- In Chapter 7, "The Utilitarian Approach," I replaced the Matthew Donnelly example—which turned out to be fictitious—with the story of how Sigmund Freud died (section 7.2). I also added a section on marijuana (7.3) and updated the discussion of vivisection (section 7.4).
- In Chapter 8, "The Debate over Utilitarianism," I revised the treatment of Rule Utilitarianism (section 8.5).
- In Chapter 9, "Are There Absolute Moral Rules?" I now note a limitation to the "Conflicts between Rules" argument (section 9.4).
- In Chapter 10, "Kant and Respect for Persons," I rewrote the opening section; I corrected the discussion of rehabilitation in American prisons (section 10.2); and I now mention both "turning the other cheek" and the possibility of wrongful execution (section 10.3).
- In Chapter 11, "Feminism and the Ethics of Care," I added empirical data to the discussion of how women and men think (section 11.1).
- In Chapter 12, "The Ethics of Virtue," I revised the section arguing that radical virtue ethics is incomplete (section 12.5).

I describe the changes to this book in greater detail on my website: www.jamesrachels.org/stuart.

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We all miss James Rachels, who was the sole author of this book in its first four editions. To learn more about him, visit www.jamesrachels.org.

Tell me your thoughts about the book: srachels@bama.ua.edu.

—Stuart Rachels

Explain

1 - Intro

Values - Morals - Why

CHAPTER 1

What Is Morality?

We are discussing no small matter, but how we ought to live.
SOCRATES, IN PLATO'S *REPUBLIC* (ca. 390 B.C.)

1.1. The Problem of Definition

Moral philosophy is the effort to understand the nature of morality and what it requires of us—in Socrates' words, to understand "how we ought to live" and why. It would be helpful if we could begin with a simple, uncontroversial definition of what morality is, but that turns out to be impossible. There are many rival theories, each expounding a different conception of what it means to live morally, and any definition that goes beyond Socrates' simple formulation is bound to offend at least one of them.

This should make us cautious, but it need not paralyze us. In this chapter, I will describe the "minimum conception" of morality. As the name suggests, the minimum conception is a core that every moral theory should accept, at least as a starting point. First, however, we will examine some moral controversies having to do with handicapped children. The features of the minimum conception will emerge from our discussion.

1.2. First Example: Baby Theresa

Theresa Ann Campo Pearson, an infant known to the public as "Baby Theresa," was born in Florida in 1992. Baby Theresa had anencephaly, one of the worst genetic disorders. Anencephalic infants are sometimes referred to as "babies without brains," and this gives roughly the right picture, but it is not quite accurate.

Important parts of the brain—the cerebrum and cerebellum—are missing, as is the top of the skull. There is, however, a brain stem, and so autonomic functions such as breathing and heartbeat are possible. In the United States, most cases of anencephaly are detected during pregnancy, and the fetuses are usually aborted. Of those not aborted, half are stillborn. About 350 are born alive each year, and they usually die within days.

Baby Theresa's story is remarkable only because her parents made an unusual request. Knowing that their baby would die soon and could never be conscious, Theresa's parents volunteered her organs for transplant. They thought her kidneys, liver, heart, lungs, and eyes should go to other children who could benefit from them. Her physicians agreed. Thousands of infants need transplants each year, and there are never enough organs available. But the organs were not taken, because Florida law forbids the removal of organs until the donor is dead. By the time Baby Theresa died, nine days later, it was too late for the other children—her organs had deteriorated too much to be harvested and transplanted.

Baby Theresa's case was widely debated. Should she have been killed so that her organs could have been used to save other children? A number of professional "ethicists"—people employed by universities, hospitals, and law schools, who get paid to think about such things—were asked by the press to comment. Surprisingly few of them agreed with the parents and physicians. Instead, they appealed to time-honored philosophical principles to oppose taking the organs. "It just seems too horrifying to use people as means to other people's ends," said one such expert. Another explained: "It's unethical to kill person A to save person B." And a third added: "What the parents are really asking for is, Kill this dying baby so that its organs may be used for someone else. Well, that's really a horrendous proposition."

Is it horrendous? Opinions were divided. These ethicists thought so, while the parents and doctors did not. But we are interested in more than what people happen to think. We want to know what's true. Were the parents right or wrong to volunteer the baby's organs for transplant? To answer this question, we have to ask what reasons, or arguments, can be given for each side. What can be said to justify the parents' request or to justify thinking the request was wrong?

The Benefits Argument. The parents believed that Theresa's organs were doing her no good, because she was going to die soon anyway. The other children, however, could benefit from them. Thus, they seem to have reasoned: *If we can benefit someone, without harming anyone else, we ought to do so. Transplanting the organs would benefit the other children without harming Baby Theresa. Therefore, we ought to transplant the organs.*

Is this correct? Not every argument is sound. In addition to knowing what arguments can be given for a view, we also want to know whether those arguments are any good. Generally speaking, an argument is sound if its assumptions are true and the conclusion follows logically from them. In this case, we might wonder about the assertion that Theresa wouldn't be harmed. After all, she would die, and isn't being alive better than being dead? But on reflection, it seems clear that, in these tragic circumstances, the parents were right—being alive was doing her no good. Being alive is a benefit only if it enables you to carry on activities and have thoughts, feelings, and relations with other people—in other words, if it enables you to *have a life.* In the absence of such things, mere biological existence is worthless. Therefore, even though Theresa might remain alive for a few more days, it would do her no good.

