent to

effect the environment and, to that I extent, cannot act as moral agent. Building this environmental competence, therefore, is essential for us to act as moral agents or as morally educated persons. For developing such competence, Newmann (1975) presents a model of mwal education (called Social Action model). For more details on this aspect you may refer to Newrnann's "Education for Social Action, Feeling for Others". A synoptic view of Newmann's model is presented in another unit of this Block also. A morally educated person feels a concern for the needs and desires of other persons as one has for one's own. One has in other words an emotional commitment to others, that is realizes that others' feelings are as important as one's own. It is to be emotionally rather than merely intellectually oriented towards the rights, interests and feeling of others. Aristotle, taking a more realistic view of man, realized that a moral decision at intellectual level is not sufficient. When we come to implement the decision we are pulled by many forces which Aristotle called "Pleasures". It is a fact that we do not always do what we ought to do. St. Paul also once confessed: "The evil that I would not, that I do, and the good that I would, I do not" (quoted by Downey and Kelly, 1982). For Aristotle moral education involved not merely teaching the right rule, it also involved a kind of character training to enable them to act on it, once recognized. Feelings and elnotions play a significant role in the moral development of man. They are not merely to be considered as an unpleasant remainder of human infirmity. They are certainly not an undesirable and unfortunate excrescence. It is in fact the emotional response that constitutes humanity and enables one to really act as moral being. Annette Baier (1987) challenged Kantian notion that in order to act morally we must control our passions; she suggests instead, that we must learn to develop desirable forms of emotional response such as loving. She rejects the liberal view that we need not worry what passions persons have, as long as their rational wills can control them. Shestates: "We live in society characterized by inequality and in which we must act responsibly and care for those who are dependent on us".

7.7 THE DIFFERENCE BETWEEN PRIVATE AND PUBLIC MORALITY

Republicans have morality upside down. Santorum, Gingrich, and even Romney are barnstorming across the land condemning gay marriage, abortion, out-of-wedlock births, access to contraception, and the wall separating church and state.

But America's problem isn't a breakdown in private morality. It's a breakdown in public morality. What Americans do in their bedrooms is their own business. What corporate executives and Wall Street financiers do in boardrooms and executive suites affects all of us.

There is moral rot in America but it's not found in the private behavior of ordinary people. It's located in the public behavior of people who control our economy and are turning our democracy into a financial slush pump. It's found in Wall Street fraud, exorbitant pay of top executives, financial conflicts of interest, insider trading, and the outright bribery of public officials through unlimited campaign "donations."

Political scientist James Q. Wilson, who died last week, noted that a broken window left unattended signals that no one cares if windows are broken. It becomes an ongoing invitation to throw more stones at more windows, ultimately undermining moral standards of the entire community.

The windows Wall Street broke in the years leading up to the crash of 2008 remain broken. Despite financial fraud on a scale not seen in this country for more than 80 years, not a single executive of a major Wall Street bank has been charged with a crime.

Since 2009, the Securities and Exchange Commission has filed 25 cases against mortgage originators and securities firms. A few are still being litigated but most have been settled. They've generated almost $2 billion in penalties and other forms of monetary relief, according to the Commission. But almost none of this money has come out of the pockets of CEOs or other company officials; it has come out of the companies — or, more accurately, their shareholders. Federal prosecutors are now signaling they won't even bring charges in the brazen case of MF Global, which lost billions of dollars that were supposed to be kept safe.

Nor have any of the lawyers, accountants, auditors, or top executives of credit-rating agencies who aided and abetted Wall Street financiers been charged with doing anything wrong.

And the new Dodd-Frank law that was supposed to prevent this from happening again is now so riddled with loopholes, courtesy of Wall Street lobbyists, that it's almost a sham. The Street prevented the Glass-Steagall Act from being resurrected, and successfully fought against limits on the size of the largest banks.

Windows started breaking years ago. Enron's court-appointed trustee reported that bankers from Citigroup and JP Morgan Chase didn't merely look the other way; they dreamed up and sold Enron financial schemes specifically designed to allow Enron to commit fraud. Arthur Andersen, Enron's auditor, was convicted of obstructing justice by shredding Enron documents, yet most of the Andersen partners who aided and abetted Enron were never punished.

Americans are entitled to their own religious views about gay marriage, contraception, out-of-wedlock births, abortion, and God. We can be truly free only if we're confident we can go about our private lives without being monitored or intruded upon by government, and can practice whatever faith (or lack of faith) we wish regardless of the religious beliefs of others. A society where one set of religious views is imposed on a large number of citizens who disagree with them is not a democracy. It's a theocracy.

