

## CHAPTER 1

### Moral Theory

#### CHAPTER OVERVIEW

Most college students claim that morality is relative or based on our feelings. This belief is based primarily on a lack of understanding regarding the importance of moral theory in their everyday lives. The first chapter begins by introducing students to the concept of moral theory. After analyzing some of the weaknesses of ethical relativism, students are introduced to the major moral theories.

#### LEARNING OBJECTIVES

In this chapter students will learn about

- the two subdivisions in moral philosophy: normative ethics and metaethics
- the concept of “theory” and the limitations of theory
- how to distinguish between ethical relativism and universalist moral theories
- the two types of ethical relativism—ethical subjectivism and cultural relativism—and the real-life implications of these theories
- the concepts of personhood and moral community
- both Kohlberg’s and Gilligan’s stage theories of moral development, and their theories on the differences between moral reasoning in men and women
- the real-life implications of one’s stage of moral reasoning
- the relationship between religion and morality, and the difference between the divine command theory and natural law theory
- the theory of utilitarianism, as put forth by both Jeremy Bentham and John Stuart Mill, and the application of the principle of utility to moral problems
- the theory of deontology and the categorical imperative
- the difference between Kantian deontology and Ross’s prima facie deontology
- John Rawls’s theory of justice as fairness
- how to recognize a moral dilemma
- rights ethics, and the difference between duty-based rights ethics and the natural rights ethics of John Locke and Ayn Rand
- virtue ethics, and the doctrine of the mean of Aristotle and Confucius
- Buddhist virtue ethics and Nel Noddings’s feminist care ethics

## TEACHING SUGGESTIONS

1. **Spend at least two weeks on this chapter.** Assuring that students have a solid foundation in moral theory will make it easier for them to discuss and critically analyze real-life moral issues.
2. **Using a theory-based approach.** If you choose to use a theory-based approach instead of one that focuses on issues, you can use the moral issues to illustrate the different moral theories. For example, use Singer's and Cohen's articles from Chapter 10 on the rights of animals to illustrate the two different viewpoints. Some articles combine different moral theories. For example, Battin's article on euthanasia combines a deontological and a utilitarian approach. See the section on "Making the Connection."
3. **Relate moral theory to real-life issues.** Mention articles from the issues' chapters that make use of a particular moral theory. For an assignment, ask students to look in newspapers and journals for examples of how moral theory is used in resolving moral issues.
4. **Encourage students to be consistent in their thinking.** They cannot be both cultural relativists and ethical subjectivists. Nor can they subscribe to both ethical relativism and ethical universalism, depending on which is most convenient for them at the time.
5. **Demonstrate how the different universalist moral theories can work together in resolving moral issues.** A theory need not be perfect in order for it to be useful. On the other hand, flawed theories, such as cultural relativism and ethical subjectivism should be discarded.

## KEY ARTICLES

**Aristotle, Kant, and Mill** (for articles that represent the traditional approach to ethics in Western philosophy)

## MAKING THE CONNECTION

The lists below show which articles in the text can be used to illustrate the theories and concepts covered in this chapter. In some of the readings the authors support the theory; in others they offer a critique of the theory. The lists also include case studies that involved the application of the theory or concept.

## UTILITARIANISM/CONSEQUENTIALISM

Moral Theory (Chapter 1)

- John Stuart Mill, Utilitarianism

Abortion (Chapter 2)

- Don Marquis, "Why Abortion Is Immoral"

Euthanasia (Chapter 3)

- Margaret Pabst Battin, "The Case for Euthanasia"

Drug and Alcohol Use (Chapter 5)

- Thomas Szasz, "The Ethics of Addiction"
- James Q. Wilson, "Against the Legalization of Drugs"
- Lynn Scarlett, "On the Legalization of Drugs"
- Jeff Berg, "The Logic of Drug Legalization"
- Case Study 2: "Baseball Star Mickey Mantle: Should Alcoholics Receive Liver Transplants?"

Feminism, Motherhood, and the Workplace (Chapter 6)

- Case Study 3: “Infertility Treatment: Are Eight Babies Too Many?”