The Benefits Argument, therefore, provides a powerful reason for transplanting the organs. What arguments are on the other side?

The Argument That We Should Not Use People as Means. The ethicists who opposed the transplants offered two arguments. The first was based on the idea that *it is wrong to use people as means to other people's ends.* Taking Theresa's organs would be using her to benefit the other children; therefore, it should not be done.

Is this argument sound? The idea that we should not "use" people is obviously appealing, but this is a vague notion that needs to be sharpened. What exactly does it mean? "Using people" typically involves violating their autonomy—their ability to decide for themselves how to live their own lives, according to their own desires and values. A person's autonomy may be violated through manipulation, trickery, or deceit. For example, I may pretend to be your friend, when I am only interested in going out with your sister; or I may lie to you so you'll give me

money; or I may try to convince you that you will enjoy going to a movie, when I only want you to give me a ride. In each case, I am manipulating you in order to get something for myself. Autonomy is also violated when people are forced to do things against their will. This explains why "using people" is wrong; it is wrong because it thwarts people's autonomy.

Taking Baby Theresa's organs, however, could not thwart her autonomy, because she has no autonomy—she cannot make decisions, she has no desires, and she cannot value anything. Would it be "using her" in any other morally significant sense? We would, of course, be using her organs for someone else's benefit. But we do that every time we perform a transplant. We would also be using her organs without her permission. Would that make it wrong? If we were using them *against* her wishes, that would be a reason for objecting; it would violate her autonomy. But Baby Theresa has no wishes.

When people are unable to make decisions for themselves, and others must do it for them, there are two reasonable guidelines that might be adopted. First, we might ask, *What would be in their own best interests?* If we apply this standard to Baby Theresa, there would be no objection to taking her organs, for, as we have already noted, her interests will not be affected. She is not conscious, and she will die soon no matter what.

The second guideline appeals to the person's own preferences: We might ask, *If she could tell us what she wants, what would she say?* This sort of thought is useful when we are dealing with people who are known to have preferences but are unable to express them (for example, a comatose patient who has signed a living will). But, sadly, Baby Theresa has no preferences about anything, nor has she ever had any. So we can get no guidance from her, even in our imaginations. The upshot is that we are left to do what we think is best.

The Argument from the Wrongness of Killing. The ethicists also appealed to the principle that *it is wrong to kill one person to save another.* Taking Theresa's organs would be killing her to save others, they said; so, taking the organs would be wrong.

Is this argument sound? The prohibition against killing is certainly among the most important moral rules. Nevertheless, few people believe it is *always* wrong to kill—most people

think there are exceptions, such as killing in self-defense. The question, then, is whether taking Baby Theresa's organs should be regarded as an exception to the rule. There are many reasons in favor of this: Baby Theresa is not conscious; she will never have a life; she is going to die soon anyway; and taking her organs would help the other babies. Anyone who accepts this will regard the argument as flawed. Usually, it is wrong to kill one person to save another, but not always.

There is another possibility. Perhaps the best way to understand the situation would be to regard Baby Theresa as already dead. If this sounds crazy, bear in mind that our conception of death has changed over the years. We now view death as occurring when the brain stops functioning. But this idea was initially resisted on the grounds that someone can be "brain dead" even though their heart and lungs still work. Eventually, however, brain death was accepted, and people came to regard it as "real" death. This was reasonable because when the brain dies, conscious life will never return.

Anencephalics do not meet the technical requirements for brain death as it is currently defined; but perhaps the definition should be revised to include them. After all, they also lack any hope for conscious life, because they have no cerebrum or cerebellum. If the definition of brain death were reformulated to include anencephalics, we would become accustomed to the idea that these unfortunate infants are born dead, and so taking their organs would not be killing them. The Argument from the Wrongness of Killing would then be moot.

On the whole, then, the arguments in favor of transplanting Baby Theresa's organs seem stronger than the arguments against it.

1.3. Second Example: Jodie and Mary

In August 2000, a young woman from Gozo, an island south of Italy, discovered that she was carrying conjoined twins. Knowing that health-care facilities on Gozo were inadequate to deal with the complications of such a birth, she and her husband went to St. Mary's Hospital in Manchester, England, to have the babies delivered. The infants, known as Mary and Jodie, were joined at the lower abdomen. Their spines were fused, and they

had one heart and one pair of lungs between them. Jodie, the stronger one, was providing blood for her sister.

No one knows how many sets of conjoined twins are born each year, but the number has been estimated at 200. Most die shortly after birth, but some conjoined twins do well. They grow to adulthood and marry and have children themselves. But the outlook for Mary and Jodie was grim. The doctors said that without intervention the girls would die within six months. The only hope was an operation to separate them. This would save Jodie, but Mary would die immediately.