But abuses of public trust such as we've witnessed for years on the Street and in the executive suites of our largest corporations are not matters of private morality. They're violations of public morality. They undermine the integrity of our economy and democracy. They've led millions of Americans to conclude the game is rigged.

Regressive Republicans have no problem hurling the epithets "shameful," "disgraceful," and "contemptible" at private moral decisions they disagree with. Rush Limbaugh calls a young woman a "slut" just for standing up for her beliefs about private morality.

Republicans have staked out the moral low ground. It's time for Democrats and progressives to stake out the moral high ground, condemning the abuses of economic power and privilege that characterize this new Gilded Age — business deals that are technically legal but wrong because they exploit the trust that investors or employees have placed in those businesses, pay packages that are ludicrously high

compared with the pay of average workers, political donations so large as to breed cynicism about the ability of their recipients to represent the public as a whole.

An economy is built on a foundation of shared morality. Adam Smith never called himself an economist. The separate field of economics didn't exist in the eighteenth century. He called himself a moral philosopher. And the book he was proudest of wasn't The Wealth of Nations, but his Theory of Moral Sentiments — about the ties that bind people together into societies.

Twice before progressive have saved capitalism from its own excesses by appealing to public morality and common sense. First in the early 1900s, when the captains for American industry had monopolized the economy into giant trusts, American politics had sunk into a swamp of patronage and corruption, and many factory jobs were unsafe — entailing long hours of work at meager pay and often exploiting children. In response, we enacted antitrust, civil service reforms, and labor protections.

And then again in 1930s after the stock market collapsed and a large portion of American workforce was unemployed. Then we regulated banks and insured deposits, cleaned up the stock market, and provided social insurance to the destitute.

It's time once again to save capitalism from its own excesses — and to base a new era of reform on public morality and common sense.

Check Your Progress 2

Note: Use the space provided for your answer

1. Compare the Moral Education Vs. Moral Instruction and Moral Training.

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2. Write the Portrait of a Morally Educated Person.

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3. Discuss the Difference between Private and Public Morality.

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7.8 LET US SUM UP

The legitimacy of the criminal law rests on the conception of public morality that a society regards as justly enforceable.' This conception of public morality has two components: a theory of morally wrong acts and a theory of culpability attributing blame for such acts. 2 It also defines a corresponding theory of the moral virtues that the society praises and the moral vices that it condemns, because moral virtue is, at least in part, the effective desire and capacity to be free of culpable wrongdoing, and moral vice is the propensity to be guilty of such wrongdoing.3 Societies differ in their conceptions of public morality, defining the moral universe of wrongdoing, culpability, and vice in correspondingly different ways. What is the conception of enforceable public morality appropriate in a liberal society? John Stuart Mill gave the classic liberal answer to this question in the terms of his harm principle. 4 According to this principle, subject to background duties of justice and fair contribution, the coercive power of the state can only be imposed for acts causing harms to other persons. Harms to self do not suffice.

Mill justified the harm principle in terms of a doctrinal utilitarianism that is, in fact, inconsistent with the stringent demands that the principle imposes on the proper scope of the criminal law. It often appears to be the case that the utilitarian goal of the greatest aggregate sum of pleasure over pain is better achieved by the tribal solidarity of collective social intolerance, which the harm principle clearly condemns. 6 An alternative political theory is needed that explains how and why the harm principle intuitively identifies the constraints that liberalism imposes on the conception of enforceable public morality. This article adopts the working premise that liberalism does indeed express a distinctive normative attitude to the public morality justly enforceable through the criminal law and takes American constitutional liberalism as a case study in the analysis of this distinctive public morality. Accordingly, this

article seeks to clarify the liberal conception of enforceable public morality through reference to the internal struggles against alternative conceptions of enforceable public morality that distinctively mark the emergence of American constitutional liberalism in particular, and liberal political theory in general.

7.9   KEY WORDS

Morality: Morality is the differentiation of intentions, decisions and actions between those that are distinguished as proper and those that are improper.

Moral Education: Moral education is basically a training which shows us the right and just way to lead our lives. Being honest, just, legitimate, accommodative, generous, to share love and care, show consideration and sensitivity are basic principles of moral education.

7.10 QUESTIONS FOR REVIEW

1.   In our society we face a value crisis resulting in a deep social and spiritual vacuum. Do you agree with this statement? If yes, why?
2.   Distinguish between moral education and religious education.
3.   Describe the criteria of judging an action to be rational.
4.   Describe briefly the personality characteristics of a morally educated person.
5.   Describe morality as viewed by Carol Gilligan.

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7.12 ANSWERS TO CHECK YOUR PROGRESS

Check Your Progress 1

1. See Section 7.2
2. See Section 7.3
3. See Section 7.4

Check Your Progress 2

1. See Section 7.5
2. See Section 7.6
3. See Section 7.8