Freedom of Speech (Chapter 7)

- Case Study 7: “Terrorism and Freedom of Speech on the Internet”

Racism, Economic Inequality, and Global Justice (Chapter 8)

- Joel Newman, “My Favorite Three Arguments for Open Borders”

War, Weapons, and Terrorism (Chapter 9)

- Brian Michael Jenkins, “Should Our Arsenal Against Terrorism Include Assassination?”
- Case Study 1: “Allied Firebombing During World War II”
- Case Study 6: “The Assassination of Osama bin Laden”

Animal Rights and Environmental Ethics (Chapter 10)

- Peter Singer, *Animal Liberation*
- James Garvey, “Climate Change and Moral Outrage”

## DEONTOLOGY

Moral Theory (Chapter 1)

- Immanuel Kant, *Fundamental Principles of the Metaphysics of Morals*
- Confucius, *The Analects*

Abortion (Chapter 2)

- Mary Anne Warren, “The Moral Significance of Birth”
- Case Study 5: “The Reluctant Dad”

Euthanasia (Chapter 3)

- Margaret Pabst Battin, “The Case for Euthanasia”

The Death Penalty (Chapter 4)

- Hugo Adam Bedau, “Capital Punishment”
- Case Study 2: “Terrorism, 9/11, and the Death Penalty”

Drug and Alcohol Use (Chapter 5)

- Donald J. Trump, “Speech on the Opioid Crisis”

Racism, Economic Inequality, and Global Justice (Chapter 8)

- Bernard Boxill, “The Color-Blind Principle”
- Case 6: Environmental Racism in Flint Michigan
- Case 7: Drugs, Socio-Economic Class, and Race

War, Weapons, and Terrorism (Chapter 9)

- Jonathan Granoff, “Nuclear Weapons, Ethics, Morals and the Law”
- Brian Michael Jenkins, “Should Our Arsenal Against Terrorism Include Assassination?”

Animal Rights and Environmental Ethics (Chapter 10)

- Carl Cohen, “Do Animals Have Rights?”
- James Garvey, “Climate Change and Moral Outrage”
- Case Study 7: “The Gulf Oil Spill Disaster”

## SOCIAL CONTRACT THEORY

The Death Penalty (Chapter 4)

- U.S. Supreme Court, “Gregg v. Georgia”

Racism, Economic Inequality, and Global Justice (Chapter 8)

- Joel Newman, “My Favorite Three Arguments for Open Borders”

War, Weapons, and Terrorism (Chapter 9)

- Barak Obama, “Remarks from President Obama on Common-Sense Gun Safety Reform”

## RIGHTS ETHICS

### Moral Theory (Chapter 1)

- John Stuart Mill, *Utilitarianism*
- John Locke, *Two Treatises of Civil Government*

### Abortion (Chapter 2)

- James Q. Wilson, “On Abortion”
- Mary Anne Warren, “The Moral Significance of Birth”
- Case Study 2: “Jennifer Johnson: Maternal Drug Use and Fetal Rights”

### Euthanasia (Chapter 3)

- Margaret Pabst Battin, “The Case for Euthanasia”

### Drug and Alcohol Use (Chapter 5)

- Thomas Szasz, “The Ethics of Addiction”

### Feminism, Motherhood and the Workplace (Chapter 6)

- Ruth Groenhout, “Essentialist Challenges to Liberal Feminism”
- Case Study 3: “Infertility Treatment: Are Eight Babies Too Many?”

### Freedom of Speech (Chapter 7)

- Case Study 4: “Mandatory Patriotism”

### Racism, Economic Inequality, and Global Justice (Chapter 8)

- Lyndon B. Johnson, “To Fulfill These Rights”

### War, Weapons, and Terrorism (Chapter 9)

- David Luban, “The War on Terrorism and the End of Human Rights”

### Animal Rights and Environmental Ethics (Chapter 10)

- Carl Cohen, “Do Animals Have Rights?”
- Peter Singer, *Animal Liberation*
- Case Study 1: “Animal Liberation in the Science Lab”
- Case Study 7: “The Gulf Oil Spill Disaster”

## LIBERTARIANISM/LIBERALISM

### Drug and Alcohol Use (Chapter 5)

- Thomas Szasz, “The Ethics of Addiction”

### Feminism, Motherhood and the Workplace (Chapter 6)

- Ruth Groenhout, “Essentialist Challenges to Liberal Feminism”

### Freedom of Speech (Chapter 7)

- Alan Dershowitz, “Political Correctness, Speech Codes, and Diversity”
- Charles Lawrence, “If He Hollers Let Him Go: Regulating Racist Speech on Campus”
- Case Study 1: “*Hustler* Publisher Larry Flynt: ‘Free-Speech Hero’”