The parents, who were devout Catholics, refused permission for the operation on the grounds that it would hasten Mary's death. "We believe that nature should take its course," they said. "If it's God's will that both our children should not survive, then so be it." The hospital, hoping to save at least one of the infants, petitioned the courts for permission to separate them over the parents' objections. The courts granted permission, and the operation was performed. As expected, Jodie lived and Mary died.

In thinking about this case, we should distinguish the question of *who should make the decision* from the question of *what the decision should be.* You might think, for example, that the decision should be left to the parents, in which case you will object to the court's intrusion. But there remains the separate question of what would be the wisest choice for the parents (or anyone else) to make. We will focus on that question: Would it be right or wrong, in these circumstances, to separate the twins?

The Argument That We Should Save as Many as We Can. The rationale for separating the twins is that we have a choice between saving one infant or letting both die. Isn't it plainly better to save one? This argument is so appealing that many people will conclude, without further thought, that this settles the matter. At the height of the controversy, when the newspapers were full of stories about Jodie and Mary, the *Ladies' Home Journal* commissioned a poll to discover what Americans thought. The poll showed that 78% approved of the operation. People were obviously persuaded by the idea that we should save as many as we can. Jodie and Mary's parents, however, believed that there is an even stronger argument on the other side.

The Argument from the Sanctity of Human Life. The parents loved both of their children, and they thought it would be wrong to kill one of them even to save the other. Of course, they were not alone in thinking this. The idea that all human life is precious, regardless of age, race, social class, or handicap, is at the core of the Western moral tradition. It is especially emphasized in religious writings. In traditional ethics, the prohibition against killing innocent humans is absolute. It does not matter if the killing would serve a good purpose; it simply cannot be done. Mary is an innocent human being, and so she may not be killed.

Is this argument sound? The judges who heard the case did not think so, for a surprising reason. They denied that the rule against killing applies to this situation. Lord Justice Robert Walker said that in the course of the operation Mary would not be killed. She would merely be separated from her sister and then "She would die, not because she was intentionally killed, but because her own body cannot sustain her life." In other words, the operation wouldn't kill her; her body's weakness would. And so, the morality of killing is irrelevant.

The Lord Justice, however, has missed the point. It doesn't matter whether we say that Mary's death is caused by the operation or by her body's own weakness. Either way, she will be dead, and we will knowingly have hastened her death. *That's* the idea behind the traditional prohibition against killing the innocent.

There is, however, a more natural objection to the Argument from the Sanctity of Life. Perhaps it is *not* always wrong to kill innocent human beings. For example, such killings may be right when three conditions are met: (a) the innocent human has no future because she is going to die soon no matter what; (b) the innocent human has no wish to go on living, perhaps because she has no wishes at all; and (c) this killing will save others, who can go on to lead full lives. In these rare circumstances, the killing of the innocent might be justified.

1.4. Third Example: Tracy Latimer

Tracy Latimer, a 12-year-old victim of cerebral palsy, was killed by her father in 1993. Tracy lived with her family on a prairie farm in Saskatchewan, Canada. One Sunday morning while his wife and other children were at church, Robert Latimer

put Tracy in the cab of his pickup truck and piped in exhaust fumes until she died. At the time of her death, Tracy weighed less than 40 pounds, and she was described as "functioning at the mental level of a three-month-old baby." Mrs. Latimer said that she was relieved to find Tracy dead when she arrived home and added that she "didn't have the courage" to do it herself.

Robert Latimer was tried for murder, but the judge and jury did not want to treat him harshly. The jury found him guilty of only second-degree murder and recommended that the judge ignore the mandatory 10-year sentence. The judge agreed and sentenced him to one year in prison, followed by a year of confinement to his farm. But the Supreme Court of Canada stepped in and ruled that the mandatory sentence must be imposed. Robert Latimer entered prison in 2001 and was paroled in 2008.

Legal questions aside, did Mr. Latimer do anything wrong? This case involves many of the issues that we saw in the other cases. One argument against Mr. Latimer is that Tracy's life was morally precious, and so he had no right to kill her. In his defense, it may be said that Tracy's condition was so catastrophic that she had no prospects of a "life" in any but a biological sense. Her existence had been reduced to pointless suffering, and so killing her was an act of mercy. Considering those arguments, it appears that Robert Latimer acted defensibly. There were, however, other points made by his critics.

The Argument from the Wrongness of Discriminating against the Handicapped. When Robert Latimer was given a lenient sentence by the trial court, many handicapped people took it as an insult. The president of the Saskatoon Voice of People with Disabilities, who has multiple sclerosis, said: "Nobody has the right to decide my life is worth less than yours. That's the bottom line." Tracy was killed because she was handicapped, he said, and that is unconscionable. Handicapped people should be given the same respect and the same rights as everyone else.

