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Foundations of Ethical Judgement

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Description

Commentary and Part 3 of the Occidental Engineering case by Michael McFarland, S.J.

Body

Occidental Engineering Case Study: Part 3

The existence of ethical conflict, so obvious and so painful in our experience, has led some to question whether there is any common basis at all for ethical judgement. In this view, commonly called "ethical relativism," ethics seems completely personal and arbitrary. If someone wants to take drugs or view pornography or collect automatic weapons, that is their business. It is not for anyone else to criticize them. Of course a certain amount of tolerance is necessary and desirable, especially in a pluralistic society. But that is very different from the position that all ethics is individual and that there can be no shared ethical principles. For suppose the drug user robs a convenience store and kills the owner. Suppose the pornographer

abuses young children. Suppose the weapons lover takes a neighboring family hostage and kills three police officers who try to rescue them. Even the most tolerant and accepting would want to say there was something wrong with these acts, and that they must be prevented. But if they are truly ethical relativists, they cannot oppose any of these actions. If the child abuser believes that children were meant to be abused, that is his belief. It is not for anyone to criticize it. If a zealot is convinced that he has a divine mandate to make war on a society of unbelievers, there is no basis for questioning that, for there are no common moral principles. In fact the ethical relativist cannot even criticize those who seek to enforce their own code of ethics. If someone seeks to oppress drug users, gays, smokers, bicycle riders, or anyone else whom they find morally offensive, that is their business. There is no ethical basis for opposing them, because there is nothing to ethics beyond personal belief. Clearly ethical relativism in this sense is untenable. If taken seriously it can only lead to a society where there is no respect, no civility, no protection for anyone, in other words to complete chaos.

Most often when people claim that we should not criticize the behavior of others, what they really mean is that we should accept that behavior as long as it does not interfere with anyone else. In this view there is nothing wrong with taking drugs or viewing pornography or any other behavior as long as it does not hurt anyone else. But this is very different from the position that there is no common basis for morality, because it is itself based on a moral principle which everyone is expected to observe. This principle, which we might call the principle of noninterference, states that any act is morally acceptable that harms no one except the agent. But then anyone who holds the principle of noninterference would have to argue why that is any better than other possible moral principles or moral systems. It does not avoid the problem of judging when a moral position is correct.

Another form of relativism recognizes that a society must have and enforce moral standards in order to be viable, but still believes that those standards are arbitrary and can differ from one society to the next. This is sometimes called cultural relativism. Cultural relativism is based on the well-known sociological fact that different cultures do have different ethical standards and practices. Some societies strongly oppose drug use, while others accept it, or even encourage it as a religious practice. Some societies believe that all property ought to be held in common, while others are structured around private property. Some societies revere their elderly and insist that everything possible be done for them, while others expect that those

over a certain age will be left to die. Clearly community standards are important in forming people's ethical consciousness, and community standards differ from one society to the next.

Nevertheless, to conclude from this that ethics is purely a cultural phenomenon with no underlying basis leads to some of the same problems we found with ethical relativism applied to individuals. For if there are no universal principles, it is impossible ever to criticize or question any practice commonly accepted in some culture. That would, of course, prevent more "advanced" cultures from condemning "primitive" ones for being too brutal, too licentious, or not industrious enoughMary Midgley, "Trying Out One's New Sword," in Vice & Virtue in Everyday Life: Introductory Readings in Ethics, Christina Sommers and Fred Sommers (eds.), Fort Worth, TX: Harcourt Brace Jovanovich, 1993, pp. 174-180.. Many would see that as good insofar as it protects against an arrogant and insensitive cultural imperialism. But it would also mean that no one, including friends and protectors of indigenous cultures, could ever criticize the cultural imperialist for being avaricious, arrogant, insensitive, or inhumane. If the Conquistadores' culture told them they had a divine right to rob and brutalize native Americans, they were right to do so within their culture, and that is the only standard they were answerable to, because there is no other. Similarly, if a society finds it acceptable to exterminate those of another race, as in Nazi Germany, or to keep them powerless, oppressed and deprived, as in the South Africa of apartheid, it must be right for them.

Moreover, it is hard even to say what it means for a "culture" or a "society" to believe that something is right or wrong. A society has many voices. For example, at the time of the Conquistadores, there were those like Bartolome de las Casas, who condemned their treatment of the Native AmericansBartolome de las Casas, In Defense of the Indians, trans. Stafford Poole, Dekalb, IL: Northern Illinois Univ. Press, 1992.. There were many in Nazi Germany like Dietrich Bonhoeffer who opposed the policies of the government.Eberhard Bethge, Dietrich Bonhoeffer: Man of Vision, Man of Courage, New York: Harper & Row, 1970. Which voice is to be considered "authentic" in articulating ethical standards if there are no fundamental principles for deciding? Is it the voice of majority? If so, then lonely, courageous figures like de las Casas and Bonhoeffer, whom we consider to have been prophetic voices opposing unjust policies, would have to be judged wrong.