### Racism, Income Inequality, and Global Justice (Chapter 8)

- Stephen Cox, “The Fallacy of Open Immigration”

### War, Weapons, and Terrorism (Chapter 9)

- Case Study 2: “The Patriot/Freedom Act and the War Against Terrorism”

## VIRTUE ETHICS

### Moral Theory (Chapter 1)

- Aristotle, *Nicomachean Ethics*
- Confucius, *The Analects*

Drug and Alcohol Use (Chapter 5)

- James Q. Wilson, “Against the Legalization of Drugs”
- Case Study 4: “Prozac: Enhancing Morality Through Drugs”

Animal Rights and Environmental Ethics (Chapter 10)

- James Garvey, “Climate Change and Moral Outrage”

**CARE ETHICS**

Abortion (Chapter 2)

- Mary Anne Warren, “The Moral Significance of Birth”

The Death Penalty (Chapter 4)

- Helen Prejean, “Would Jesus Pull the Switch?”

**RELIGION AND ETHICS**

The Death Penalty (Chapter 4)

- Helen Prejean, “Would Jesus Pull the Switch?”

**POLITICAL CORRECTNESS**

Freedom of Speech (Chapter 7)

- Alan Dershowitz, “Political Correctness, Speech Codes, and Diversity”

**COLLEGES AND UNIVERSITIES**

Abortion (Chapter 2)

- Serrin Foster, “Refuse to Choose: Women Deserve Better Than Abortion”
- Case Study 4: “Date Rape and Abortion”

Drug and Alcohol Use (Chapter 5)

- Case Study 1: “Fraternities and Alcohol: The Death of Benjamin Wynne”
- Case Study 3: “Winning at All Costs: Drugs in Sports”

Feminism, Motherhood, and the Workplace (Chapter 6)

- Kelly Oliver, “Fifty Shades of Consent: Rape Culture Versus Feminism”
- Case Study 6: “Anorexia Nervosa and Bulimia: The Tyranny of Thinness”

Freedom of Speech (Chapter 7)

- Charles Lawrence, “If He Hollers Let Him Go: Regulating Racist Speech on Campus”
- Stanley Fish, “There’s No Such Thing as Free Speech, and It’s a Good Thing, Too”
- Alan Dershowitz, “Political Correctness, Speech Codes, and Diversity”
- Jonathan Marks, “The Embarrassing Persistence of Campus Speech Codes”
- Traci Yoder, “Free Speech on Campus: A Critical Analysis”
- Case Study 2: “Brown Students Destroy Offending Newspapers”
- Case Study 3: “Shouting Down a Speaker”
- Case Study 6: “Internet Plagiarism Among College Students”
- Case Study 7: “Terrorism and Freedom of Speech on the Internet”

Racism, Economic Inequality, and Global Justice (Chapter 8)

- Case Study 1: “Barbara Grutter v. The University of Michigan Law School”
- Case Study 3: “Granting Illegal Immigrants In-State College Tuition”

War, Weapons, and Terrorism (Chapter 9)

- Case Study 2: “The USA Patriot/Freedom Act and The War Against Terrorism”

## ANSWER KEY TO CRITICAL READING QUESTIONS

**Aristotle, *Ethics*.** *Ethics* provides an overview of Aristotle’s virtue ethics and his philosophy regarding human nature.

### ***Critical Reading Questions***

1. How does Aristotle go about analyzing the term “good”? *He begins by examining the way people use the term. He concludes that the good is the end we aim for in performing an action.*
2. According to Aristotle, what is the most important human activity? *Reason.* What is the final end of human activity? *Happiness.*
3. What is the relationship between morality and happiness? *Acting virtuously makes people happier because virtuous people are in harmony with their human nature.*
4. What is virtue? *Virtue is excellence or performing a task well in accordance with human reason.* What are the two types of virtue? *Intellectual and moral.*
5. What does Aristotle mean by habituation? *Habituation involves practicing virtuous behavior.* What does habituation have to do with becoming virtuous? *Virtue does not arise in us naturally. We become virtuous by exercising virtue.* What is the role of the state in helping citizens become virtuous? *Legislators help citizens become good by creating laws and public policies that help them to form good habits.*
6. What does Aristotle mean when he says that goodness is the quality that hits the mean? *Goodness or virtue, in general, entails hitting the mean between excess and deficit.* Is virtue always a matter of hitting the mean? *No.*
7. What are some examples of excesses and deficits? *Examples of excesses are rashness and self-indulgence; examples of deficits are cowardice and boorishness.* How do we avoid them? *By using our reason.*

**Ayn Rand, from *The Fountainhead*.** Ayn Rand is a libertarian who believes that the sole purpose of government is to protect our individual liberty rights.