What are we to make of this? Discrimination against any group is a serious matter, because it involves treating some people worse than others, without any good justification. A common example involves discrimination in employment. Suppose a blind person is refused a job simply because the employer doesn't like the idea of hiring someone who can't see. This is

no better than refusing to employ people because they are Hispanic or Jewish or female. Why is this person being treated differently? Is he less able to do the job? Is he less intelligent or less industrious? Does he deserve the job less? Is he less able to benefit from employment? If there is no good reason to exclude him, then it is arbitrary to do so.

Should we think of the death of Tracy Latimer as a case of discrimination against the handicapped? Robert Latimer argued that Tracy's cerebral palsy was not the issue: "People are saying this is a handicap issue, but they're wrong. This is a torture issue. It was about mutilation and torture for Tracy." Just before her death, Tracy had undergone major surgery on her back, hips, and legs, and more surgery was planned. "With the combination of a feeding tube, rods in her back, the leg cut and flopping around and bedsores," said her father, "how can people say she was a happy little girl?" At the trial, three of Tracy's physicians testified about the difficulty of controlling her pain. Thus, Mr. Latimer denied that Tracy was killed because of the cerebral palsy; she was killed because of her pain and suffering, and because there was no hope for her.

The Slippery Slope Argument. When the Canadian Supreme Court upheld Robert Latimer's sentence, the director of the Canadian Association of Independent Living Centres said that she was "pleasantly surprised." "It would have really been the slippery slope, and opening the doors to other people to decide who should live and who should die," she said.

Other disability advocates echoed this idea. We may feel sympathy for Robert Latimer, it was said; we may even think that Tracy Latimer is better off dead. However, it is dangerous to think like this. If we accept any sort of mercy killing, we will slide down a "slippery slope," and in the end all life will be held cheap. Where will we draw the line? If Tracy's life is not worth protecting, what about the lives of other disabled people? What about the elderly, the infirm, and other "useless" members of society? In this context, Hitler's program of "racial purification" is often mentioned, implying that, if we take the first step, we will end up like the Nazis.

Similar "slippery slope arguments" have been used in connection with all sorts of other issues. Abortion, in vitro fertilization (IVF), and most recently cloning have all been opposed

because of what they might lead to. Sometimes, in hindsight, it is evident that the worries were unfounded. This has happened with IVF, a technique for creating embryos in the lab. When Louise Brown, the first "test tube baby," was born in 1978, there were dire predictions about what might be in store for her, her family, and society as a whole. But none of the predictions came true, and IVF has become routine. Since Louise Brown's birth, over 100,000 American couples have used IVF to have children.

When the future is unknown, however, it can be difficult to determine whether such an argument is sound. Reasonable people disagree about what would happen if mercy killing in cases like Tracy Latimer's were accepted. This kind of disagreement can be hard to resolve. Those inclined to defend Mr. Latimer may think the dire predictions are unrealistic, while those who want to condemn him may insist that the predictions are sensible.

It is worth noting, however, that this kind of argument is easy to abuse. If you are opposed to something but have no good arguments against it, you can always make up a prediction about what it might lead to; and no matter how implausible your prediction is, no one can prove you wrong. This method can be used to oppose almost anything. That is why such arguments should be approached with caution.

1.5. Reason and Impartiality

What can we learn from all this about the nature of morality? As a start, we may note two main points: first, moral judgments must be backed by good reasons; and second, morality requires the impartial consideration of each individual's interests.

Moral Reasoning. The cases of Baby Theresa, Jodie and Mary, and Tracy Latimer are liable to arouse strong feelings. Such feelings are often a sign of moral seriousness and may be admired. But they can also get in the way of discovering the truth: When we feel strongly about an issue, it is tempting to assume that we just *know* what the truth is, without even having to consider the arguments on the other side. Unfortunately, however, we cannot rely on our feelings, no matter how powerful they may be. Our feelings may be irrational; they may be

nothing but the products of prejudice, selfishness, or cultural conditioning. At one time, for example, people's feelings told them that members of other races were inferior and that slavery was God's plan.

Moreover, people's feelings can be very different. In the case of Tracy Latimer, some people feel very strongly that her father should have been given a long prison term, while others feel equally strongly that he should never have been prosecuted. But both of these feelings cannot be correct.

Thus, if we want to discover the truth, we must let our feelings be guided as much as possible by reason. This is the essence of morality. The morally right thing to do is always the thing best supported by the arguments.

This is not a narrow point about a small range of moral views; it is a general requirement of logic that must be accepted by everyone regardless of their position on any particular issue. The fundamental point may be stated simply. Suppose someone says that you ought to do such-and-such. You may legitimately ask why you should do it, and if no good reason can be given, you may reject the advice as arbitrary or unfounded.

In this way, moral judgments are different from expressions of personal taste. If someone says, "I like coffee," she does not need to have a reason—she is merely stating a fact about herself, and nothing more. There is no such thing as "rationally defending" one's like or dislike of coffee. So long as she is accurately reporting her taste, what she says must be true. On the other hand, if someone says that something is morally wrong, he does need reasons, and if his reasons are legitimate, then other people must acknowledge their force. By the same logic, if he has no good reason for what he says, he is simply making noise, and we can ignore him.