The idea that a majority of the population of a society decides what is right and wrong seems too arbitrary. Suppose, for example, that there is an isolated village

that contains fifty-nine smokers, all of whom think smoking ought to be allowed, and fifty-eight nonsmokers, all of whom think smoking is a threat to public health and ought to be banned. If the majority decides what is right, then smoking ought to be tolerated. But suppose a couple of smokers die of cancer. Is smoking now wrong? Of course one might argue that there is an ethical Darwinism at work here: that ultimately the practices that promote survival will come to be accepted because those who hold them will survive the longest. But then suppose the smokers cannot tolerate the ban on smoking so they get together and kill all the nonsmokers. Has smoking, not to mention the elimination of nonsmokers, become right again? This hardly seems like a satisfactory solution.

Perhaps it is the authorities that decide the ethical standards for a society. But then the Nazis would have to be judged right, as would the governments in South Africa that imposed apartheid, even though they did so against the wishes of the vast majority of the population, who are black. Perhaps then it is legitimate authority that sets ethical standards. But in the absence of any independent standards or principles, how do we decide what or who is legitimate? If we say those who speak to the majority, we are back to where we were before. Some might want to say that it is religious authority or those who are validated by religious authority who have legitimacy. But the authority of religion comes from its transcendence, the fact that it somehow witnesses to a universal truth. If there is no such universal truth, religion is just another local cultural phenomenon and has no more legitimacy than the culture itself.

Another problem with cultural relativism is deciding what one's culture is and therefore whose standards to follow. An individual belongs to many communities. John Hospers, "The Problem with Relativism," in Sommers and Sommers, op. cit., pp. 169-173. If one's country is involved in a war, and one's church opposes it, which one is right? What are one's obligations in that case? On the other hand, suppose one's church has declared war on everyone who belongs to another religion, even fellow citizens, while the government is trying to protect religious tolerance and the lives of all of its citizens. Which is right? How does one decide? Leaving religion aside, suppose that one belongs to a social club that is open only to whites. The members are convinced that, not only should they be free to exclude others, but it is a good thing for them to do so. But the wider society finds exclusion of people on the basis of race objectionable and demands that the club integrate. Members of the club belong to both "cultures." By whose ethics are they bound, absent any trans-

cultural principles?

Cultural relativism, therefore, like personal relativism, is untenable as a foundation for ethics. Not only does it lead to the unacceptable conclusion that a society cannot be wrong in its ethical judgements, but it does not even hold together logically. We need some concept of an ethical truth that transcends individuals and societies.

Fortunately some principles do exist that have been accepted as constitutive of the good life by people of wisdom and good will across many times and cultures. These can be expressed as a set of duties, as in the following version due to the ethicist W. D. Ross:W. D. Ross, The Right and the Good, Indianapolis, IN: Hackett Publishing Co., 1930, p. 21.

- Fidelity, especially in keeping promises
- Reparation in making up for harm done to others
- Gratitude for good done by others
- Justice in distributing benefits to others as they deserve
- Beneficence, doing good for others
- Self-improvement especially in virtue and intelligence
- Nonmalfeasance, avoiding harm to others

These principles are rooted in our experience of and reflection on what it is to be human. There are certain elements that are common to all human experience. We avoid pain. We seek happiness, which means not only physical pleasure, but also an intelligent grasp of our world and its meaning, and the cultivation of virtues such as strength, courage, compassion and generosity. We form families and live in society. All of these are directed toward the ultimate goal of self-actualization in freedom, to be a free and creative human subject in relation to other free and creative human subjects. The fundamental ethical principles are those that have been found necessary to support these basic human aspirations. Ethical truth, then, is rooted in our own experience, intuitions, and judgements, purified by careful thought, self-examination, and mutual criticism. As Ross says, "the moral convictions of thoughtful and well-educated people are the data of ethics, just as sense-perceptions are the data of natural science."Ibid, p. 41.

Of course we all frequently violate these ethical demands; but that does not mean that we do not recognize and honor them. Either we acknowledge we were wrong, or we find it necessary to offer some excuse. We might argue that we were not free,

but were compelled somehow to act as we did; or that we did not know what we were doing; or that we violated one precept to fulfill a more important one; or that the precept we violated did not apply to us in that case. These excuses are not always valid, however. Often they are used to avoid responsibility for actions that are in fact wrong. That is why it is important to examine where and how these ethical principles apply.

Next "Ethical Conflict: Part 4"

Notes

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