### ***Critical Reading Questions***

1. What does Roark mean when he says, “Man cannot survive except through his mind”? *Man comes into the world with only his brain and ability to reason to help him survive.*
2. What is the relationship between “the mind” and individualism? *The mind is an attribute of the individual and the process of reason is carried out by each individual alone.*
3. What is a “second-hander” and why does Roark view second-handers as immoral? *A second-hander is a person who depends on others for food and other basic needs. Second-handers are immoral because they are parasites who regard altruism and dependence as virtues.*
4. What is the nature of “proper relationships”? *Proper relationships are based on free and mutual exchange where there is no sacrifice of anyone to anyone.*
5. Why does egoism offer a better alternative in living the good life than altruism? *Egoism allows a man to be independent and stand above the need of using others, while altruism calls for a sacrifice of the self to others.*

**Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*.** Jeremy Bentham explains the principle of utility and how to determine if an action or policy conforms to the principle.

***Critical Reading Questions***

1. What does Bentham mean when he says that “nature has placed mankind under the governance of two sovereign masters”? *Pain and pleasure, the two sovereign masters, alone point out what we ought to do.*
2. What is utility and what is the principle of utility? *Utility is that property in an object that tends to produce benefit, pleasure, or happiness. The principle of utility approves those actions that tend to increase happiness or pleasure and decrease unhappiness or pain and disapprove those that do the opposite.*
3. What is meant by the interest of the community, and who or what is included in this community? *The interest of the community is the sum of the interests of the several members who comprise it.*
4. How are the community and the individuals who comprise it related? *The community is made up of individuals, so promoting the interests or happiness of the individual and decreasing his or her pain may promote the interest of the community.*
5. What ends should legislatures keep in mind when formulating laws and public policies? *Legislatures need to take into consideration the values of the pleasure and pain involved when formulating laws and public policies.*

**John Stuart Mill, *Utilitarianism*.** Like Jeremy Bentham, Mill accepts the principle of utility as the fundamental moral principle. However unlike Bentham, Mill argues that certain pleasures should count more than others.

***Critical Reading Questions***

1. What is the principle of utility, and what are the only things that the principle of utility regards as desirable moral ends? *The principle of utility, or the Greatest Happiness Principle, states that “actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness.” Only happiness or pleasure and freedom from pain are desirable moral ends.*
2. Which pleasures does Mill regard as superior? *The pleasures of the mind or “higher faculties.”*
3. What method does Mill use for determining which pleasures are of a higher quality? *That pleasure which is preferred over another by all or almost all who have experienced both.*
4. Whose interests should be taken into account when determining the utility of an action? *The interests of sentient beings or those beings who are capable of experiencing pain and pleasure.*
5. What is the relationship between the principle of utility and the Golden Rule? *Both enjoin us to promote the happiness of the individual as well as that of the whole by doing unto others as we would have them do unto us.*

**Immanuel Kant, *Fundamental Principles of the Metaphysic of Morals*.** In this selection, Kant attempts to establish a metaphysical foundation for morality. He concludes that only reason can provide this foundation.