Of course, not every reason that may be advanced is a good reason. There are bad arguments as well as good ones, and much of the skill of moral thinking consists in discerning the difference. But how do we tell the difference? How do we go about assessing arguments? The examples we have considered point to some answers.

The first thing is to get one's facts straight. Often this is not as easy as it sounds. Sometimes key facts are unknown. Other times, matters are so complex that even the experts disagree. Yet another problem is human prejudice. Often, we *want*

to believe something because it supports our preconceptions. Those who disapprove of Robert Latimer's action, for example, will want to believe the predictions in the Slippery Slope Argument; those who approve of his actions will want to reject them. It is easy to think of other examples: People who do not want to give to charity often say that charities are inefficient, even when they have no good evidence for this; and people who dislike homosexuals may say that gay men are all pedophiles, even though very few are. But the facts exist independently of our wishes, and responsible moral thinking begins when we try to see things as they are.

Next, we can bring moral principles into play. In our three examples, a number of principles were involved: that we should not "use" people; that we should not kill one person to save another; that we should do what will benefit the people affected by our actions; that every life is sacred; and that it is wrong to discriminate against the handicapped. Most moral arguments consist of principles being applied to particular cases, and so we must ask whether the principles are justified and whether they are being applied correctly.

It would be nice if there were a simple recipe for constructing good arguments and avoiding bad ones. Unfortunately, there is no easy method. Arguments can go wrong in many ways, and we must always be alert to the possibility of new complications and new kinds of error. But that is not surprising. The rote application of routine methods is never a satisfactory substitute for critical thinking, in any area. Morality is no exception.

The Requirement of Impartiality. Almost every important theory of morality includes the idea of impartiality. This is the idea that each individual's interests are equally important; no one should get special treatment. At the same time, impartiality requires that we not treat the members of particular *groups* as inferior, and so practices such as sexism and racism are condemned.

The requirement of impartiality is closely connected with the point that moral judgments must be backed by good reasons. Consider the position of a racist who thinks that white people deserve all the good jobs. He would like all the doctors, lawyers, business executives, and so on, to be white. Now we can ask for

reasons; we can ask why this is thought to be right. Is there something about white people that makes them better fitted for the highest-paying and most prestigious positions? Are they inherently brighter or more industrious? Do they care more about themselves and their families? Are they capable of benefiting more from the availability of such positions? In each case, the answer is no; and if there is no good reason for treating people differently, then discrimination is unacceptably arbitrary.

The requirement of impartiality, then, is at bottom nothing more than a rule against treating people arbitrarily. It forbids us from treating one person worse than another when there is no good reason to do so. But if this explains what is wrong with racism, it also explains why, in some cases, it is *not* racist to treat people differently. Suppose a movie director were making a film about Fred Shuttlesworth, the heroic African-American civil rights leader. This director would have a good reason not to cast Christian Bale in the starring role. Such "discrimination" would not be arbitrary and would not be open to criticism.

1.6. The Minimum Conception of Morality

We may now state the minimum conception: Morality is, at the very least, the effort to guide one's conduct by reason—that is, to do what there are the best reasons for doing—while giving equal weight to the interests of each individual affected by one's decision.

This gives us a picture of what it means to be a conscientious moral agent. The conscientious moral agent is someone who is concerned impartially with the interests of everyone affected by what he or she does; who carefully sifts facts and examines their implications; who accepts principles of conduct only after scrutinizing them to make sure they are justified; who is willing to "listen to reason" even when it means revising prior convictions; and who, finally, is willing to act on the results of this deliberation.

As one might expect, not every ethical theory accepts this "minimum." This picture of the moral agent has been disputed in various ways. However, theories that reject the minimum conception encounter serious difficulties. Most philosophers realize this, and so most theories of morality incorporate the minimum conception, in one form or another.

CHAPTER 2

The Challenge of Cultural Relativism

Morality differs in every society, and is a convenient term for socially approved habits.

RUTH BENEDICT, *PATTERNS OF CULTURE* (1934)

2.1. Different Cultures Have Different Moral Codes

Darius, a king of ancient Persia, was intrigued by the variety of cultures he met in his travels. He had found, for example, that the Callatians, who lived in India, ate the bodies of their dead fathers. The Greeks, of course, did not do that—the Greeks practiced cremation and regarded the funeral pyre as the natural and fitting way to dispose of the dead. Darius thought that a sophisticated outlook should appreciate the differences between cultures. One day, to teach this lesson, he summoned some Greeks who happened to be at his court and asked what it would take for them to eat the bodies of their dead fathers. They were shocked, as Darius knew they would be, and replied that no amount of money could persuade them to do such a thing. Then Darius called in some Callatians and, while the Greeks listened, asked them what it would take for them to burn their dead fathers' bodies. The Callatians were horrified and told Darius not to speak of such things.

This story, recounted by Herodotus in his *History*, illustrates a recurring theme in the literature of social science: Different cultures have different moral codes. What is thought right within one group may horrify the members of another group, and vice versa. Should we eat the bodies of the dead or burn them? If you were a Greek, one answer would seem

obviously correct; but if you were a Callatian, the other answer would seem certain.

There are many such examples. Consider the Eskimos of the early and mid 20th century. The Eskimos are the native people of Alaska, northern Canada, Greenland, and northeastern Siberia, in Asiatic Russia. Today, none of these groups call themselves "Eskimos," but the term has historically referred to that scattered Arctic population. Prior to the 20th century, the outside world knew little about them. Then explorers began to bring back strange tales.

The Eskimos lived in small settlements, separated by great distances, and their customs turned out to be very different from ours. The men often had more than one wife, and they would share their wives with guests, lending them out for the night as a sign of hospitality. Moreover, within a community, a dominant male might demand—and get—regular sexual access to other men's wives. The women, however, were free to break these arrangements simply by leaving their husbands and taking up with new partners—free, that is, so long as their former husbands chose not to make too much trouble. All in all, the Eskimo custom of marriage was a volatile practice that bore little resemblance to our custom.

But it was not only their marriages and sexual practices that were different. The Eskimos also seemed to have less regard for human life. Infanticide, for example, was common. Knud Rasmussen, an early explorer, reported that he met one woman who had borne 20 children but had killed 10 of them at birth. Female babies, he found, were especially likely to be killed, and this was permitted at the parents' discretion, with no social stigma attached. Moreover, when elderly family members became too feeble, they were left out in the snow to die. In Eskimo society, there seemed to be remarkably little respect for life.

Most of us would find these Eskimo customs completely immoral. Our own way of living seems so natural and right that we can hardly conceive of living so differently. When we hear of such things, we tend to categorize the other people as "backward" or "primitive." But to anthropologists, the Eskimos did not seem unusual. Since the time of Herodotus, enlightened observers have known that conceptions of right and wrong differ from culture to culture. If we assume that our ethical ideas will be shared by all cultures, we are merely being naïve.

2.2. Cultural Relativism

To many people, this observation—"Different cultures have different moral codes"—seems like the key to understanding morality. The idea of universal truth in ethics, they say, is a myth. The customs of different societies are all that exist. To say that a custom is "correct" or "incorrect" would imply that we can judge that custom by some independent standard of right and wrong. But no such standard exists, they say; every standard is culture-bound. The sociologist William Graham Sumner, writing in 1906, put it like this:

> The "right" way is the way which the ancestors used and which has been handed down. . . . The notion of right is in the folkways. It is not outside of them, of independent origin, and brought to test them. In the folkways, whatever is, is right. This is because they are traditional, and therefore contain in themselves the authority of the ancestral ghosts. When we come to the folkways we are at the end of our analysis.

This line of thought, more than any other, has persuaded people to be skeptical about ethics. Cultural Relativism, as it has been called, challenges our belief in the objectivity and universality of moral truth. It says, in effect, that there is no such thing as universal truth in ethics; there are only the various cultural codes, and nothing more.

The following claims have all been made by cultural relativists:

1. Different societies have different moral codes.
2. The moral code of a society determines what is right within that society; that is, if the moral code of a society says that a certain action is right, then that action *is* right, at least within that society.
3. There is no objective standard that can be used to judge one society's code as better than another's. There are no moral truths that hold for all people at all times.
4. The moral code of our own society has no special status; it is but one among many.
5. It is arrogant for us to judge other cultures. We should always be tolerant of them.

These five propositions may seem to go together, but they are independent of one another—some may be true while others are false. Indeed, two of the propositions appear to be inconsistent with each other. The second says that right and wrong are determined by the norms of a society; the fifth says that we should always be tolerant of other cultures. But what if the norms of a society favor intolerance? For example, when the Nazi army invaded Poland on September 1, 1939, thus beginning World War II, this was an intolerant action of the first order. But what if it was in line with Nazi ideals? A cultural relativist, it seems, cannot criticize the Nazis for being intolerant, if all they're doing is following their own moral code.

Given that cultural relativists take pride in their tolerance, it would be ironic if their theory actually supported the intolerance of warlike societies. However, it need not do that. Properly understood, Cultural Relativism holds that the norms of a culture reign supreme *within the bounds of the culture itself.* Thus, once the German soldiers entered Poland, they became bound by the norms of Polish society—norms that obviously excluded the mass slaughter of innocent Poles. "When in Rome," the old saying goes, "do as the Romans do." Cultural relativists agree.

2.3. The Cultural Differences Argument

Cultural Relativists often employ a certain *form of argument.* They begin with facts about cultures and end up drawing a conclusion about morality. Thus, they invite us to accept this reasoning:

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

Or:

> (1) The Eskimos saw nothing wrong with infanticide, whereas Americans believe infanticide is immoral.

(2) Therefore, infanticide is neither objectively right nor objectively wrong. It is merely a matter of opinion, which varies from culture to culture.

Clearly, these arguments are variations of one fundamental idea. They are both examples of a more general argument, which says:

(1) Different cultures have different moral codes.

(2) Therefore, there is no objective "truth" in morality. Right and wrong are only matters of opinion, and opinions vary from culture to culture.