***Critical Reading Questions***

1. What is the good will? *A will that is directed by a sense of duty and a reverence for the moral law without regard for consequences or immediate inclinations. What is the relevance of the good will in making decisions regarding social policy? The good will is the only thing that is good without qualification. We can count on a person of good will to do what is right. Only people of good will are truly autonomous; that is, their actions are based on moral duty rather than external considerations or inclinations.*
2. What gives an action moral worth? *It is done from moral duty rather than inclination or concern for consequences.*
3. Why does Kant reject utilitarianism as the foundation of morality? *We cannot count on our sentiments or inclinations, such as beneficence and sympathy, to motivate us to do what is right. Because morality is based on reason, it is only acting out of a sense of duty that gives an action moral value. If an action, such as lying, is wrong, it is because it violates the moral law, not because of any consequences.*
4. Why does Kant argue that moral maxims must be universal rather than relative? *Because maxims are based on reason, they can never come into conflict. They can't be true under one circumstance and false under another, as is the case with ethical relativism, since this would involve a contradiction. Therefore, moral maxims must hold universally.*
5. What is the categorical imperative? *A principle which states that moral obligations are unconditionally binding upon us. We ought to do something regardless of the consequences. How does it differ from a hypothetical imperative? A hypothetical imperative is only conditionally binding. It states that we ought to do something if we desire to achieve a certain result. Give examples of both types of imperatives. An example of a categorical imperative is, "Do not lie." An example of a hypothetical imperative is, "Be nice to your professor if you want a good grade."*
6. What does it mean for a being to be an "end in itself"? *A being that is an "end in itself" has intrinsic value; that is, the being has value independently of his or her usefulness to anyone else. Therefore, such a being must be treated with dignity and respect rather than as a thing. What gives a being value as an end in itself? Rationality.*
7. What is the difference between treating a being as an end in itself and treating a being as a means only? *Treating a being as an end in itself entails a moral obligation to respect his or her dignity. Treating beings as means only is to treat them as things that can be disposed of, damaged, or killed. Why is it wrong to treat rational beings as means only? It is wrong to treat rational beings as means only because they are rational and autonomous and, therefore, have intrinsic moral value.*

**John Locke, *Two Treatises of Civil Government*.** The *Two Treatises of Civil Government* provides an overview of Locke's natural rights ethics. According to Locke, these natural rights include life, liberty, and property.

### ***Critical Reading Questions***

1. How does Locke define political power? *Political power is the right to make laws with penalties and to employ the force of the community to execute these laws.*
2. What is the state of nature? *The state of nature is the state that humans were naturally in prior to the establishment of a political state. It is a state of liberty and equality. What rights do humans have in a state of nature? They have the right to preserve one's life, liberty, health, and property; the right to punish transgressors; and the right to seek reparations from transgressors.*
3. What is the law of nature? *"Whosoever sheddeth man's blood, by man shall his blood be shed."*



4. Why does Locke argue that civil society is preferable to a state of nature? *Civil government is a remedy for restraining the partiality and violence of men in a state of nature.*
5. According to Locke, why do humans have a right to the resources of the earth? *God gave the world to mankind in common for the support and comfort of their being.*
6. How do humans, as individuals, make these resources their property? *Humans make resources their property by mixing them with their labor and joining them to something that is their own.*
7. What are the limits on what we can claim as our property? *We are limited by what we can make use of without it spoiling.*
8. According to Locke, why do people come together to form a political society? *People come together for their comfortable, safe, and peaceable living.*
9. What are the advantages and disadvantages of living in a political society? *The advantages are safety and greater security, including secure enjoyment of our property. The disadvantages are that we are under an obligation to submit to the determination of the majority and we give up the right of being able to punish transgressors ourselves.*

**Confucius, *The Analects*.** Confucian philosophy emphasizes duty and community. Righteousness demands that we do our moral duty, and that we place the harmony and well-being of the community over the self-interests of individuals.

### ***Critical Reading Questions***

1. What does Confucius mean by “benevolence”? *Doing our best for others and being trustworthy in what we say.*
2. Is virtue or benevolence relative or the same for all people? *Confucius rejects ethical relativism. He argues that benevolence is a universal moral principle that holds for all people.*
3. Which does Confucius value more—personal freedom or social harmony? *Social harmony*
4. What duties do children have toward their parents? *Children should be reverent toward their parents, should not complain, and should not travel too far from their parents. If they do travel, they should always let their parents know of their whereabouts.*
5. What does Confucius mean when he says that the “gentleman is not invariably for or against anything. He is on the side of what is moral”? *The gentleman (like Kant’s person of good will) can always be counted on to do his duty regardless of the circumstances.*
6. Why is trust the most important social virtue? *Without trust, the common people have nothing to stand on.*
7. What is the root of injustice? *People are unjust because rulers and governments are unjust.*
8. What does Confucius say about punishment? *There is no need for punishment in a society where the rulers desire the good.*
9. Why do we have crime? *People forsake benevolence and don’t desire the good.* What is the role of government and social policy in promoting virtuous behavior? *The purpose of government is to correct. The government should set a good example by being correct (moral).*

### **QUIZZES/TESTS**

The following critical reading questions are suggested for use on tests and quizzes: Aristotle, 2, 4, 5, 6; Rand, 2, 4, 5; Bentham, 1, 2, 4; Mill, 2, 3, 4; Kant, 1, 2, 5, 7; Locke, 2, 4, 8; and Confucius, 2, 6, 9.