We may call this the Cultural Differences Argument. To many people, it is persuasive. But is it a good argument—is it *sound?*

It is not. For an argument to be sound, its premises must all be true, and the conclusion must follow logically from them. Here, the problem is that the conclusion does not follow from the premise—that is, even if the premise is true, the conclusion might still be false. The premise concerns what people *believe*—in some societies, people believe one thing; in other societies, people believe something else. The conclusion, however, concerns what *really is the case.* This sort of conclusion does not follow logically from that sort of premise. In philosophical terminology, this means that the argument is *invalid.*

Consider again the example of the Greeks and Callatians. The Greeks believed it was wrong to eat the dead; the Callatians believed it was right. Does it follow, *from the mere fact that they disagreed,* that there is no objective truth in the matter? No, it does not follow; it could be that the practice was objectively right (or wrong) and that one of them was simply mistaken.

To make the point clearer, consider a different matter. In some societies, people believe the earth is flat. In other societies, such as our own, people believe that the earth is spherical. Does it follow, from the mere fact that people disagree, that there is no "objective truth" in geography? Of course not; we would never draw such a conclusion, because we realize that the members of some societies might simply be wrong. There is no reason to think that if the world is round everyone must know it. Similarly, there is no reason to think that if there is moral truth everyone must know it. The Cultural Differences Argument tries to derive a substantive conclusion about a subject from the mere fact that people disagree. But this is impossible.

This point should not be misunderstood. We are not saying that the conclusion of the argument is false; Cultural Relativism could still be true. The point is that the conclusion does not follow from the premise. This means that the Cultural Differences Argument is invalid. Thus, the argument fails.

2.4. What Follows from Cultural Relativism

Even if the Cultural Differences Argument is unsound, Cultural Relativism might still be true. What would follow if it were true?

In the passage quoted earlier, William Graham Sumner states the essence of Cultural Relativism. He says that there is no measure of right and wrong other than the standards of one's society: "The notion of right is in the folkways. It is not outside of them, of independent origin, and brought to test them. In the folkways, whatever is, is right." Suppose we took this seriously. What would be some of the consequences?

1. *We could no longer say that the customs of other societies are morally inferior to our own.* This, of course, is one of the main points stressed by Cultural Relativism. We would have to stop condemning other societies merely because they are "different." So long as we concentrate on certain examples, such as the funerary practices of the Greeks and Callatians, this attitude may seem to be enlightened.

However, we would also be barred from criticizing other, less benign practices. For example, the Chinese government has a long history of repressing political dissent within its own borders. At any given time, thousands of political prisoners in China are doing hard labor, and in the Tiananmen Square episode of 1989, Chinese troops slaughtered hundreds, if not thousands, of peaceful protesters. Cultural Relativism would preclude us from saying that the Chinese government's policies of oppression are wrong. We could not even say that a society that respects free speech is *better* than Chinese society, for that would also imply a universal standard of comparison. The failure to condemn *these* practices does not seem enlightened; on the contrary, political oppression seems wrong wherever it occurs. Nevertheless, if we accept Cultural Relativism, we have to regard such social practices as immune from criticism.

2. *We could no longer criticize the code of our own society.* Cultural Relativism suggests a simple test for determining what is

did not love their children. An Eskimo family would always protect its babies if conditions permitted. But the Eskimos lived in a harsh environment, where food was in short supply. To quote an old Eskimo saying: "Life is hard, and the margin of safety small." A family may want to nourish its babies but be unable to do so.

As in many traditional societies, Eskimo mothers would nurse their infants over a much longer period than mothers in our culture—for four years, and perhaps even longer. So, even in the best of times, one mother could sustain very few children. Moreover, the Eskimos were nomadic; unable to farm in the harsh northern climate, they had to move about in search of food. Infants had to be carried, and a mother could carry only one baby in her parka as she traveled and went about her outdoor work. Finally, the Eskimos lacked birth control, so unwanted pregnancies were common.

Infant girls were more readily disposed of for two reasons. First, in Eskimo society, the males were the primary food providers—they were the hunters—and food was scarce. Infant boys were thus better protected. Second, the hunters suffered a high casualty rate, so the men who died prematurely far outnumbered the women who died young. If male and female infants had survived in equal numbers, then the female adult population would have greatly outnumbered the male adult population. Examining the available statistics, one writer concluded that "were it not for female infanticide . . . there would be approximately one-and-a-half times as many females in the average Eskimo local group as there are food-producing males."

So, among the Eskimos, infanticide did not signal a fundamentally different attitude toward children. Instead, it arose from the recognition that drastic measures were needed to ensure the family's survival. Even then, however, killing the baby was not the first option considered. Adoption was common; childless couples were especially happy to take a fertile couple's "surplus." Killing was the last resort. I emphasize this in order to show that the raw data of anthropology can be misleading; it can make the differences in values between cultures appear greater than they are. The Eskimos' values were not all that different from our own. It is only that life forced choices upon them that we do not have to make.

2.6. Some Values Are Shared by All Cultures

It should not be surprising that the Eskimos were protective of their children. How could they not be? Babies are helpless and cannot survive without extensive care. If a group did not protect its young, the young would not survive, and the older members of the group would not be replaced. After a while, the group would die out. This means that any culture that continues to exist must care for its young. Infants who are not cared for must be the exception rather than the rule.

Similar reasoning shows that other values must be more or less universal. Imagine what it would be like for a society to place no value on truth telling. When one person spoke to another, there would be no presumption that she was telling the truth, for she could just as easily be lying. Within that society, there would be no reason to pay attention to what anyone says. If I want to know what time it is, why should I bother asking anyone, if lying is commonplace? Communication would be extremely difficult, if not impossible, in such a society. And because societies cannot exist without communication among their members, society would become impossible. It follows that every society must value truthfulness. There may, of course, be situations in which lying is thought to be okay. No matter. The society will still value honesty.

Consider another example. Could a society exist in which there was no prohibition against murder? What would this be like? Suppose people were free to kill one another at will, and no one disapproved. In such a "society," no one could feel safe. Everyone would have to be constantly on guard, and to survive they would have to avoid other people as much as possible. This would result in individuals trying to become self-sufficient—after all, associating with others would be dangerous. Society on any large scale would collapse. Of course, people might band together in smaller groups where they could feel safe. But notice what this means: They would be forming smaller societies that did acknowledge a rule against murder. The prohibition against murder, then, is a necessary feature of society.

There is a general point here, namely, that *there are some moral rules that all societies must embrace, because those rules are necessary for society to exist.* The rules against lying and murder are two examples. And, in fact, we do find these rules in force in all

cultures. Cultures may differ in what they regard as legitimate exceptions to the rules, but this disagreement exists against a broad background of agreement. Therefore, it is a mistake to overestimate the amount of difference between cultures. Not every moral rule can vary from society to society.

2.7. Judging a Cultural Practice to Be Undesirable

In 1996, a 17-year-old named Fauziya Kassindja arrived at Newark International Airport in New Jersey and asked for asylum. She had fled her native country of Togo, in West Africa, to escape what people there call "excision." Excision is a permanently disfiguring procedure. It is sometimes called "female circumcision," but it bears little resemblance to male circumcision. In the Western media, it is often referred to as "female genital mutilation."

According to the World Health Organization, excision is practiced in 28 African nations, and about 120 million females have been painfully excised. Sometimes, excision is part of an elaborate tribal ritual, performed in small villages, and girls look forward to it because it signals their acceptance into the adult world. Other times, the practice is carried out in cities on young women who desperately resist.

Fauziya Kassindja was the youngest of five daughters. Her father, who owned a successful trucking business, was opposed to excision, and he was able to defy the tradition because of his wealth. His first four daughters were married without being mutilated. But when Fauziya was 16, he suddenly died. She then came under the authority of her aunt, who arranged a marriage for her and prepared to have her excised. Fauziya was terrified, and her mother and oldest sister helped her escape.

In America, Fauziya was imprisoned for nearly 18 months while the authorities decided what to do with her. During this time, she was subjected to humiliating strip searches, denied medical treatment for her asthma, and generally treated like a criminal. Finally, she was granted asylum, but not before her case aroused a great controversy. The controversy was not about her treatment in America, but about how we should regard the cultural practices of other peoples. A series of articles in *The*

New York Times encouraged the idea that excision is barbaric and should be condemned. Other observers were reluctant to be so judgmental. Live and let live, they said; after all, our culture probably seems just as strange to other peoples.

Suppose we are inclined to say that excision is bad. Would we merely be imposing the standards of our own culture? If Cultural Relativism is correct, that is all we can do, for there is no culture-independent moral standard to appeal to. But is that true?

Is There a Culture-Independent Standard of Right and Wrong? Excision is bad in many ways. It is painful and results in the permanent loss of sexual pleasure. Its short-term effects can include hemorrhage, tetanus, and septicemia. Sometimes the woman dies. Its long-term effects can include chronic infection, scars that hinder walking, and continuing pain.

Why, then, has it become a widespread social practice? It is not easy to say. The practice has no obvious social benefits. Unlike Eskimo infanticide, it is not necessary for group survival. Nor is it a matter of religion. Excision is practiced by groups from various religions, including Islam and Christianity.

Nevertheless, a number of reasons are given in its defense. Women who are incapable of sexual pleasure are less likely to be promiscuous; thus, there will be fewer unwanted pregnancies in unmarried women. Moreover, wives for whom sex is only a duty are less likely to cheat on their husbands; and because they are not thinking about sex, they will be more attentive to the needs of their husbands and children. Husbands, for their part, are said to enjoy sex more with wives who have been excised. Unexcised women, the men feel, are unclean and immature.

It would be easy, and perhaps a bit arrogant, to ridicule these arguments. But notice an important feature of them: They try to justify excision by showing that excision is beneficial—men, women, and their families are said to be better off when women are excised. Thus, we might approach the issue by asking whether this is true: Is excision, on the whole, helpful or harmful?

In fact, this is a standard that might reasonably be used in thinking about any social practice: *Does the practice promote or*

BEGINNING ETHICS

An Introduction to Moral Philosophy